

UVSD Special Board Meeting October 5, 2017

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

Roll call by General Manager Tait - Directors Marshall, Page, Ronco present, Director McNerlin arrived at 5:56 p.m. per prior arrangement. Director Sakowicz absent.

2. PUBLIC EXPRESSION

Chris Ostrom spoke against the amended Contract stating he hopes that the Board does not go forward with the amendment. Doug addressed that there should have been no public comment regarding the Contract until that agenda item is addressed. Ernie Wipf came to the podium making sure that no further comments would be made regarding agenda items until they are addressed. Sean White reiterated the City's position of imploring the District to set aside litigation and settle the case.

3. DISCUSSION AND POSSIBLE ACTION RE: FISCAL YEAR 2017-2018 ADMINISTRATIVE BUDGET

General Manager Tait discussed the Administrative Budget of 2016 and wants approval to transition from a part-time budget to a full-time budget for F.Y. 2017-2018.

Chair Ronco accepted motion made by Director Page and motion was seconded by Director Marshall, motion carried, all those in favor.

4. DISCUSSION AND POSSIBLE ACTION RE: BOARD POLICY REGARDING GENERAL MANAGER'S AUTHORITY

General Manager Tait described the initial General Manager's Authority until it is anticipated that the Board would modify that authority to coincide with a new full-time District annual budget. Director Marshall made the motion to accept the General Manager's Authority, seconded by Director Page, all those in favor, motion carried.

5. DISCUSSION AND POSSIBLE ACTION RE: AMENDMENT TO LEGAL CONTRACT WITH THE LAW FIRM OF DUNCAN M. JAMES

General Manager Tait informs the Board that as he continues to review District documents he will bring before the Board those Contracts and Policies that he believes the Board should consider for updating. Doug seconded what General Manager Tait explained about older documents needing updates and clarified that the amendment was to the existing Contract. Don Crawford, resident of the District, spoke in opposition stating that the amendment was a huge change to the Contract and that no changes to the Contract should be made until after the November election. Sean White echoed the comments of Don Crawford claiming that the proposed amendment to the Contract is a significant change to the existing Contract and urged the Board to reconsider the amendment. Ernie Wipf came to the podium concerned as to why the Contract is being extended. Dan Buffalo, Finance Director for the City of Ukiah, stated that he had reviewed the Contract and suggests that an outside attorney should review it for an additional professional opinion. Chris Ostrom, Co-Owner of Pacific Outfitters, came to the podium addressing his concerns regarding the Contract and recommended that the Board does not go forward with the amendment. Andrea Reed encouraged the Board to keep the Contract as it is. Chair Ronco states that this item will be moved to the next agenda and it will be brought back and discussed at that time after further review.

6. DISCUSSION AND POSSIBLE ACTION RE: STRUCTURE AND LEADERSHIP OF WORKING COMMITTEES

General Manager Tait states that this is a follow-up item from comments made by a couple of Board Members regarding existing committees. Board discusses existing committees. Director McNerlin requests the establishment of a policies and procedures committee and volunteered to be on that committee, Director Page volunteered as well. Don Crawford came to the podium and questioned if there can be discussion regarding the rebate program and Chair Ronco stated this was not the time for that discussion. Director McNerlin commented to Don Crawford stating that when that item does come to the committee it will be open for discussion. Motion to reinstitute The Policies and Procedures Committee was made by Director McNerlin and seconded by Director Page.

7. 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 by Douglas Losak, who stated the Board was informed that the Court of Appeals unanimously upheld the Superior Court's decision denying the City's anti-SLAPP motion

8. ADJOURNMENT

The meeting was adjourned at 6:56 p.m.