

**VENTURA REGIONAL SANITATION DISTRICT**  
Minutes of the regular meeting of July 7, 2011  
1001 Partridge Drive, Ventura, California

1. Roll Call (8 present) – Chairman Monahan called the meeting to order at 8:31 a.m.  
Thomas Glancy           City of Thousand Oaks (Alternate)  
Robert Gonzales        City of Santa Paula (Arrived at 8:35 a.m.)  
Thomas Holden          City of Oxnard  
Sue Horgan             City of Ojai  
Kevin Kildee            City of Camarillo  
James Monahan         City of San Buenaventura  
William C. Murphy      Special Districts (Alternate)  
Jonathan Sharkey       City of Port Hueneme (Absent)  
Patti Walker            City of Fillmore

Executive staff present: Mark Lawler, General Manager; Sally Coleman, Director of Operations; Vickie Dragan, Director of Finance and Administration; Mark Zirbel, Legal Counsel; and Josie Guzmán, Clerk of the Board.

2. Pledge of Allegiance – Led by Director Murphy.
3. Amendments to the Agenda – Mr. Lawler asked that the Closed Session be held after adoption of the Consent Calendar.
4. Approval of Minutes – It was moved by Director Walker, seconded by Director Kildee, and duly carried by the Board, with Directors Gonzales and Sharkey absent, to approve the June 2, 2011 meeting minutes.
5. Public Comments – None.

**CONSENT ITEMS** – (Items 6 through 8)

6. Budget Adjustment – Heavy Equipment Maintenance Expenses – It was moved by Director Holden, seconded by Director Kildee, and duly carried by the Board, with Directors Gonzales and Sharkey absent to approve budget adjustment for heavy equipment maintenance expenses and allow staff to transfer sufficient funds from the Capital budget to the Operations budget.
7. VRSD Annual Services and Customer Contracts - It was moved by Director Holden, seconded by Director Kildee, and duly carried by the Board, with Directors Gonzales and Sharkey absent to authorize the Chairman to sign the following VRSD customer contracts: Contract No. 11-009 with Camrosa Water District in the amount of \$109,321; Contract No. 11-010 with Cate School in the amount of \$96,097; Contract No. 11-011 with City of Oxnard in the amount of \$42,791; Contract No. 11-013 with Ojai Valley Sanitary District in the amount of \$80,813; and Contract No. 11-014 with Top O' Topanga Community Association in the amount of \$113,701.

*Item 4-1*

8. VRSD Contract No. 10-011-3 – Fugro West, Inc. - It was moved by Director Holden, seconded by Director Kildee, and duly carried by the Board, with Directors Gonzales and Sharkey absent to authorize the Chairman to sign Contract No. 10-011-3 with Fugro West, Inc., increasing the amount of the contract by \$50,000 for a not to exceed amount of \$70,800.

### CLOSED SESSION

Mr. Zirbel announced that the Board would recess to a Closed Session to discuss:

19. Closed Session – Conduct a Closed Session pursuant to Government Code Section 54956.9(b) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Significant exposure to litigation. One case.
20. Closed Session – Conduct a Closed Session pursuant to Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATOR – Agency Negotiator: Mark Lawler; Employee Organizations: Service Employees International Union Local 721, International Union of Operating Engineers Local 501, and Independently Represented Employees.

The Board of Directors recessed to a Closed Session at 8:33 a.m. (Director Gonzales arrived at 8:35 a.m.) and reconvened into Open Session at 9:35 a.m. No reportable action.

Director Holden departed from the meeting at 9:35 a.m.

Mr. Lawler asked that Item 11 be considered at this time.

### ACTION ITEM – (Item 11)

11. Severance Package – It was moved by Director Gonzales, seconded by Director Walker, and duly carried by roll call vote to approve Option 2A:
- Salary of one week pay for each year of service up to a maximum of 12 weeks.
  - Professional resume and cover letter preparation services, along with interviewing tips.
  - Three months average cafeteria dollars (to offset continued medical coverage).
  - Must sign a Release and Waiver Agreement.
  - District cost: \$50,708

Roll call on motion:

AYES: Glancy, Gonzales, Kildee, Walker

NOES: Horgan, Murphy, Monahan

ABSENT: Holden, Sharkey

ABSTAIN: None

**REPORTS (Item 9 only)**

9. Biosolids Update – Mr. Lawler reported that the microturbines were operating at a high efficiency rate and that work was continuing with gas separation technology for separating siloxanes. He also reported that the biosolids were running one to two loads per day and that both dryers were operational.

Russell Raulston, representing Fenton Environmental, stated that the burners were now in a final design stage and that he was confident that the issues with the burners would be resolved. (Director Gonzales departed from the meeting at 9:51 a.m.) He noted that as part of the program integration a third party was brought in to supplement efforts to integrate the upper tier where the dryers, hoppers, and burners are located. He stated that the final program integration would not be scheduled until the lower tier with the condensers, air, and water treatment equipment is in the final stage. He also noted that an outside third party engineer experienced with chemistry and resources was brought in to evaluate the biology of the biofilter. (Director Glancy departed from the meeting at 9:55 a.m.) He stated that at the present time they were evaluating the biofilter and the thermo-oxidizer and that the Air Pollution Control Board (APCD) would conduct testing very soon. He further stated that the overall strategy was to focus on the air emissions, coordinate with the APCD, complete finalization of the water treatment, and complete the integration work.

Charles Williams, representing Fenton Environmental, expressed commitment to the project. He noted that the largest obstacle to turning the project over would be the air emissions. He also noted that an outside engineering firm was brought in who was currently evaluating test results. He stated that when the results are returned they may need to do changes to the biofilter system in order to meet the permit requirements.

**ACTION ITEM – (Item 10)**

10. VRSD Contract Amendments- Richard Baldwin Consulting Services – Director Walker suggested that the Board consider looking into extending the life of the landfill, not move forward with the contract for a waste-to-energy project at the landfill due to decreased tonnages; and concentrate on current issues at the landfill.

Richard Baldwin spoke regarding his work with drafting the rule change for the Air Pollution Control District (APCD) to add disposal of municipal solid waste as an essential public service. He noted that the bulk of his work was completed and that he would monitor what comes out of APCD in the form of their proposed rule and proposed staff report to the Board, attend the workshop, attend advisory committee meetings, and attend the APCD Board meeting. He estimated that he would likely spend less than 20 hours to fully complete this work.

It was moved by Director Kildee, seconded by Director Horgan, and duly carried by roll call vote to: a) authorize the Chairman to sign Contract No. 10-030-1 with Richard Baldwin to extend the existing contract time only from June 30, 2011 until June 30, 2012, with no additional funds added to the contract; and b) authorize the Chairman to sign Contract No. 10-040-1 with Richard Baldwin to extend the contract time period through June 30, 2012, and add an additional \$20,000 to the contract for a total authorized amount of \$53,500.

Roll call on motion:

AYES: Horgan, Kildee, Murphy, Monahan, Walker

NOES: None

ABSENT: Glancy, Gonzales, Holden, Sharkey

ABSTAIN: None

#### **INFORMATION ITEMS – (Items 12 through 16)**

It was moved by Director Horgan, seconded by Director Murphy, and duly carried by the Board, with Directors Glancy, Gonzales, Holden, and Sharkey absent, to receive and file the Information Items.

12. Investment Report – May 2011
13. Disbursements – May 2011
14. Tonnage Report
15. Violations – Solid Waste none; Water & Wastewater none
16. Future Meetings, Seminars and Conferences
  - Board of Directors, July 21, 2011, 8:30 a.m. **(DARK IN AUGUST)**
  - Personnel & Finance Committee, September 6, 2011, 9:00 a.m.
  - CASA 56<sup>th</sup> Annual Conference August 10 – 13, 2011, San Diego
  - League of California Cities Conference September 21 – 23, 2011, San Francisco

#### **NEW BUSINESS – (Items 17 and 18)**

17. Discussion
  - a. Audience – None.
  - b. Board – Chairman Monahan mentioned that he attended a waste haulers group meeting at the Limoneira Visitors Center where they discussed the future of landfills and decreased tonnages. He suggested that this group provide a presentation to the Board. He noted that he was approached by Scott Tignet from Waste Management who expressed an interest in meeting with Mr. Lawler to discuss taking over the operation of Toland Road Landfill.
  - c. General Manager – Mr. Lawler reminded the Board of the upcoming CASA Conference.

- d. Legal Counsel – Mr. Zirbel suggested that the District have a dialog with other regional governmental agencies regarding the future of waste management in the County, and that the Board consider this now while other landfills are in the permitting process.
- 18. Pending Agenda Items – Future Solid Waste Facilities and Executive Committee Develop Communication Plan to Educate Legislators on VRSD Business.
- 21. Adjournment – The meeting was adjourned at 10:28 a.m.

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James L. Monahan, Chairman

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Josie Guzmán, CMC, Clerk of the Board