

VENTURA REGIONAL SANITATION DISTRICT
Minutes of the Regular Meeting of September 5, 2019
1001 Partridge Drive, Ventura, California

Chairman Kildee called the meeting to order at 8:32 a.m.

1. Roll Call: The Clerk of the Board called the roll. The following Board Members were present:

Rick Araiza, City of Santa Paula
Laura Hernandez, City of Port Hueneme
Ed Jones, City of Thousand Oaks
Kevin Kildee, City of Camarillo
Bob Nast, Special Districts
Bert Perello, City of Oxnard
William Weirick, City of Ojai

Absent: Mark Austin, City of Fillmore; Jim Friedman, City of Ventura

Staff Present: Chris Theisen, General Manager; Robert Kwong, Legal Counsel; Tina Rivera, Director of Finance; Matthew Baumgardner, Director of Operations; Richard Jones, Operations Manager; Melissa Grisales, Human Resources Manager; Michael Castro, Senior Management Analyst; Sandy Warren, Management Analyst; and Juliet Rodriguez, Clerk of the Board.

2. Pledge of Allegiance: The Pledge was led by Director Jones.
3. Agenda Review:
None. Chair Kildee announced that he would need to leave by 10:30 a.m. and Director Weirick would also leave early.
4. Public Comment:
None.

PRESENTATION (Item 5 only)

5. Receive and File PFM Asset Management, LLC – 2nd Quarter Review of VRSD Investment Portfolio

Richard Babbe, Senior Managing Consultant, PFM Asset Management, LLC, gave the presentation and responded to Board Members' questions.

It was moved by Director Jones, seconded by Director Perello, to receive and file the presentation. VOTE: Araiza, Hernandez, Kildee, Jones, Nast, Perello, and Weirick were in favor; the motion carried 7-0.

CLOSED SESSION AGENDA (Item 6 only)

At 8:48 a.m. Legal Counsel Robert Kwong made the following closed session announcement:

It is the intention of the Ventura Regional Sanitation District to meet in closed session to consider the following item:

6. Conference with Labor Negotiators (Gov Code, § 54957.6)

DISTRICT DESIGNATED REPRESENTATIVES:

Melanie L. Chaney, Liebert Cassidy Whitmore; Melissa Grisales, Director of Human Resources; Michael Castro, Senior Management Analyst; Tina Rivera, Director of Finance

EMPLOYEE ORGANIZATIONS:

Service Employees International Union (SEIU), Local 721

International Union of Operating Engineers (IUOE), Local 501

At 9:34 a.m., Mr. Kwong announced that the Ventura Regional Sanitation District Board of Directors had reconvened into open session from a closed session with no reportable actions on the closed session matters.

Director Weirick did not return to the meeting after the closed session.

CONSENT AGENDA (Items 7 and 8) Matters listed under Consent Agenda are considered to be routine, non-controversial, and are normally approved by one motion without discussion. If discussion is requested by a member of the Board on any Consent Agenda item, or if a member of the public wishes to comment on an item, that item may be removed from the Consent Agenda for separate action.

Chair Kildee stated that if any Board Member desired to pull an item off of the Consent Agenda for discussion, this would be the time to do so.

7. Approval of Minutes July 17, 2019 Special Meeting

8. Approval of Amendment No. 2 to Contract No. OVSD-2014-11 (VRSD Contract No. 14-017) with Ojai Valley Sanitary District for Operation and Maintenance Services

It was moved by Director Araiza, seconded by Director Hernandez, to approve the Consent Agenda, as presented. VOTE: Araiza, Hernandez, Kildee, Jones, Nast, and Perello were in favor; the motion carried 6-0.

REGULAR AGENDA (Items 9 through 11)

9. Approve and Adopt Revisions to Ventura Regional Sanitation District Board Bylaws; Adopt VRSD Resolution 19-05 Continued to September 19, 2019

Although there was a quorum, the Board moved this item to their next meeting on September 19, 2019.

10. Approval of Amendment No. 6 to the Agreement Between the Members of the Tierra Rejada Consortium (VRSD, the County of Ventura, Rancho Simi Recreation and Park District, and the City of Simi Valley) for Costs Related to Post Closure Monitoring and Maintenance of the Tierra Rejada Landfill

Tina Rivera, Director of Finance, gave the presentation.

It was moved by Director Jones, seconded by Director Perello, to approve and authorize the Board Chair to sign, Amendment No. 6 (RE: additional funding) to July 18, 1991 Agreement Providing Funds for Investigation Regarding Tierra Rejada Landfill and authorizing expenditure of funds up to \$120,000 through 2024. VOTE: Araiza, Hernandez, Kildee, Jones, Nast, and Perello were in favor; the motion carried 6-0.

11. Board of Directors Ratification of Contract No. 19-036 with Pride Construction Engineering Services for Storm Water Construction Services at the Toland Road Landfill

Matt Baumgardner Director of Operations; gave the presentation.

It was moved by Director Hernandez, seconded by Director Nast, to ratify Contract No. 19-036 with Pride Construction Engineering Services (August 10, 2019) for storm water construction services in an amount not to exceed \$397,239. VOTE: Araiza, Hernandez, Kildee, Jones, Nast, and Perello were in favor; the motion carried 6-0.

INFORMATION ITEMS (Items 12 through 16)

12. VRSD Sponsorship of AWA Reception for Members/Elected Officials
13. Revenue and Expense Report: June 2019, July 2019
14. Disbursement Report: July 2019
15. Investment Report: July 2019
16. Future Meetings: Seminars and Conferences
- ♦ Sept. 19, 2019, 8:30 a.m. – Regular Board Meeting
 - ♦ Sept. 19, 2019, 10:15 a.m. – VCREA Board Meeting (City of Ventura-City Hall)
 - ♦ Sept. 19, 2019, 4:30 p.m. – AWA Reception for Members/Elected Officials, Simi Valley
 - ♦ Sep. 25-28, 2019 – CSDA Annual Conference, Anaheim

- ♦ Oct. 1, 2019, 8:30 a.m. – P&F Committee Meeting
- ♦ Oct. 3, 2019, 8:30 a.m. – Regular Board

Ms. Rivera asked the Board to note that Page 139 of the Revenue and Expense Report now included the Board's prior request to disclose budget adjustments and write-offs.

It was moved by Director Nast, seconded by Director Araiza, to receive and file the information items. VOTE: Araiza, Hernandez, Kildee, Jones, Nast, and Perello were in favor; the motion carried 6-0.

ORAL REPORTS (Items 17 through 20)

17. Regulatory Compliance Report

None.

18. Committee Reports

None.

19. Board Member Comments

Director Perello acknowledged a recent editorial written by Director Jones and noted that he attended the funeral of Neal Andrews, former City Council Member of the City of Ventura. Director Perello then shared his recollections about a meeting that he had with the Board Chairman, Legal Counsel, and General Manager following the last VRSD Board Meeting in July.

Legal Counsel Robert Kwong noted that the substance of this meeting was and is confidential and protected by the attorney-client privilege and should not be discussed as a part of the Board Member Comments

Directors Nast and Jones asked questions about Brown Act Open Meetings Law education and application. Mr. Kwong responded that their questions would be best handled when the revised Bylaws agenda item is taken up by the Board on September 19, 2019 Board meeting.

To accommodate Tara Mazzanti's, Oxnard Assistant City Attorney, request to speak to the Board, Chair Kildee reopened Public Comment (Agenda Item No. 4) at 10:02 a.m. Ms. Mazzanti then requested a Microsoft Word version the proposed VRSD Bylaws under Agenda Item No. 9, which Legal Counsel noted was improper since this request should have been considered when Agenda Item No. 9 was heard previously. Legal Counsel, however, agreed to take this request under consideration. With no further comment, public comment was closed at 10:05 a.m.

Chair Kildee reported on attending the California Association of Sanitation Agencies (CASA) Annual Conference in San Diego, August 21-23, 2019.

20. General Manager Comments

Mr. Theisen gave an update on the Conditional Use Permit Modification for the Toland Road Landfill stating that the publication of Notice of Preparation was

imminent. Rincon Consultants continued to work on the Environmental Impact Report (EIR). Another scoping meeting will be held within the next two months.

Mr. Theisen acknowledged his attendance at the meeting between Chairman Kildee, Director Perello, Legal Counsel Kwong, following the last Board meeting but did not discuss the substance of that confidential meeting.

ADJOURNMENT: With no further business, the meeting was adjourned at 10:16 a.m. to a Regular Meeting to be held September 19, 2019, 8:30 a.m. at the Ventura Regional Sanitation District Office.

Prepared by:

Approved:

Juliet Rodriguez
Clerk of the Board

Kevin Kildee, Chair
Ventura Regional Sanitation District

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