

MINUTES

REGULAR MEETING OF THE GOVERNING BOARD OF THE EMBARCADERO MUNICIPAL IMPROVEMENT DISTRICT

October 14, 2015

CALL TO ORDER

The Regular October meeting of the Board of Directors of the Embarcadero Municipal Improvement District was called to order at 7:30 PM by President Langle.

ROLL CALL: All Directors were present; Directors Langle, Bowman, Soltysik, Marotto and Riharb

PUBLIC COMMENT: EPOA President, Holly Duncan was present to discuss EPOA matters and activities.

ACTION CALENDAR:

MINUTES: ACTION: Director Bowman moved to approve the minutes of the August 12, 2015 meeting as amended, correcting the number of directors present the previous meeting. Director Marotto seconded the motion. The motion passed unanimously by the following called vote: (5-0).

Ayes: Directors Bowman, Soltysik, Langle, Marotto and Riharb Noes: None

STORM WATER FACILITIES: Discussion was held about a draft Ordinance the purpose of which is to clarify and stipulate that drainage culverts and swales on and over private property are to be maintained by the property owners and that neither EMID nor the County have the responsibility to maintain or repair those culverts. The question of the need for such an ordinance was discussed.

Director Bowman moved to direct staff to request advice from legal counsel as to how best to protect the District from potential litigation derived from storm water damage on private property caused by culverts on or over other private properties and whether an ordinance such as the draft Ordinance No. 15-95 would be the best way to protect the District. The motion was seconded by Director Riharb and passed unanimously by the following called vote:

Ayes: Directors Bowman, Soltysik, Marotto, Langle and Riharb. Noes: None absent: None

Director Riharb suggested that he add some language to the draft Ordinance 15-95 before it is sent to legal counsel. He further asked the question of how EMID can encourage property owners to maintain culverts on their properties, creating a paper trail for EMID.

ALLOWANCE OF CLAIMS: ACTION: A motion to approve the Allowance of Claims in the amount of \$29,040 was made by Director Bowman, seconded by Director Soltysik and passed by the following called vote: (5-0)

Ayes: Director Soltysik, Director Bowman, Director Langle, Director Riharb and Director Marotto

Noes: None Absent: None

FINANCE OFFICER'S REPORT: Financial reports were reviewed. The Finance Committee met on Tuesday, October 13, 2015 at which time the invoices, checks, bank balances, and account reconciliations were reviewed. Director Bowman presented the income & expense reports and budget to actual reports.

MANAGER'S REPORT:

Riding Ring: Nothing to report as the reports from residents have not yet been received. Water conservation continues to be a priority.

Entrance: The Entrance area was cleared of geraniums and replaced with succulents. The Entrance Fountain area has been cleared and trees removed and replaced with new plants. Nut trees that were previously purchased were planted as privacy screen for house adjacent to center park.

A new specimen tree was planted along with two additional shrubs near the fountain area. The area behind the fountain was cleared. The chipping material from the removal of the trees was used as ground cover around the entrance and fountain/bulletin board areas.

A slab leak was detected under the patio/courtyard slab. The water has been turned off and the leak will be repaired Friday, October 16.

Two oblong tables will be purchased to replace two that have been damaged or are too dirty to clean.

Draft Ordinance 15-95 is contained in your packets for review.

ANNUAL AUDIT: The audit field work was completed and once all testing is done the report will be given to all directors and the County. The State Controller Report will be mailed on October 17.

SBCSDA MEETING REPORT: No report this meeting.

BOARD MEMBER COMMENTS: Director Bowman suggested that a lending library be created for the public at EMID Center.

ADJOURNMENT: The meeting was adjourned at 9:05 pm.

