ITEM 5a

REGULAR MEETING #730
CAPISTRANO BAY DISTRICT BOARD OF DIRECTORS
MINUTES
REGULAR MEETING 6:00 PM
August 31, 2026

1. **CALL TO ORDER**
The Board called the meeting to order at 6:05 PM.

2. **PLEDGE OF ALLEGIANCE**
Karen Morris led attendees in the Pledge of Allegiance

3. **ROLL CALL**

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

4. **PUBLIC COMMENTS**
Public comments were all focused on shoreline erosion and hurricane surf high wave damage to homes along Beach Road. While this topic was not on the agenda, the Board allowed open discussion to hear from property owners who have suffered seawall damage and foundation instability.

Homeowners Sol Poursalimi, Natalie Driesen and Jason Moyer expressed urgent concerns about their properties being threatened by ongoing erosion and water intrusion, and challenges in obtaining emergency permits and coordinating boulder placement to protect their homes. Also discussed was the beach access problem due to high tides, preventing equipment from placing boulder revetments at many homes, despite having emergency permits.

Board members explained that the District has no jurisdiction out on the private/public beach and cannot make application for emergency permitting – this is the responsibility of individual homeowners making application to the Coastal Commission.

5. **APPROVAL OF MINUTES**
a. Meeting #729 of July 29, 2026
Motion was made by Director Mishser, seconded by Director Lurner and voted 5-0 to approve the minutes # 729 of July 29, 2026.

6. **THIS ITEM LEFT BLANK**

7. **SHORELINE COMMITTEEE**
a. Miller CDP application
Movement with CCC staff in responding to the CDP application is being temporarily tabled to provide staff time to deal with the flood of emergency permit applications due to the storm surf damage.

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b. City Local Coastal Plan (LCP) Amendment

The Coastal Commission and the City are now looking at the CCC's request to review development standards for the Beach Road portion of the City's Local Coastal Plan (LCP). However, as with other business before the City and the CCC, all hands are concentrating on the hurricane surf crisis.

8. SECURITY

a. Monthly Security Report

The security report for June/July was submitted without comment to allow time for shoreline damage discussion.

b. GoAccess Gate Management change over

Admin. Assistant Karen Morris reported that the change over process is underway, however due to the emergency crisis in the community, the go live date is being pushed to mid-September at which time 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 July 2026

The report was received and filed.

b. FY27 Operating Budget

After brief discussion, Motion was made by Board President McNulty, seconded by Director Champlain, and approved by a vote of 5-0 to approve the FY27 Operating Budget at $2,444,802.00.

10. OLD BUSINESS

a. Disaster Preparedness

The Board has requested we hold on further work for the time being to allow for District staff and the Board to concentrate on the current hurricane high surf damage to homes

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. Given recent public comments from Supervisor Katrina Foley about this matter, it appears more likely that staff can now go to the Supervisor for answers.

c. STORM DRAIN 2 REPAIRS (35125)

Manager Russell reported that progress on this project is continually being hampered by the non-stop high surf from Hurricane Marie. Work will continue at such time as when the hurricane influence on the tides subsides and we can get at least a four hour work window each day to affect repairs.

11. NEW BUSINESS

a. Swearing in New Board Member John Tomlinson

Manager Russell administered the Oath of Office to new Director John Tomlinson, to take over the remaining two years of outgoing Director Marcella Seidensticker, the term of which ends in 2028.

b. Request by Homeowner to Use District Lot

Manager Russell explained that the owner wants to be granted permission by the District to be able to use the District's vacant lot for personal use when they are visiting their beach house.

Board members cited extensive liability issues with this and denied the request.

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12. WRITTEN COMMUNICATIONS
There were no written communications

13. BOARD AND STAFF COMMENTS
There were no Board nor staff comments

ADJOURNMENT
Manager Russell adjourned the meeting at 7:25 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 #730, held August 31, 2026.

Donal S. Russell — Sept. 4, 2026

DONAL S. RUSSELL, Manager — DATE
Capistrano Bay Community Services District