

## **UVSD Special Board Meeting October 11, 2017**

### **1. CALL TO ORDER – by Chair Ronco at 5:30 p.m.**

Roll call by General Manager Tait- Directors McNerlin, Page, Ronco, and Marshall present, Director Sakowicz absent

### **2. PUBLIC EXPRESSION**

Ukiah City Councilwoman Maureen Mulheren and Ukiah Mayor Jim Brown made comments regarding the District holding a special meeting during a public disaster.

### **3. DISCUSSION AND POSSIBLE ACTION RE: CHANGING REGULAR BOARD MEETING DATE/TIME**

Director McNerlin spoke in favor of proposed Resolution, as did Director Marshall. Public given opportunity to speak. Andrea Reed spoke against resolution, saying there is a high probability that three new Board Members will be elected in November, and that the new Board should be allowed to choose the meeting day/date. Jim Brown, City Council Member and Resident of the City spoke in opposition, saying the proposed date is the same meeting time as the City Council and it will make it difficult to have joint meetings. City Council Member Maureen Mulheren spoke against the Resolution, saying UVSD Directors with conflict of the current meeting schedule should rearrange their personal life, not change the regular meeting date. Director McNerlin responded to Brown, saying that having a meeting at the same time as the City would actually make joint meetings with the City easier, and reminded him that the Brown Act prevents more than two UVSD Directors from attending a City Council meeting at one time. Director McNerlin also responded to Mulheren's comment saying, God, Family, Country, in that order are her priorities. Chair Ronco commented that the current meeting day/date was based on the needs of a former Director and Thursdays do not work for him as well. Director Marshall commented that this is an example of the hostility between the UVSD Board and the City Council and also an example of why it is so hard to get along.

Proposed Resolution was read into the record by Attorney Douglas L. Losak. Director McNerlin moved that the Resolution be approved, Director Page seconded the motion. Director Marshall asked to amend the motion to the second Wednesday of the month, Director McNerlin declined to amend the motion, vote held, motion passed with Directors McNerlin, Page, and Ronco voting in favor and Director Marshall opposed.

### **4. DISCUSSION AND POSSIBLE ACTION RE: AMENDMENT TO LEGAL CONTRACT WITH THE LAW OFFICE OF DUNCAN JAMES**

Discussion held by the Board. The one change requested by the Board to Section Ten of the Contract had been made.

Public comment: City Council member Brown commented that Section Four gave the law firm the ability to take money out of trust without Board approval and wondered where the money was held that the District had received from the City. Chris Ostrom, resident of the District, commented on Sections Six, Ten, and Twelve claiming that no other attorney contract had fees for paralegals, that the termination at will language in Section Ten was meaningless because it came after language regarding a termination date and that the law firm could continue to charge the District for service even if terminated up to June

30, 2022. Don Crawford, resident of the District spoke in opposition, claiming that Director Marshall had said that the Board should have outside counsel review the Contract.

Board discussed the item some more, asked attorney for clarification on at will language. Comments by Directors McNerlin, Ronco, Page and Marshall. Motion made by Director Mcnerlin, seconded by Director Marshall, and approved 4-0.

#### **5. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL**

**EXISTING LITIGATION** (Paragraph (1) of Subdivision (d) of Section 54956.9) Ukiah Valley Sanitation District vs. City of Ukiah and Does 1 through 100 inclusive Sonoma County Superior Court Case No. SCV 256737.

Report out- no action taken.

#### **6. ADJOURNMENT**

Chair Ronco announced the next Regular Meeting based on Resolution 2017-02, would be Wednesday, October 18, 2017 at 6:00 p.m. and the meeting was adjourned at 6:31 p.m.