

CAPISTRANO BAY DISTRICT
AGENDA REPORT
August 31, 2026

New Business

ITEM 11a

Swearing in of New Director/Oath of Office

The final results of the process of replacing outgoing Directors whose terms are expiring are as follows:

- Pat McNulty has chosen to take another four-year term (expires in 2030)
- Felicia Lurner has chosen to take another four-year term (expires in 2030)
- Ross Misher has chosen to take another four-year term (expires in 2030)

Recently, Director Seidensticker has had to step down due to conflict of interest related to litigation with the Coastal Commission over her Coastal Development Permit. After noticing the community on this unexpected change, we are pleased to announce that homeowner John Tomlinson has agreed to step in and take over the remaining two years of Director Seidensticker's term:

- John Tomlinson to take over the remaining term of Dir. Seidensticker (expires 2028)

The Board of Directors will now be made up of the following Beach Road residents:

- Pat McNulty
- Ross Misher
- Felicia Lurner
- Jay Champlain
- John Tomlinson

While the election code and the government code both require Directors to be both property owners and registered voters for Beach Road, there is a provision in Govt. Code Section 24001 that allows the governing body of a special District to waive the voter registration requirement for Board members who are being appointed. *(see code excerpt on next page)*

California Government Code Section 24001

[Legal Research Home](#) > [California Laws](#) > [Government Code](#) > California Government Code Section 24001

Except as otherwise provided in Sections 27550.1 and 27641.1 or in this section, or in Section 21123 or 34711 of the Water Code, or in any landowner voting district, **as defined in paragraph (8) of subdivision (b) of Section 10500 of the Elections Code, a person is not eligible to a county or district office, unless he or she is a registered voter of the county or district in which the duties of the office are to be exercised** at the time that nomination papers are issued to the person or at the time of the appointment of the person.

The board of supervisors or any other legally constituted appointing authority in a county or district may, if it finds that the best interests of the county or district will be served, waive the requirements of this section for an appointed county or district office.

Section: [Previous](#) [24000](#) [24001](#) [24001.5](#) [24002](#) [24002.5](#) [24003](#) [24004](#) [24004.3](#) [24004.5](#) [24005](#) [24006](#) [24007](#) [24008](#) [24009](#) [24010](#) [Next](#)

Last modified: January 15, 2011

OATH OF OFFICE
FOR PUBLIC OFFICERS AND EMPLOYEES
(State Constitution, Art. XX, Sec. 3 as amended)

ITEM NO. 11a

State of California

County of Orange

I, John Tomlinson, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Board Member, Capistrano Bay Community Services District

(Duties upon which affiant is about to enter)

Signature

Subscribed and sworn to before me this 31st day of August 2026

(Term expires December 2028)

Donal S. Russell

Signature of Official Administering Oath
Donal S. Russell, District Manager



(District Seal)