

UVSD Regular Board Meeting August 17, 2017

1. CALL TO ORDER by Chair Ronco at 5:32.

Chair Ronco called the meeting to order at 5:32 p.m. Roll call was conducted by General Manager Tait with Chair Ronco, Vice Chair Page, and Director McNerlin present. After roll call, Director Sakowicz arrived at 5:35 p.m. and Director Marshall arrived at 5:46 p.m. Also present were the Attorneys for the District.

It was requested by General Manager Tait and Chair Ronco that an item be added to the agenda after closed session. The item added to the agenda is due to a letter received by the District from the City Attorney on August 17, 2017. This letter informed the District that the City Council agreed to transfer \$4,544,482 to the District. The City Attorney also requested a letter of acceptance of the transfer of \$4,544,482 to the District by August 30, 2017. Motion to approve by Director McNerlin and seconded by Vice Chair Page. Motion was approved by the following vote: Ayes: Chair Ronco, Vice Chair Page, and Director McNerlin; Nay: None; Abstain: None; Absent: Directors Marshall and Sakowicz.

2. Public Expression on Non-Agenda Items

Chair Ronco introduced the item, asking if any member of the public wished to speak on non-agenda items and there were no comments from the public.

3. NOTICED PUBLIC HEARING OF DELINQUENT ACCOUNTS

Chair Ronco opened the Public Hearing at 5:38 p.m. The Report of Delinquent Accounts was hung on the wall. No one from the public wished to speak on behalf of the Delinquent Accounts. Chair Ronco closed the Public Hearing at 5:40 p.m. After a motion by Vice-Chair Page and seconded by Director McNerlin, the Report of Delinquent Accounts was approved for the purpose of sending to the County Auditor for attaching to the property tax bill. The motion was approved by the following vote: Ayes: Director Sakowicz, Director McNerlin, Vice Chair Page, and Chair Ronco; Nay: None; Abstain: None; Absent: Director Marshall.

4. CONSENT CALENDAR

Chair Ronco asked if there are any additions, deletions, or changes to the consent calendar.

REPORT OF PAYMENTS

General Manager Tait commented that as reported at the last board meeting, there was a loss of significant data in the computer system at UVSD office due to interruption of service last month. General Manager Tait stated that the P&L Statement and Check Register for July of 2017 will be provided as soon as the data is recovered.

APPROVAL OF BOARD MEETING MINUTES

General Manager Tait also pointed out that under approval of board meeting minutes the date should be July 20, 2017, not June 20, 2017.

Upon a motion by Director McNerlin, seconded by Director Page, the draft minutes of July 20, 2017 regular meeting were approved by the following vote: Ayes: Director McNerlin, Director Sakowicz, Vice Chair Page, and Chair Ronco; Nay: None; Abstain: None; Absent: Director Marshall.

5. GENERAL MANAGER & STAFF REPORTS

General Manager Tait reported that about \$2,500 has been currently been spent on laptops and IT equipment. General Manager Tait also states that the computer system that he and his Administrative Assistant have inherited is challenging as one of the computers in the office is being used as the server.

General Manager Tait reported a related item involving him and Chair Ronco visiting bank and talked about the banking transition for checking and small deposits. General Manager Tait goes on to discuss potential/proposed developments such as Lovers Lane and Vichy Springs. Tait also mentioned that just before the board meeting he received a proposed six pump service station at the 101 Market at 1550 S. State Street.

Chair Ronco announced that the next regular meeting of the Board would be September 21, 2017.

6. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL:

At 5:49 p.m., Chair Ronco announced that the Board would be going into closed session for the reason provided on the agenda:

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

The Board returned from closed session and announced that they discussed and agreed to accept the City's proposed settlement offer in the amount of \$4,544,482 in partial settlement of the District's claim against the City. This brings the total overall amount recovered to \$8,916,296.49.

7. RESOLUTION 2017-01

Chair Ronco asks Attorney Doug Losak to read the proposed Resolution. Sage Sangiacomo goes to up the podium for public expression on behalf of the resolution. Director Sakowicz asks the Attorneys if the acceptance of the \$4,544,482 is without prejudice or any other such claims and they responded stating that was correct. Director Sakowicz then goes on to point out to the City employees sitting in the audience (Sage Sangiacomo and Sean White) that at the City Council meeting on August 16, 2017 they went into closed session and the camera never turned back on. Sangiacomo goes back up to the podium stating that there was no report after closed session and no action was taken. Director Sakowicz then thanks and applauds Duncan James and Doug Losak for all their hard work in the lawsuit. Director McNerlin points out that the Attorney representing the City has signed an agreement for the proposed fund transfer. Director McNerlin then thanks the City for their cooperation and UVSD's Attorneys for their hard work stating that this all goes to the benefit of the ratepayers within the District. Duncan James reads an email from the City Attorney David Rapport.

8. ADJOURNMENT

The meeting was adjourned at 7:15 p.m.