

VENTURA REGIONAL SANITATION DISTRICT
Minutes of the Regular Meeting of September 3, 2020
1001 Partridge Drive, Ventura, California

IN ACCORDANCE WITH THE CALIFORNIA GOVERNOR'S EXECUTIVE ORDERS DECLARING A STATE OF EMERGENCY AND THE COUNTY OF VENTURA HEALTH OFFICER'S LOCAL HEALTH EMERGENCY DECLARATION AS A RESULT OF THE THREAT OF THE COVID-19 VIRUS, THIS VRSD BOARD OF DIRECTORS MEETING WAS HELD VIA VIDEO CONFERENCE.

Chairperson Perello called the meeting to order at 8:34 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
Al E. Fox, Special Districts
Jim Friedman, City of San Buenaventura
Laura Hernandez, City of Port Hueneme
Ed Jones, City of Thousand Oaks *arrived at 8:58 a.m.*
Kevin Kildee, City of Camarillo
Bert Perello, City of Oxnard
William Weirick, City of Ojai

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

2. Pledge of Allegiance: The Pledge was led by Director Rick Araiza.

3. Agenda Review:

It was moved by Director Hernandez, seconded by Vice Chairperson Friedman, to accept the Agenda as presented. VOTE: Araiza, Austin, Fox, Friedman, Hernandez, Kildee, Perello, and Weirick were in favor; the motion carried 8-0.

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, PFM Asset Management, gave the presentation and answered questions from the Board.

It was moved by Director Weirick, seconded by Director Kildee, to receive and file the report. VOTE: Araiza, Austin, Fox, Friedman, Hernandez, Jones, Kildee, Perello, and Weirick were in favor; the motion carried 9-0.

CONSENT AGENDA (Items 6 and 7) 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.

6. Approval of Minutes: July 16, 2020 Regular Meeting

7. Approval of Lease Agreement with Pyramid Flowers, Inc.

It was moved by Director Kildee, seconded by Director Araiza, to approve the Consent Agenda noting abstaining vote by Director Ausin on Agenda Item No.6 and a dissenting vote by Chairperson Perellon on Agenda Item No. 7. VOTE: Araiza, Austin, Hernandez, Fox, Friedman, Jones, Kildee, Perello, and Weirick were in favor; the motion carried 9-0.

Record to reflect Item 6. Approval of Minutes: July 16, 2020 Regular Meeting, carried 8-0, with Director Austin abstaining.

Record to reflect Item 7. Approval of Lease Agreement with Pyramid Flowers, Inc., carried 8-1 (Perello dissented).

REGULAR AGENDA (Items 8 and 9)

8. Biennial Review of Ventura Regional Sanitation District Conflict of Interest Code

Juliet Rodriguez, Clerk of the Board, gave the report.

It was moved by Director Kildee, seconded by Director Weirick, to A) Approve and Adopt VRSD Resolution No. 20-03, establishing the 2020 Conflict of Interest Code; B) Direct District staff to file the VRSD 2020 Conflict of Interest Code proposed amendments with the Ventura County Board of Supervisors for approval; and C) Direct District staff, upon approval of Ventura County Board of Supervisors, to promulgate the 2020 Conflict of Interest Code and ensure that Form 700

Statements of Economic Interests are filed appropriately by the designated persons. VOTE: Araiza, Austin, Fox, Friedman, Hernandez, Jones, Kildee, Perello, and Weirick were in favor; the motion carried 9-0.

9. Consent and Waiver of Conflict of Interest for Arnold LaRochelle Mathews VanConas & Zirbel, LLP (“A TO Z LAW”) Representation

Chris Theisen, General Manager, gave the report.

It was moved by Director Jones, seconded by Vice Chair Friedman, to approve, and authorize the General Manager to sign, the Consent and Waiver of Conflict of Interest form regarding A to Z Law’s representation in the matter of an amendment to VRSD Contract No. 15-0014, as revised, (TWSD Contract No. T15-003, as revised). VOTE: Araiza, Austin, Fox, Friedman, Hernandez, Jones, and Kildee were in favor; the motion carried 7-2 (Perello, Weirick).

INFORMATION ITEMS (Items 10 through 13)

10. Revenue and Expense Report: July 2020

11. Disbursement Report: July 2020

12. Investment Report: July 2020

13. Future Meetings, Seminars and Conferences

- ♦ Sept. 8, 2020, 8:30 a.m. – P&F Committee Meeting
- ♦ Sept. 17, 2020, 8:30 a.m. – Regular Board Meeting
- ♦ Oct. 6, 2020, 8:30 a.m. – P&F Committee Meeting
- ♦ Oct. 1, 2020, 8:30 a.m. – Regular Board Meeting

It was moved by Director Hernandez, seconded by Director Araiza, to receive and file the Information Items. VOTE: Araiza, Austin, Fox, Friedman, Hernandez, Jones, Kildee, Perello, and Weirick were in favor; the motion carried 9-0.

ORAL REPORTS (Items 14 through 17)

14. Regulatory Compliance Report

None.

15. Committee Reports

None.

16. Board Member Comments and Future Agenda Items

Director Kildee requested the General Manager comment on any effect the pandemic has had on tonnage received at the Toland Road Landfill, and the

upcoming activities for the Conditional Use Permit (CUP) modification project given that the public comment period was coming to a close.

Chairperson Perello asked the General Manager to provide an update on the status of the Conditional Use Permit modification project, and provide the Board with information about any supplier contract due to expire in the coming months.

17. General Manager Comments

General Manager Chris Theisen reported that tonnage received at the Toland Road Landfill has not decreased during the pandemic due to modified disposal behaviors (mainly recycling) and the existence of permissions that the District has obtained from the County to temporarily accept more than 1,500 tons per day.

Regarding Chairperson Perello's request for upcoming contract expiration information, the General Manager noted for that the solid waste disposal contract with the City of Oxnard would expire in mid-November 2020.

Mr. Theisen confirmed that the public comment period for the Draft Supplemental Environmental Impact Report (SEIR) for the Toland Optimization Plan project would close the following week. Staff would then respond to public comments received and prepare the final Supplemental Environmental Impact Report for the Board to review. In response to additional questions from Director Weirick, the General Manager confirmed that he anticipated the public Hearing for the VRSD Board as the Lead agency would take place during calendar year 2020, and that the public hearing for the project approval would take place in calendar year 2021.

Mr. Theisen wished Director Jones a happy upcoming 90th birthday.

At 9:55 a.m., Chair Perello announced that it was the intention of the VRSD Board to hear the Closed Session item on the Public Performance Evaluation of the General Manager (Gov. Code § 54957) and requested that all District personnel leave the zoom meeting for the Board to commence the Closed Session.

CLOSED SESSION (Item 18 only)

18. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code § 54957)
Title: General Manager.

At some time during the Closed Session, Directors Araiza and Fox left the meeting.

At 11:07 a.m., Legal Counsel Kwong announced that Open Session was being reconvened and based on the results of the Closed Session Performance Evaluation of the General Manager (Gov. Code § 54957), optional Agenda Item No. 19 was no longer necessary and the Board could adjourn.

ADJOURNMENT: With no further business, *it was moved by Director Jones, seconded by Director Weirick*, to adjourn the meeting to the next Regular meeting on September 17, 2020. VOTE: Austin, Friedman, Hernandez, Jones, Kildee, Perello, and Weirick were in favor; the motion carried 7-0.

Prepared by:

Approved:

Juliet Rodriguez
Clerk of the Board

Bert Perello, Chairperson
Ventura Regional Sanitation District

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