

**RESOLUTION No. 2014-01**

**RESOLUTION OF THE UKIAH VALLEY SANITATION DISTRICT BOARD OF DIRECTORS  
PROVIDING NOTICE OF CANCELLATION OF THE 1995 PARTICIPATION AGREEMENT  
AND SUBSEQUENT AMENDMENTS TO THE CITY OF UKIAH**

**WHEREAS**, on the 19<sup>th</sup> day of July, 1995 the Ukiah Valley Sanitation District (“DISTRICT”) and the City of Ukiah (“CITY”) entered into an agreement entitled “Participation Agreement” (“AGREEMENT”) for the purpose of operation of joint sewer system and treatment plant; and,

**WHEREAS**, an amendment to the AGREEMENT entitled “Amendment No. 1” was entered into on the 24<sup>th</sup> day of March 1999; and,

**WHEREAS**, an amendment to the AGREEMENT entitled “Amendment No. 2” was entered into on the 15<sup>th</sup> day of December, 2004; and,

**WHEREAS**, a document entitled “FINANCING AGREEMENT” was entered into on the 2<sup>nd</sup> day of March, 2006; and,

**WHEREAS**, Paragraph 7 of the AGREEMENT provides that the “City or District may cancel this Agreement by giving the other party five (5) years advance written notice” and;

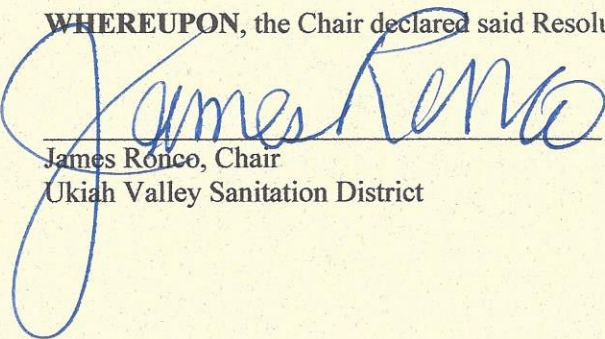
**WHEREAS**, the Ukiah Valley Sanitation District Board of Directors (“DISTRICT BOARD”) met on October 16, 2014 for the purpose of reviewing the AGREEMENT, the hereinabove referenced amendments thereto and the FINANCING AGREEMENT; and,

**WHEREAS**, at said meeting the DISTRICT BOARD decided to exercise its option to cancel the AGREEMENT, the hereinabove referenced amendments thereto by providing notice to the City of Ukiah pursuant to paragraph 7 of the AGREEMENT and the FINANCING AGREEMENT;

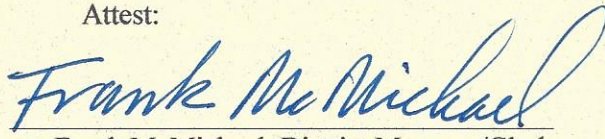
**NOW THEREFORE** the DISTRICT BOARD having reviewed the AGREEMENT and hereinabove referenced amendments thereto, **DOES HEREBY ADOPT THIS RESOLUTION** authorizing the Chairman of the DISTRICT BOARD to give written Notice to the City of Ukiah to cancel the AGREEMENT, hereinabove referenced amendments thereto and the and the FINANCING AGREEMENT.

The foregoing Resolution was introduced by Chair Ronco followed by a motion to adopt the Resolution from Director McNerlin and seconded by Director Page. Motion carried this 16th day of October, 2014, by the following roll call vote: AYES: Directors McNerlin, Page, Mayfield, Marshall and Chair Ronco: Nays: None; Abstain: None; Absent: None

**WHEREUPON**, the Chair declared said Resolution **ADOPTED and SO ORDERED**.

  
James Ronco, Chair  
Ukiah Valley Sanitation District

Attest:

  
Frank McMichael, District Manager/Clerk