

ITEM 5a

**REGULAR MEETING #729
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES
REGULAR MEETING 6:00 PM
July 28, 2026**

1. CALL TO ORDER

District Manager Russell called the meeting to order at 6:00 PM.

2. PLEDGE OF ALLEGIANCE

Manager Russell led attendees in the Pledge of Allegiance

3. ROLL CALL

Directors Present:	Directors McNulty, Misher, Lurner, Champlain
Staff:	District Manager Russell, Karen Morris
Absent:	Directors Seidensticker
Agents:	None
Contractors Present:	Robert Stabenow, Allied Universal Security
Guest Speakers:	None

4. PUBLIC COMMENTS

There were no public comments

5. APPROVAL OF MINUTES

a. Meeting #728 of June 30, 2026

Motion was made by Director Champlain, seconded by Director Lurner and voted 4-0-1 (Seidensticker absent) to approve the minutes # 728 of June 30, 2026.

b. Meeting #725 of March 31, 2026

Motion was made by Director Misher, seconded by Director Lurner and voted 4-0-1 (Seidensticker absent) to approve the minutes #725 of March 31, 2026.

6. THIS ITEM LEFT BLANK

7. SHORELINE COMMITTEE

a. Miller CDP application

Manager Russell reported that with the desire of Coastal staff to turn the application process over to their staff in San Francisco, this has resulted in a delay in moving the approval along. There is no set scheduled meeting time with CCC staff at this time.

b. City Local Coastal Plan (LCP) Amendment

The Coastal Commission caused a delay in passing the City's amended LCP at their recent hearing due to CCC staff trying to sneak in new conditions on Beach Road at the last minute just before going to hearing. This was caught by our consulting team and were thus able to get the item pulled from the agenda at the hearing. This means the LCPA will have to be resubmitted with all Beach Road items deleted.

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8. SECURITY

a. **Monthly Security Report**

The security report for May/June was submitted. Director Lurner made the suggestion that at the busy remodel locations, the project managers get briefed on moving the Monday trash barrels to a more accessible driveway to allow for the passage of vehicles around parked cement or delivery trucks.

b. **GoAccess Gate Management change over**

Admin. Assistant Karen Morris reported that the change over process is underway and residents can expect this to be done by end of August. Near the end of August owners will have a two-week familiarization period to be able to use both the old DwellingLIVE program or the new GoAccess program for calling in guests and service workers.

9. FINANCIAL REPORTS

a. **Monthly report through June 2026**

The report was received and filed.

b. **FY27 Operating Budget**

The complete budget for FY27 will be submitted for approval at the August 25th Board meeting. Manager Russell has called for a committee of Board members to meet mid-August for a budget review meeting and will send out a request for a Zoom meeting soon.

10. OLD BUSINESS

a. **Disaster Preparedness**

The Board has requested we hold on further work for the time being to allow for a review of the proposals from the two service providers who have submitted bids for creating a preparedness guidance.

b. **Research on 1960 Dept of the Army Letter/Sand Replenishment**

At this time, progress has been delayed in trying get a copy of the construction permit from the County for the Dana Point Harbor from back in the mid 60's. The suggestion was made to try getting cooperation from the Army Corps of Engineers who were probably the ones who actually performed the construction work.

c. **STORM DRAIN 2 REPAIRS (35125)**

With the owner of the vacant lot preparing to get underway with new home construction, this is the time for the District to move onto the lot and make repairs to the drainpipe from damage caused by the upcoast owner who has piled up sandcubes, large boulders and concrete. This had crushed the pipe and moved it laterally about 36" from its original alignment within the easement. Repair work is underway and expected to be completed by the end of August.

11. NEW BUSINESS

a. **Board member terms expiring in December**

The terms of Directors McNulty, Misher and Lurner are expiring this coming December. All three have agreed to accept another four year term. Given no other residents have offered to run for a seat on our Board of Directors, there will be no election and all three will be appointed by the County Board of Supervisors in November right after the mid-term national elections. On another note, while the standard for eligibility is to be registered to vote on Beach Road, there is a provision in Govt. Code Section 24001 that allows a Board of Directors to waive this requirement if it is in the best interests of the Board and the community. So, from time to time, the Board may have to rely on this provision.

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b. Proposed repaving project for 35731 Beach Road

Manager Russell explained that the owner wants to tear out the old deteriorated asphalt paving and replace with decorative concrete and low planter. The Directors readily agreed that this would be a huge improvement for the community and offered unanimous consensus.

12. WRITTEN COMMUNICATIONS

There were no written communications

13. BOARD AND STAFF COMMENTS

Directors reiterated the importance of the District Manager completing an updated job description and to provide some idea of his employment over the next 24 months. Additionally, staff was reminded to begin including two items to the agenda:

- a standard notice at the top of the agenda that all meetings are recorded
- that the Manager continue including a list of the several items that are being worked on

ADJOURNMENT

Manager Russell adjourned the meeting at 7:20 PM

ATTEST:

State of California)
County of Orange)
Capistrano Bay District)

I, Donal S. Russell, Manager of the Capistrano Bay Community Services District, hereby certify that this is a *DRAFT* copy of the Minutes of Meeting #729, held July 28, 2026.

Donal S. Russell
DONAL S. RUSSELL, Manager
Capistrano Bay Community Services District

July 31, 2026
DATE