

**EMERALD BAY SERVICE DISTRICT
REGULAR MEETING OF DIRECTORS MEETING
Wednesday, January 16, 2019**

PRESENT: John Marconi, President
James Flynn, Treasurer
Susan Thomas, Secretary
Philip deCarion, Director

ABSENT: John McDermott, Vice President

ALSO PRESENT: Michael Dunbar, General Manager
Allison Burns, Attorney, Stradling Yocca Carlson & Rauth
Victor Assad, Community Association President
Toni Hughes, EBCA Community Manager
Jill Chambers, Director of Architecture and Construction
Cisco Farias, Director of Maintenance
Susan Olmstead-Bowen, Director of Finance
Cathy Lovitt, Recording Secretary, Member Services Administrator

CALL TO ORDER and PLEDGE OF ALLEGIANCE

The meeting was called to order at 5:30 p.m. by President John Marconi and the pledge of allegiance was recited.

CERTIFICATION OF POSTING

Cathy Lovitt stated that the agenda for this meeting was posted on the District Website, community bulletin board and at the Main Gate Guardhouse by 5:00 p.m. on Friday, January 11, 2019.

PUBLIC COMMENT

None.

MINUTES

The Board discussed the minutes of the Special Meeting of the Board of Directors of December 19, 2018 and approved the minutes as written.

Susan Thomas made a motion to approve the minutes as written. The motion was seconded by James Flynn and passed unanimously.

REVIEW OF FINANCIAL MATTERS

The Board discussed the financial reports as presented.

DEPOSITS

Total deposits for December were \$827,584.65.

INVOICES FOR PAYMENT

Invoices for payment totaled \$122,297.58 for the period ending January 9, 2019.

James Flynn made a motion to approve the invoices for payment for the period ending January 9, 2019 totaling \$122,297.58. The motion was seconded by Philip deCarion and unanimously approved.

ACTION ITEMS

1. Election of Officers for 2019. President John Marconi made a motion to appoint the following officers for 2019:

James Flynn	President
Susan Thomas	Vice President
John Marconi	Treasurer
Philip deCarion	Secretary
John McDermott	Director

James Flynn made a motion to approve the appointment of officers. Susan Thomas seconded the motion and the motion was unanimously approved.

John Marconi thanked the Service District Board for all of their efforts and support. John Marconi noted that James Flynn has contributed a tremendous amount of assistance to the Board in his year of service. Mr. Flynn graciously accepted the Office of President.

OLD BUSINESS

1. Storm Water Run-off. Michael Dunbar reported that due to the recent rain events run-off notices have not been necessary. Staff reported that, prior to the rain storms they have anticipated possible problem areas throughout the Bay and placed sandbags prior to the storms. Staff also reported that the new AMI water meters appear to be working well in pin-pointing water leaks.

NEW BUSINESS

None

CORRESPONDENCE

None

BOARD REPORTS

General Manager's Report. Michael Dunbar reported his December 2018 activities to the Board of Directors.

AD HOC REPORTS

None

CLOSED SESSION

Under provisions of Government Code Section 54956.9(d) (2), the Board entered closed session at 6:15 p.m. to discuss the items listed on the agenda:

1. Conference with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 – South Orange County Wastewater Authority et al v. Moulton Niguel Water District, OCSC Case No. 30-2017-00923143.
2. Conference with Legal Counsel – Anticipated Litigation: Pursuant to Government Code Section 54956.9 (d) (2) – two potential cases.
3. Conference with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9(a) – Mark Denney v. State of California, et al., Orange County Superior court Case No. 30-2018-0994482 – CV – PO – CXC.

OPEN SESSION

At 6:45 p.m. the Board returned to open session. No reportable actions were taken in closed session.

LEGAL COUNSEL'S REPORT

General Counsel Allison Burns reported on various matters that she has been working on with the General Manager, Michael Dunbar.

The next regularly scheduled meeting on February 20, 2019.

ADJOURNMENT

The meeting was adjourned at 6:50 p.m.



James Flynn, President



Cathy Lovitt, Recording Secretary