

**VENTURA REGIONAL SANITATION DISTRICT**  
Minutes of the Regular Meeting of April 1, 2021  
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 Friedman called the meeting to order at 8:33 a.m.

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

James Acosta, Special Districts  
Jenny Crosswhite, City of Santa Paula  
Jim Friedman, City of San Buenaventura  
Ed Jones, City of Thousand Oaks  
Kevin Kildee, City of Camarillo  
Bert Perello, City of Oxnard  
William Weirick, City of Ojai

Absent: Mark Austin, City of Fillmore; Laura Hernandez, City of Port Hueneme

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; and Juliet Rodriguez, Clerk of the Board.

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

3. Agenda Review:

No changes.

Director Perello sought clarification from Counsel Robert Kwong on whether he needed to recuse himself from Agenda Item No. 17.

*It was moved by Director Weirick, seconded by Director Kildee, to approve the Agenda as presented. ROLL CALL VOTE: Motion carried 7-0 (FOR: Acosta, Crosswhite, Friedman, Jones, Kildee, Perello, and Weirick).*

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: February 11, 2021 Special Meeting (morning), March 4, 2021 Regular Meeting, March 11, 2021 Special Meeting

*It was moved by Director Kildee, seconded by Director Acosta, to approve the Consent Agenda as presented. Motion carried 7-0 (FOR: Acosta, Crosswhite, Friedman, Jones, Kildee, Perello, and Weirick).*

**REGULAR AGENDA** (Items 6 through 8)

6. Approve, and Authorize the Board Chair to Sign, Proposed Contract No. 21-003 with Pride Construction Engineering Services, Inc. for Excavation, Liner Purchase, and Liner Construction Services at the Toland Road Landfill

Richard Jones, Interim Director of Operations, gave a combined presentation for Agenda Items 6 and 7.

*It was moved by Director Perello, seconded by Director Weirick, to direct staff to analyze the A-Mehr Contract for possible errors and omissions that could possibly result in filing a claim. ROLL CALL VOTE: Motion failed 4-3 (FOR: Crosswhite, Perello, and Weirick, and AGAINST: Acosta, Friedman, Jones, and Kildee).*

*It was moved by Director Acosta, seconded by Director Weirick, to A) approve, and authorize the Board Chair to sign, proposed Contract No. 21-003 with Pride Construction Engineering Services, Inc. for Toland Road Landfill Phase 4B excavation and liner installation services in an amount not to exceed \$3,788,000; and B) approve a budget adjustment appropriating \$3,788,000 from the District's available funds. ROLL CALL VOTE: Motion carried 7-0 (FOR: Acosta, Crosswhite, Friedman, Jones, Kildee, Perello, and Weirick).*

7. Approve, and Authorize the Board Chair to Sign, Amendment No. 1 to Contract No. 19-009 with Dragomir Design-Build, Inc.

*It was moved by Director Acosta, seconded by Director Kildee, to A) approve, and authorize the Board Chair to sign, Amendment No. 1 to Contract No. 19-009 with Dragomir Design-Build, Inc. to include Design and Construction Quality Assurance for Toland Road Landfill Phase 4B cell construction and increase the contract*

amount by \$364,800, for a total amount not to exceed \$589,800; and B) approve a budget adjustment appropriating \$364,800 from the District's available funds. ROLL CALL VOTE: Motion Carried 7-0 (FOR: Acosta, Crosswhite, Friedman, Jones, Kildee, Perello, and Weirick).

8. Proposed Revision of District 2.1.05 Reserve Level Policy

Tina Rivera, Director of Finance, gave the presentation.

*It was moved by Director Acosta, seconded by Director Weirick, to postpone any decision on the Proposed Revision of District 2.1.05 Reserve Level Policy and direct the item for review by the VRSD Personnel & Finance Committee at its next meeting, April 6, 2021. ROLL CALL VOTE: Motion Carried 7-0 (FOR: Acosta, Crosswhite, Friedman, Jones, Kildee, Perello, and Weirick).*

**INFORMATION ITEMS** (Items 9 through 12)

9. Revenue and Expense Report: February 2021

10. Disbursement Report: February 2021

11. Investment Report: February 2021

12. Future Meetings, Seminars and Conferences

- ♦ Apr. 6, 2021, 8:30 a.m. – Personnel & Finance Committee Meeting
- ♦ Apr. 15, 2021, 8:30 a.m. – Regular Board Meeting
- ♦ May 4, 2021, 8:30 a.m. – Personnel & Finance Committee Meeting
- ♦ May 6, 2021, 8:30 a.m. – Regular Board Meeting
- ♦ May 20, 2021, 8:30 a.m. – Regular Board Meeting

*It was moved by Director Kildee, seconded by Director Acosta, to receive and file all Information Items. ROLL CALL VOTE: Motion Carried 7-0 (FOR: Acosta, Crosswhite, Friedman, Jones, Kildee, Perello, and Weirick).*

**ORAL REPORTS** (Items 13 through 16)

13. Regulatory Compliance Report  
None.

14. Committee Reports  
None.

15. Board Member Comments and Future Agenda Items

Director Weirick inquired if the parity policy would be heard at an upcoming Personnel & Finance Committee. General Manager Theisen said that it will be considered at a future meeting when staff workload permits. Director Wierick inquired if staff was working with Southern California Gas to conduct any analysis at

the Toland Road Landfill. Mr. Theisen responded that staff has been in contact with So Cal Gas but no analysis has been completed to date.

Chair Friedman expressed appreciation and congratulations to staff for the work done on the Ventura County Board of Supervisors approval of the Conditional Use Permit modification for the Toland Road Landfill.

Director Perello inquired when Agenda Item 8. Proposed Revision of District 2.1.05 Reserve Level Policy would go before the Personnel & Finance Committee and when agenda notices would be posted. Mr. Theisen responded that the item would be brought before the Personnel & Finance Committee at its next meeting, April 6, 2021. The notice would be posted 72 hours beforehand.

Director Perello asked about when the relationship between the Malibu Bay Club and VRSD would come before the Board. Mr. Theisen reported that it will be considered at a future meeting when staff workload permits

Director Perello asked when a correspondence distribution policy would come before the Board. Mr. Theisen said, that while it was not a Board directive, he would look into it if requested by the Board.

Director Jones shared the City of Thousand Oaks City Council's recent decision of a 15-year contract for waste with Athens Disposal and would like to see if this could be an opportunity for VRSD's Toland Road Landfill.

16. General Manager Comments

None.

*It was moved by Director Jones, seconded by Director Kildee, to receive and file all Oral Reports. ROLL CALL VOTE: Acosta, Crosswhite, Friedman Jones, Kildee, Perello, and Weirick were in favor; the motion carried 7-0.*

**CLOSED SESSION** (Item 17 only)

At 9:56 a.m., Legal Counsel announced that the Board would be convening to a Closed Session to start at 10:15 a.m. in a separate Zoom meeting.

Legal Counsel further stated that it is the intention of the Ventura Regional Sanitation District Board of Directors to meet in closed session to consider the following items:

17. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL –  
ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2)-(d)(4). Two cases.

**OPEN SESSION**

At 11:17AM, the Clerk of the Board was asked by Chairperson Friedman to take the roll. The following Board Members were present:

James Acosta, Special Districts  
Jenny Crosswhite, City of Santa Paula  
Jim Friedman, City of San Buenaventura  
Kevin Kildee, City of Camarillo  
Bert Perello, City of Oxnard  
William Weirick, City of Ojai

At 11:17 a.m., Legal Counsel reported that the Closed Session ended at 11:15 a.m. and there was no action taken by the Board during Closed Session Agenda Item No. 17 and therefore nothing to report out of that Closed Session.

Director Perello asked that it be noted that he was not in the Closed Session at the Board's request. Counsel Kwong affirmed that Director Perello was not in the Closed Session.

ADJOURNMENT: With no further business, Chairperson Friedman adjourned the meeting at 11:19 a.m. to the Regular Meeting on April 15, 2021, 8:30 a.m. via video conference.

Prepared by:

Approved:

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Juliet Rodriguez  
Clerk of the Board

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Jim Friedman, Chairperson  
Ventura Regional Sanitation District