

MINUTES

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

September 10, 2014

CALL TO ORDER

The Regular September meeting of the Board of Directors of the Embarcadero Municipal Improvement District was called to order at 7:37 PM by President Langle.

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

PUBLIC COMMENT: EMID Counsel, Rick Battles and new resident Lili Walker were present. Ms Walker requested that EMID meet with an arena expert to determine how to renew and upgrade the Riding Ring ground surface. The manager will meet with Ms Walker and an arena specialist.

ACTION CALENDAR

MINUTES: ACTION: Director Marotto moved to approve the minutes of the August 13, 2014 meeting as submitted. Director Soltysik seconded the motion. The motion passed by the following called vote: (3-0), with Directors Bowman and Riharb abstaining.

Ayes: Director Marotto, Director Langle, Director Soltysik

Abstentions: Directors Bowman and Riharb.

Noes: None

ALLOWANCE OF CLAIMS: ACTION: A motion to approve the Allowance of Claims in the amount of \$15,202.22 was made by Director Bowman, seconded by Director Marotto and passed unanimously by the following called vote: (5-0)

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

Absent: None

Noes: None

FINANCE OFFICER'S REPORT: Financial reports were reviewed. The Finance Committee met on Monday, September 8, 2014 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: A local produce farm will begin delivering fresh produce to those residents who wish to order. The orders will be delivered and picked up at the EMID office each Wednesday. Brochures were distributed.

PARKS and TRAILS PROJECTS: The manager reported that a 50% deposit to Landscape Structures was required and a meeting with the contractors/installers will take place on September 22. Once the contractor/installer report is complete, Andy Holland will clear the pad and the installer will complete the project.

SBCSDA MEETING REPORT: No report this period.

ADJOURNMENT: The meeting was adjourned to Closed Session pursuant to Government Code Section 54956.9(d)(1), Conference with Legal Counsel-Existing Litigation

Name of Case: City of Santa Maria, et al, vs. Michael Cohen, et al. (Sacramento Superior Court Case No: 34-2014-80001918).

OPEN SESSION REPORT on CLOSED SESSION: The meeting was reconvened.

Action: Director Bowman moved to direct legal counsel to make an effort to have the case against the District dismissed, and or to direct legal counsel to acquire a written agreement that the City of Santa Maria not take our default without giving the District an opportunity to answer the complaint, and or to direct legal counsel to confirm the financial impact to the District should the complaint move forward.

Director Riharb suggested that in the event the case with regard to the District is not dismissed, we should collaborate with the Special District's Association and the other districts party to this lawsuit to act as a unit in responding to this action.

ADJOURNMENT: The meeting was adjourned at 8:45 PM

