

VENTURA REGIONAL SANITATION DISTRICT
Minutes of the Regular Meeting of September 19, 2019
1001 Partridge Drive, Ventura, California

Chairman Kildee called the meeting to order at 8:30 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
Mark Austin, City of Fillmore
Jim Friedman, City of Ventura
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: None.

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

2. Pledge of Allegiance: The Pledge was led by Director Hernandez.

3. Agenda Review:
Chair Kildee asked that the Board consider moving Agenda Items No's. 7 and 8 before Agenda Item No. 6. He also asked for consideration in moving Agenda Item No. 13 after Agenda Item No. 8.

Director Weirick commented that Mr. Mathew Summers, Ojai City Attorney, was present to comment on Agenda Item No. 6. In conjunction with his comments on the same agenda item.

4. Public Comment:
None.

CONSENT AGENDA (Item 5 only) 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.

5. Approval of Minutes September 5, 2019 Special Meeting

Director Perello requested that the second paragraph under Board Member Comments be deleted from the minutes.

It was moved by Director Perello, seconded by Director Weirick, to approve the Consent Agenda as amended. VOTE: Araiza, Friedman, Hernandez, Jones, Kildee, Nast, Perello, and Weirick were in favor; the motion carried 8-0-1 (Austin).

REGULAR AGENDA (Items 6 through 8)

6. Approve and Adopt Revisions to Ventura Regional Sanitation District Board Bylaws; Adopt VRSD Resolution 19-05 *During Agenda Review, this item was agreed to be heard after Agenda Item No. 8.*

Chis Theisen, General Manager, provided introductory remarks and acknowledged written comments and questions received from Director Perello, City of Oxnard and Director Weirick, City of Ojai on the proposed Bylaws.

Robert Kwong, Legal Counsel, continued the presentation and stated that two additional attachments were added to the Board Letter since the last meeting: the 2019 CSDA Special District Handbook; and a BHI Management PowerPoint presentation on The Perfect Board. As part of his presentation, Mr. Kwong reviewed the written comments submitted by Directors Perello and Weirick and the proposed adjustments to the Bylaws resulting from the comments made.

Matthew Summers, Ojai City Attorney, addressed the Board with comments on the City of Ojai's process for meeting agenda formation.

Director Jones and Hernandez left the meeting at 10:00 a.m. and 10:10 a.m. respectively.

It was moved by Director Weirick, seconded by Director Perello, to hear comments from the two City attorneys present and have the Chair appoint an Ad Hoc Committee to review the proposed revised Bylaws. Following Board discussion on this motion, the mover and the second agreed to bifurcate their motion to hear from the City attorneys first before making the request for an Ad Hoc Committee. The motion died for lack of support.

Chair Kildee called for a break at 10:33 a.m. and resumed the meeting at 10:38 a.m.

Chair Kildee opened up public comment on Agenda Item 6 at 10:38 a.m.

Tara Mazzanti, City of Oxnard Assistant City Attorney, stated her support of the comments submitted by the City of Ojai, and suggested definitions be included in the Bylaws, and requested a copy of the final approved Bylaws.

Ojai City Attorney Summers provided additional comments about adding definitions in the Bylaws, and advised that the Board have a subcommittee review the final version before Board approval.

Public comment was closed at 10:45 a.m.

It was moved by Director Weirick, seconded by Director Perello, to continue the item to the next Board meeting to allow for further comment and modification to the Bylaws and presentation of a final Bylaws version for Board action. VOTE: Araiza, Austin, Friedman, Kildee, Nast, Perello, and Weirick were in favor; the motion carried 7-0.

Mr, Kwong summarized comments received and agreed to return with a final version of the Bylaws for adoption at the next Board meeting.

7. Approval of Amendment No. 1 to Contract no. 17-001 with Service Employees International Union ("SEIU"), Local 721 During Agenda Review, this item was agreed to be heard before Agenda Item No. 6.

Melissa Grisales, Human Resources Manager, gave the presentation.

Danny Carillo, SEIU 721 Regional Director, addressed the Board and commented on improved communication under the current VRSD administration.

It was moved by Director Friedman, seconded by Director Weirick, to a) approve and authorize the Board Chair to sign, Amendment No. 1 to VRSD Contract No. 17-001, which is a Memorandum of Understanding by and between Ventura Regional Sanitation District and the SEIU, Local 721; b) adopt District Board Resolution No. 19-06, directing District staff to implement an 18-month extension of the current Memorandum of Understanding and a one-time payment of \$2,500 per each employee represented by SEIU; c) authorize a Fiscal Year 2019-20 budget adjustment in the amount of \$32,994 for revised Solid Waste Salaries and Benefits to enable the above actions; and d) authorize a Fiscal Year 2019-20 budget adjustment in the amount of \$828 for revised Internal Service Fund Salaries and Benefits to enable the above actions. VOTE: Araiza, Austin, Friedman, Hernandez, Jones, Kildee, Nast, Perello, and Weirick were in favor; the motion carried 9-0.

8. Approval of One-Time Payment to Non-Represented District Employees During Agenda Review, this item was agreed to be heard before Agenda Item No. 6.

Melissa Grisales, Human Resources Manager, gave the presentation.

It was moved by Director Friedman, seconded by Director Weirick, to a) adopt District Board Resolution No. 19-07, directing District staff to implement a one-time payment of \$2,500 per each non-represented employee; b) authorize a Fiscal Year 2019-20 budget adjustment in the amount of -\$1,357 for revised Central

Administration Salaries and Benefits to fund the above action; c) authorize a Fiscal Year 2019-20 budget adjustment in the amount of \$19 for revised Water/Wastewater Salaries and Benefits to fund the above action; d) authorize a Fiscal Year 2019-20 budget adjustment in the amount of -\$4,949 for revised Solid Waste Salaries and Benefits to fund the above action; and e) authorize a Fiscal Year 2019-20 budget adjustment in the amount of \$171 for revised Internal Service Fund Salaries and Benefits to fund the above action. VOTE: Araiza, Austin, Friedman, Hernandez, Jones, Kildee, Nast, Perello, and Weirick were in favor; the motion carried 9-0

INFORMATION ITEMS (Items 9 through 12)

9. Revenue and Expense Report: August 2019
10. Disbursement Report: August 2019
11. Investment Report: August 2019
12. Future Meetings: Seminars and Conferences
 - ♦ 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 Meeting

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

ORAL REPORTS (Items 13 through 16)

13. Regulatory Compliance Report *During Agenda Review, this item was agreed to be heard after Agenda Item No. 8.*

Eddie Pettit, Environmental Compliance Officer, gave the report.

It was moved by Director Araiza, seconded by Director Weirick, to receive and file the report on recent odor complaints filed to Ventura County Air Pollution Control District (APCD) at the Toland Road Landfill. VOTE: Araiza, Austin, Friedman, Hernandez, Jones, Kildee, Nast, Perello, and Weirick were in favor; the motion carried 9-0

14. Committee Reports
None.
15. Board Member Comments
None.
16. General Manager Comments

Mr. Theisen gave an update on the Conditional Use Permit Modification for the Toland Road Landfill, stating that Notice of Preparation had been published with the public comment period still open.

ADJOURNMENT: With no further business, the meeting was adjourned at 10:58 a.m. to a Regular Meeting to be held October 3, 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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