

**EMERALD BAY SERVICE DISTRICT BOARD OF DIRECTORS
SPECIAL TELECONFERENCE MEETING
PURSUANT TO GOVERNOR'S ORDER N 29-20
Wednesday, May 20, 2020**

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

ALSO, PRESENT: Michael Dunbar, General Manager
Allison Burns, Attorney, SYCR
Susan Olmstead-Bowen, Director of Finance
Cathy Lovitt, Recording Secretary, Member Services
Administrator

CALL TO ORDER

The meeting was called to order via Zoom Teleconference at 5:30 p.m. by President Susan Thomas and the pledge of allegiance was recited.

CERTIFICATION OF POSTING

Administrative Assistant, Cathy Lovitt stated the agenda for this meeting was posted on the Community bulletin board, at the Main Gate Guardhouse, on the District's website and the media was notified by 5:00 pm on May 15, 2020

PUBLIC COMMENTS

None

MINUTES

The minutes from the Board of Directors meeting of the April 15, 2020 will be presented for approval at the June 17, 2020 Board meeting.

REVIEW OF FINANCIAL MATTERS

The Board discussed the financial reports as presented.

DEPOSITS

Total deposits for April 2020 were \$1,274,784.36.

INVOICES FOR PAYMENT

Invoices for payment totaled \$983,417.02 for the period ending April 30, 2010
John Marconi made a motion to approve the invoices for payment for the period ending April 30, 2020 totaling \$983,417.02. The motion was seconded by Philip deCarion and unanimously approved.

A Roll Call was taken, and the Directors' votes were recorded as follows:

President Thomas – yea
Vice President Marconi – yea
Treasurer Flynn - yea
Secretary deCarion - yea
Director McDermott – yea

ACTION ITEMS

1. Approval of Additional Funding for Beach Lifeguards, Pool Monitors and Security Due to COVID-19. Michael Dunbar reported that he has been working closely with the Community Association during the COVID-19 pandemic; due to, with school closures, there has been a significant increase in the number of people who use the beach and pool facility. He reported that the pool was opened for limited use; the Association has retained additional pool monitors, beach monitors and security patrol to help with social distancing. Mr. Dunbar stated that he and staff discussed the Service District reimbursing the Community Association for these additional expenses not to exceed \$35,000 and recommends this expense.

John McDermott made a motion to approve additional funding for beach lifeguards, pool monitors and security due to COVID-19. The motion was seconded by John Marconi and unanimously approved.

A Roll Call was taken, and the Directors' votes were recorded as follows:

President Thomas – yea
Vice President Marconi – yea
Treasurer Flynn - yea
Secretary deCarion - yea
Director McDermott – yea

2. Adoption of the First Amendment to the Eighth Amended and Restated Management Services Agreement between the Emerald Bay Service District and the Emerald Bay Community Association. Michael Dunbar reported that, consistent with item 1, above, legal has prepared a First Amendment to the Eighth Amended and Restated Management Services Agreement. This First Amendment would authorize the District to reimburse the Community Association up to \$35,000 through Memorial Day for costs and expenses due to COVID-19.

John McDermott made a motion to adopt the First Amendment to the Eighth Amended and Restated Management Agreement. The motion was seconded by Philip deCarion and unanimously approved.

A Roll Call was taken, and the Directors' votes were recorded as follows:

President Thomas – yea
Vice President Marconi – yea
Treasurer Flynn - yea
Secretary deCarion - yea
Director McDermott – yea

3. Approval to not Conduct the Annual July 4 Fireworks Display. Michael Dunbar reported that due to the impact of COVID-19 and the Governor's Orders prohibiting large social gatherings, staff is requesting the District to rescind its contract with Pyro Spectaculars, Inc. for the fireworks display and Pacific Tugboat Service for the barge/tugboat services this year. Staff has discussed the July 4 fireworks display with various cities and areas surrounding the Emerald Bay community and has found that out of 38 agencies, 30 as of this date, have cancelled or rescheduled their fireworks displays. The Board requested Michael Dunbar to work with President Thomas and Allison Burns to prepare a letter stating that as mandated by Federal and State orders that the Service District has no alternative but to not proceed with the July 4 firework display. The President of the Community Association, Victor Assad, will be sending a notice out to the Community.

John McDermott made a motion to cancel the July 4 fireworks display , and authorized Michael Dunbar to work with President Thomas and legal to prepare a letter to Pyro Spectaculars and Pacific Tugboats cancelling their respective contracts. The motion was seconded by James Flynn and unanimously approved.

A Roll Call was taken, and the Directors' votes were recorded as follows:

President Thomas – yea
Vice President Marconi – yea
Treasurer Flynn - yea
Secretary deCarion - yea
Director McDermott – yea

4. Authorize the General Manager to enter into a Contract with David's Tree Service for the Annual Fuel Management Project at a cost of \$34,755. Michael Dunbar reported that staff prepared a proposal package for fuel modification including thinning of native vegetation between 150 feet and 200 feet of the Emerald Bay Community's exterior boundary. The District retained the services of James Dockstader, landscape architect, to walk the perimeter and tag various plants for removal or thinning efforts. The Notice to Bidders packet was sent to four pre-qualified landscape maintenance firms to submit proposals. The District received four bids ranging from \$34,755 to \$80,100 with the lowest, responsible bidder being David's Tree Service, Inc. Mr. Dunbar reported that David's Tree Service performed the work last year.

James Flynn made a motion to authorize the General Manger to enter into a contract with David's Tree Service for the annual Fuel Management Project at a cost of \$34,755. The motion was seconded by John Marconi and unanimously approved.

A Roll Call was taken, and the Directors' votes were recorded as follows:

President Thomas – yea
Vice President Marconi – yea
Treasurer Flynn - yea
Secretary deCarion - yea
Director McDermott – yea

CORRESPONDENCE

None

AD HOC REPORTS

None

GENERAL MANAGER'S REPORT

Michael Dunbar reported his April 2020 activities to the Board of Directors.

Mr. Dunbar reported that tree-trimming and all work along Pacific Coast Highway will be completed before Memorial Day weekend. He also reported that the striping in front of the Main Gate will be re-done to clarify the Emerald Bay Main Gate entry point. The work will involve fixing the yellow striping (the current pavement shows two sets of double yellow lines).

DIRECTOR'S COMMENTS

None

The next regularly scheduled meeting is scheduled for Wednesday, June 17, 2020 and will be held in the Community Center using social distancing procedures and also via Zoom teleconference.

ADJOURNMENT

The meeting was adjourned at 6:30 p.m.



Susan Thomas, President



Cathy Lovitt, Recording Secretary