

RESOLUTION NO. 07-05

RESOLUTION OF THE BOARD OF DIRECTORS OF THE UKIAH VALLEY SANITATION DISTRICT EXTENDING THE PARTIAL SUSPENSION OF THE 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;

WHEREAS, the parties have agreed to an alternate program to be implemented by the District. The parties have stipulated to amend the Consent Decree, and the stipulation has been signed by Federal District Court Judge Claudis Wilken;

WHEREAS, this resolution extends the current suspension of enforcement from November 1, 2007, until the new program is implemented.

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 the new program is implemented.
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.

The foregoing Resolution introduced by Director Delbar, seconded by Director Crane, and carried this 28th day of November, 2007, by the following vote:


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

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



JIM R. WATTENBURGER, Chairman
Ukiah Valley Sanitation District

ATTEST: KRISTI FURMAN
Clerk of Said Board

By: 

Secretary, Ukiah Valley Sanitation District

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

KRISTI FURMAN
Clerk of the Board
BY 

APPROVED AS TO FORM:
JEANINE B. NADEL, County Counsel

