

RESOLUTION NO. 07-04

RESOLUTION OF THE BOARD OF DIRECTORS OF THE UKIAH VALLEY SANITATION DISTRICT DIRECTING STAFF TO SUSPEND ENFORCEMENT OF SEWER LATERAL INSPECTION AND REPAIR ORDINANCE

WHEREAS, the Ukiah Valley Sanitation District ("District") has adopted Ordinance 29 of the District, requiring the inspection and repair of sewer laterals upon a change in ownership of a property served by a sewer lateral, upon the issuance of a building permit to remodel structures on such a property, and upon other "triggering events"; and

WHEREAS, this ordinance was adopted, in part, to comply with sections III(6)(b ) and III(6)(c) of the Consent Decree in *River Watch v. Ukiah et al.* (N.D. Cal.) Case No. CV-04518-CW ("*River Watch*"); and

WHEREAS, pursuant to a stipulation among the City of Ukiah ("City"), the Ukiah Valley Sanitation District and River Watch, on May 30, 2007, the federal district court in *River Watch* issued an order suspending the obligation of the City and the District to comply with sections III(6)(b ) and III(6)(c) until November 1, 2007, to allow the City and the District time to analyze the feasibility of developing an alternative sewer lateral inspection and repair program;

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE UKIAH VALLEY SANITATION DISTRICT DOES RESOLVE AS FOLLOWS:

1. Except for the inspection requirements contained therein, enforcement of Ukiah Valley Sanitation District Ordinance 29 is hereby suspended until November 1, 2007 ("the Suspension Period").

2. City staff is directed to notify realtors, title companies and other interested parties of the suspension and to post notice thereof on the City's website.

3. During the Suspension Period, a triggering event will require the inspection but not the repair of the sewer lateral serving the lot or parcel subject to that event.

4. If the District and River Watch agree to an alternative sewer lateral inspection and repair program, the Board of Directors may extend the Suspension Period to allow sufficient time to receive federal court approval for an amendment to the Consent Decree and to adopt appropriate amendments to Ordinance 29 of the Ukiah Valley Sanitation District.

The foregoing Resolution introduced by Director Crane, seconded by Director Delbar, and carried this 7<sup>th</sup> day of June, 2007, by the following vote:

AYES: Directors Crane, Delbar, and Wattenburger  
NOES: None  
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: KRISTI FURMAN  
Clerk of Said Board

By: Adrienne Moore, Deputy  
Secretary, Ukiah Valley Sanitation District

Jim Wattenburger  
JIM WATTENBURGER, Chair  
Ukiah Valley Sanitation District

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

KRISTI FURMAN  
Clerk of the Board  
By: Adrienne Moore, Deputy

APPROVED AS TO FORM  
COUNTY COUNSEL OFFICE  
By: Janice B. Nadel