

VENTURA REGIONAL SANITATION DISTRICT
Minutes of the regular meeting of December 15, 2011
1001 Partridge Drive, Ventura, California

1. Roll Call (7 present) – Chairman Monahan called the meeting to order at 8:33 a.m.

Thomas Glancy	City of Thousand Oaks (Alternate)
Robert Gonzales	City of Santa Paula
Thomas Holden	City of Oxnard (absent)
Betsy Clapp	City of Ojai (absent)
Kevin Kildee	City of Camarillo
James Monahan	City of San Buenaventura
William C. Murphy	Special Districts
Jonathan Sharkey	City of Port Hueneme
Jamey Brooks	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.

Jim Estomo, Alternate Director representing the Special Districts Committee, was present in the audience.

2. Pledge of Allegiance – Led by Director Glancy.
3. Amendments to the Agenda – None.
4. Approval of Minutes – It was moved by Director Sharkey, seconded by Director Kildee, and duly carried by the Board, with Directors Clapp and Holden absent, to approve the December 1, 2011 meeting minutes.
5. Public Comments – None.

PRESENTATIONS – (Items 6 and 7)

6. Commendations for Outstanding Service – Directors Sue Horgan and Janna Orkney - Chairman Monahan presented commendations to outgoing Directors Horgan and Orkney.
7. VRSD Promotional Video – Sandy Warren, Management Analyst, presented the draft VRSD promotional video.

CONSENT ITEMS – None

ACTION ITEMS – (Item 8 through 10)

8. Toland Road Landfill Phase 3B Liner Construction Update and Change Order No. 5 to VRSD Contract No. 10-004 with Sukut Construction, Inc. – Ms. Coleman presented the staff report and a PowerPoint presentation.

Item 4-1

It was moved by Director Gonzales, seconded by Director Sharkey, and duly carried by the Board upon a roll call vote, with Directors Clapp and Holden absent, to authorize the Chairman to sign Change Order No. 5 to VRSD Contract No. 10-004, Sukut Construction, Inc., for the Toland Landfill Phase 3B Liner Construction Project, in the amount of \$373,892.73 with an adjusted contract amount of \$5,390,476.96.

9. Toland Road Landfill Phase 3B Liner – VRSD Contract No. 09-073-5, Amendment for Engineering Support Services with A-Mehr, Inc. – Ms. Coleman presented the report.

It was moved by Director Gonzales, seconded by Director Brooks, and duly carried by the Board, with Directors Holden and Clapp absent, to authorize the Chairman to sign Contract No. 09-037-05 (Amendment No. 5 to 09-037) for the Toland Road Landfill Phase 3B Design, Liner Construction CQA and Engineering Support Services, with A-Mehr Inc. for an additional \$41,000 for a new contract total of \$661,686.

10. VRSD Ordinance No. VRSD-110, Fees and Charges for the Toland Road Landfill Chairman Monahan opened the Public Hearing at 9:28 a.m. to receive oral and written comments regarding the proposed fees and charges for the Toland Road Landfill, Ordinance No. VRSD-110. Mr. Lawler presented the staff report. No written communications were received. No Public Comment. Chairman Monahan closed the Public Hearing at 9:30 a.m.

It was moved by Director Sharkey, seconded by Director Glancy, to: a) conduct a public hearing regarding the proposed fees and charges for Fees and Charges for the Toland Road Landfill, Ordinance No. VRSD-110; b) conduct the second reading, by title only, of Ordinance No. VRSD-110, Regulating Fees and Charges for the Toland Road Landfill; and c) adopt Ordinance No. VRSD-110 for Fees and Charges for the Toland Road Landfill to become effective February 1, 2012.

Roll call vote:

AYES: Glancy, Brooks, Gonzales, Murphy, Sharkey, Kildee, Monahan
NOES: None
ABSENT: Clapp, Holden
ABSTAIN: None

Motion duly carried. Ms. Guzmán read Ordinance No. VRSD-110 in title only.

INFORMATION ITEMS – (Items 11 through 14)

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

11. Disbursements – November 2011
12. Tonnage Report

13. Violations – Solid Waste none; Water & Wastewater none

14. Future Meetings, Seminars and Conferences

- Board of Directors, January 5 & 19, 2012, 8:30 a.m.
- CASA 2012 Mid-year Conference, January 18 – 20, 2012, Palm Desert
- New Mayors & Council Academy, January 18 - 20, 2012, Sacramento
- CASA 2012 Washington D.C. Conference, March 11 – 13, 2012
- CASA 2012 Spring Conference, April 24 – 26, 2012, Napa
- CASA 2012 Annual Conference, August 7 – 10, 2012, Monterey
- League of California Cities Annual Conference, Sept. 5 – 7, 2012, San Diego

NEW BUSINESS – (Items 15 and 16)

15. Discussion

- a. Audience - None.
- b. Board – Director Sharkey mentioned that Mr. Lawler gave a presentation to the Port Hueneme City Council which was very well received. Director Kildee mentioned that Mr. Lawler also gave a presentation to the Camarillo City Council. Director Brooks noted that Mr. Lawler was present at the Fillmore City Council meeting where the City Council acknowledged outgoing Councilmember Patti Walker. He thanked VRSD for providing avocados to the Board. Director Sharkey noted that the avocados were from the District's Millennium Grove adjacent to the Toland Road Landfill.
- c. General Manager – Mr. Lawler wished everyone a good holiday season. He announced that the CASA Mid-Year Conference was approaching and noted that the conference was available to all Board members.
- d. Legal Counsel – None.

16. Pending Agenda Items – Future Solid Waste Facilities and Executive Committee Develop Communication Plan to Educate Legislators on VRSD Business.

Mr. Zirbel announced that the Board of Directors would recess to Closed Session to discuss the following items:

17. Closed Session – Conduct a Closed Session pursuant to Government Code Section 54956.9. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to subdivision (c) of Section 54956.9. One case.
18. Closed Session – Conduct a Closed Session pursuant to Government Code Section 54956.9(a). CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Name of case: Ventura County Air Pollution Control District, Notice of Violation. Notice No. 22633.

19. Closed Session - Pursuant to Government Code Section 54956.9, subdivision (a) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Case name: Esequiel Hernandez, EEOC Charge No. 480-2011-02509.

The Board recessed to Closed Session at 9:37 a.m. and reconvened into Open Session at 10:00 a.m. Directors Brooks, Murphy, Sharkey, Kildee, and Monahan were present during the Closed Sessions. Directors Glancy, Gonzales, Holden, Clapp were absent.

Mr. Zirbel announced that action was taken on Closed Session Item 18 and that Board ratified the Settlement Agreement and Release between the Ventura County Air Pollution Control District and Ventura Regional Sanitation District dated December 8, 2011; and the Stipulated Conditional Order of Abatement between the Ventura County Air Pollution Control District and Ventura Regional Sanitation District dated November 29, 2011. There was no reportable action regarding Closed Session Items 17 and 19.

20. Adjournment – The meeting was adjourned at 10:02 a.m.

James L. Monahan, Chairman

Josie Guzmán, CMC, Clerk of the Board