

UVSD Regular Board Meeting December 13, 2017

1. CALL TO ORDER by Chair McNerlin at 6:00 p.m.

Roll call was conducted by General Manager Tait; Chair McNerlin, Vice-Chair Reed, Director Wipf, Director Marshall, and Director Bawcom present. Next, Chair McNerlin conducted the Pledge of Allegiance.

Director Bawcom requested an urgent item be added to the agenda re: City presentation of revenue bonds. Motion to add this item made by Director Bawcom, seconded by Vice-Chair Reed. Comments made by Mr. Losak, Chair McNerlin, Dan Buffalo, Director Wipf, David Rapport, Lee Howard, and Director Marshall. Mr. Tait did a roll call vote, Ayes: Director Bawcom; Nays: Directors Marshall, Wipf, Vice-Chair Reed, and Chair McNerlin; Not approved 1-4.

2. Public Expression of Non-Agendized Items

Robert Page felt obligated to speak on behalf of Mr. Tait as he went out of his way to recruit an expert for the Sanitation District. Dan Buffalo discussed the bonds and deadlines in January regarding the bonds. Eric S as well discusses the bonds. Director Wipf asks a clarification question for Eric and Eric addresses his question. Lee Howard addresses the 3 minute limit per person during public expression.

3. DISCUSSION RE: PARLIMENTARY PROCEDURES

Chair McNerlin addresses the board in regards to the Sharpies which gives a Board member the floor when the Sharpie is stood up. Director Marshall commented stating that he likes the idea of motion to table.

4. CONSENT CALENDAR

Director Reed made a request to pull everything off of the consent calendar.

5. P&L Statement for October 2017

Item was discussed amongst the Board and calcification questions made by Andrea Reed were addressed by Mr. Tait and Chelsea Teague. Dan Buffalo made a comment. Motion to approve by Director Marshall, seconded by Director Wipf. Approved 5-0.

6. P&L Statement for November 2017

Motion to approve by Vice-Chair Reed, seconded by Director Wipf. Approved 5-0.

7. Check Register for October 2017

Motion to approve by Director Marshall, no second, motion dies. Motion made by Marshall to table Check Registers for October and November to the next regular meeting, seconded by Director Wipf. All in favor.

8. Check Register for November 2017

Motion to table Check Registers for October and November to the next regular meeting was made by Marshall and seconded by Director Wipf. All in favor.

9. APPROVAL OF BOARD MEETING MINUTES

Motion to approve by Director Marshall, seconded by Vice-Chair Reed; all in favor.

10. DISCUSSION AND POSSIBLE ACTION REGARDING PERSONAL SERVICES AGREEMENT WITH JOSEPH E. TAIT

Public Comment: John Sakowicz made comments re: Mr. Tait's agreement and his experience and urges the Board to keep Mr. Tait. David Rapport discussed Mr. Tait's agreement. John Kennedy made comments regarding the Brown Act and Mr. Tait's agreement. Discussion amongst the Board, Mr. Tait, and Mr. Losak. Comment by Dan Buffalo re: Tait's agreement. John Kennedy also made an additional comment re: Tait's agreement. Public comment was closed. Discussion amongst the Board, Mr. Tait, and Mr. Losak continued. Motion to make a name change on the existing contract wherever it says Municipal Management Group, changed to Joseph E. Tait in addition, the severance of 9 months will take the place of the 12 months; motion made by Director Wipf, seconded by Director Marshall; approved 5-0. The Board gave Chair McNerlin authority to sign the agreement when the changes are made. The Board will discuss Joseph E. Tait's contract at a future meeting.

11. DISCUSSION AND POSSIBLE ACTION REGARDING ATTENDANCE OF LEGAL COUNSEL AT BOARD MEETINGS

Director Bawcom would like to know how much it costs the District to have legal counsel present and if it is required to have legal counsel at all of the meetings. Chair McNerlin addressed Bawcom's questions and gave her some history and background. Director Wipf made comments regarding having legal counsel present stating it is very important now due to current situations, but may not be as important in the future. Mr. Tait made a comment stating that most of the agenda is administrative, but currently a lot of it is administrative cleanup which requires an attorney. Chair McNerlin stated that once a settlement takes place between the City and the District the dynamic will change. Discussion amongst the Board continues. No action taken; Board agreed that once the lawsuit is over other options will be looked at re: attendance of legal counsel at Board meetings.

12. DISCUSSION AND POSSIBLE ACTION RE: ADOPTION OF RESOLUTION CHANGING DATE/TIME OF REGULAR BOARD MEETINGS

Motion made by Director Wipf, seconded by Director Bawcom; all in favor.

Public comment: Lee Howard stated that the Resolution sets the Regular Meetings itself and it does not need to be set in the agenda.

13. ANNOUNCEMENTS/OTHER BUSINESS/MATTERS FROM STAFF

Vice-Chair Reed requested that the proposed settlement be forwarded to all of the board members so that everyone has time to review it before the special meeting on December 19, 2017. Chair McNerlin stated that it cannot leave the law firm. Mr. Losak said that the proposed settlement is part of mediation and he cannot give out copies, but board members can come to the law firm and review it and read it with an attorney. Chair McNerlin also noted that it is very important to know the history and background that came before the proposed settlement document to understand it. Director Bawcom asked if they will be given something that the City put together that they could settle the lawsuit with. Chair McNerlin and Mr. Losak addressed Director Bawcom exclaiming that does not exist. Director Bawcom requests that there be a document in which they can sign and settle the lawsuit with. Mr. Losak reiterated that a document like that does not exist. Mr. Tait made a comment regarding Director Bawcom's comment.

14. ADJOURNMENT

The meeting was adjourned at 8:30 P.M.