

VENTURA REGIONAL SANITATION DISTRICT

Minutes of the Regular Meeting of May 5, 2022
1001 Partridge Drive, Ventura, California

IN ACCORDANCE WITH GOVERNMENT CODE §54593, AS AMENDED BY STATUTES 2021, CHAPTER 165, AND THE CALIFORNIA GOVERNOR'S EXECUTIVE ORDERS DECLARING A STATE OF EMERGENCY AS A RESULT OF THE THREAT OF THE COVID-19 VIRUS, THIS VRSD BOARD OF DIRECTORS MEETING WAS HELD VIA VIDEO CONFERENCE.

Chairperson Hernandez called the meeting to order at 8:31 a.m.

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

Jenny Crosswhite, City of Santa Paula
Lynn Edmonds, City of Fillmore
Jim Friedman, City of San Buenaventura
Laura Hernandez, City of Port Hueneme
Ed Jones, City of Thousand Oaks (*joined at 9:29 a.m.*)
Kevin Kildee, City of Camarillo
Bert Perello, City of Oxnard
Leon Shapiro, Special Districts
William Weirick, City of Ojai

Staff Present: Chris Theisen, General Manager; Robert Kwong, Legal Counsel; Tina Rivera, Director of Finance; Richard Jones, Director of Operations; Regina Williams, Senior Accountant; and Juliet Rodriguez, Clerk of the Board.

2. Pledge of Allegiance: The Pledge was led by Director Edmonds.
3. Agenda Review:

It was moved by Director Friedman seconded by Director Shapiro, to approve the Agenda as presented, with consideration to tabling an Agenda Item if needed for the interest in time. ROLL CALL VOTE: Motion carried 8-0 (FOR: Crosswhite, Edmonds, Friedman, Hernandez, Kildee, Perello, Shapiro, and Weirick).

4. Public Comment:

None.

CONSENT AGENDA (Item 5 only)

5. Approval of Minutes: April 21, 2022 Regular Meeting, April 21, 2022 Special Meeting

Discussion ensued among Board members and Staff and the following edits were agreed upon:

On page 1 of the April 21, 2022 Minutes, under 3. Agenda Review would have the first sentence change from:

Director Perello lost the zoom meeting connection at 8:35 a.m. and was unable to resume participation in the Regular meeting until after the Closed Session.

to

Director Perello lost the zoom meeting connection at 8:35 a.m.

On page 2 of the April 21, 2022 Minutes, the last paragraph in Closed Session would be moved to be the first paragraph under Regular Agenda:

The Board concluded its closed session matters and reconvened in Open Session at 10:19 a.m., where Legal Counsel Kwong reported that the Closed Session had conclude at 10:14 a.m. with no reportable action taken on either closed session matter.

It was moved by Director Edmonds, seconded by Director Friedman, to approve the Consent Agenda as corrected. ROLL CALL VOTE: Motion carried 7-0 (FOR: Crosswhite, Edmonds, Friedman, Hernandez, Kildee, Perello, and Shapiro. Director Weirick abstained).

REGULAR AGENDA (Items 6 through 11)

6. Consideration and Adoption of Proposed VRSD Resolution No. 22-04 Authorizing Continued Use of Teleconference Meetings in Accordance with Government Code Section 54953, Subdivision (e) (AB 361)

Chris Theisen, General Manager, gave the report.

It was moved by Director Edmonds, seconded by Director Perello, to adopt proposed VRSD Resolution No. 22-04 Authorizing Teleconference Meetings of the Legislative Bodies of the Ventura Regional Sanitation District for the Period of May 5, 2022 through June 4, 2022. ROLL CALL VOTE: Motion carried 8-0 (FOR: Crosswhite, Edmonds, Friedman, Hernandez, Kildee, Perello, Shapiro, and Weirick).

7. Consideration and Approval of Amendment No. 1 to VRSD Contract No 21-004 and Amendment No. 2 to VRSD Contract No. 19-005 with the City of Santa Paula for Wastewater Facility Operation, Management & Maintenance, and Wastewater Collection System and Stormwater Sewer System Maintenance, Respectively

Chris Theisen, General Manager, gave the report.

It was moved by Director Friedman, seconded by Director Perello, to A. Approve and Authorize the Board Chairperson to sign, Amendment No. 1 to VRSD Contract No. 21-004 with the City of Santa Paula for Wastewater Facility Operation, Management & Maintenance in an amount not to exceed \$1,171,920; and; B. Approve and Authorize the Board Chairperson to sign, Amendment No. 2 to VRSD Contract No. 19-005 with the City of Santa Paula for Wastewater Collection System and Stormwater Sewer System Maintenance in an amount not to exceed \$575,821. ROLL CALL VOTE: Motion carried 8-0 (FOR: Crosswhite, Edmonds, Friedman, Hernandez, Kildee, Perello, Shapiro, and Weirick).

8. Consideration and Approval of Proposed VRSD Contract No. 22-011 with the Top O'Topanga Community Association for Wastewater Facilities Maintenance

Chris Theisen, General Manager, gave the report.

Staff was asked to correct page three of the Staff report which inadvertently listed the contract commencement date to begin on July 1, 2024, and not July 1, 2022 under the proposal section. It was noted the contract contained the correct dates.

It was moved by Director Kildee, seconded by Director Weirick, to approve and authorize the Board Chairperson to sign, VRSD Contract No. 22-011 with Top O'Topanga Community Association for Wastewater Facilities Maintenance in an amount not to exceed \$247,478. ROLL CALL VOTE: Motion carried 8-0 (FOR: Crosswhite, Edmonds, Friedman, Hernandez, Kildee, Perello, Shapiro, and Weirick).

9. Update Regarding Fiscal Year 2022-23 Solid Waste Contracts

Chris Theisen, General Manager, gave the report.

It was moved by Director Kildee, seconded by Director Weirick, to receive and file the staff report. ROLL CALL VOTE: Motion carried 8-0 (FOR: Crosswhite, Edmonds, Friedman, Hernandez, Kildee, Perello, Shapiro, and Weirick).

10. Update Regarding Fiscal Year 2022-23 Solid Waste Contracts

Chris Theisen, General Manager, gave the report.

It was moved by Director Friedman, seconded by Director Kildee, to receive and file the staff report. ROLL CALL VOTE: Motion carried 8-0 (FOR: Crosswhite, Edmonds, Friedman, Hernandez, Kildee, Perello, Shapiro, and Weirick).

11. Draft Strategic Plan

Chris Theisen, General Manager, gave the report.

The Board requested that actions in future Board Letters refer to Strategic Plan Initiatives supported by the actions.

Chairperson Hernandez and Board Members extended appreciation to General Manager Theisen on the work done to provide a process and a plan that could be shared with future Board Members.

It was moved by Director Shapiro, seconded by Director Friedman, to A. Receive and file the staff report; B. Approve the VRSD 2022 Draft Strategic Plan; and C Present a semi-annual update to the Board on the progress of the Strategic Plan. ROLL CALL VOTE: Motion carried 8-0 (FOR: Crosswhite, Edmonds, Friedman, Hernandez, Kildee, Perello, Shapiro, and Weirick).

INFORMATION ITEMS (Items 12 through 15)

12. Quarterly Financial Report: None

13. Disbursement Report: None

14. Investment Report: None

15. Future Meetings, Seminars and Conferences

- ♦ May 19, 2022, 8:30 a.m. – VRSD Board Meeting
- ♦ May 19, 2022, 10:30 a.m. – VCREA Board Meeting - *cancelled*
- ♦ June 2, 2022, 8:30 a.m. – VRSD Board Meeting
- ♦ June 7, 2022, 8:30 a.m. - VRSD P&F Committee Meeting

It was moved by Director Edmonds, seconded by Director Weirick, to receive and file the staff report. ROLL CALL VOTE: Motion carried 8-0 (FOR: Crosswhite, Edmonds, Friedman, Hernandez, Kildee, Perello, Shapiro, and Weirick).

ORAL REPORTS (Items 16 through 19)

Director Jones joined the meeting at 9:29 a.m.

16. Regulatory Compliance Report

None.

17. Committee Reports

None.

18. Board Member Comments and Future Agenda Items

Director Weirick inquired about a future agenda item regarding the location of future board meetings upon the District's vacating of the Central Office facilities on Partridge Drive in Ventura, and Mr. Theisen responded that it would be placed on a future agenda.

Director Perello reminded Staff that he is awaiting information on whether the rodenticide used in bait traps at Toland Road Landfill is approved so the Board is aware, and Richard Jones, Director of Operations, said he would apprise the Board once he receives the information.

Director Edmonds inquired why the Toland Road Landfill is not open on Saturdays and if the decision to keep it closed would be revisited. Mr. Theisen replied that the landfill used to be open on Saturdays, but the decision was made to change the schedule to five days per week in response to the loss of the City of Oxnard tons and the associated reduction in staffing levels. Mr. Theisen further reported that the Toland Road Landfill is open on select Saturdays for transfer loads.

Director Perello asked for clarification on the circumstances under which the Toland Road landfill would be open on a Saturday, and whether that included access to the public. Mr. Theisen stated that the Saturday openings were due to either holidays or other emergencies and that the public did not have access on Saturdays.

19. General Manager Comments

Mr. Theisen reported that the closed Tierra Rejada Landfill Consortium is holding meetings to discuss repairs for storm damages incurred December 2021. Engineering reports and repair cost estimates are being reviewed, and the final scope and cost of repairs is being finalized. Appropriation of any funds required by VRSD will be placed in the budget for the next fiscal year.

It was moved by Director Kildee, seconded by Director Shapiro, to receive and file all oral reports. ROLL CALL VOTE: Motion carried 9-0 (FOR: Crosswhite, Edmonds, Friedman, Hernandez, Jones, Kildee, Perello, Shapiro, and Weirick).

CLOSED SESSION (Items 20 and 21)

At 9:39 a.m., Chairperson Hernandez announced that the Board would be convening to a Closed Session in a separate Zoom meeting.

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

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

Significant exposure to litigation pursuant Government Code Section 54956.9, subdivision (d)(2) involving two (2) potential cases.

The Board met in closed session matters at 9:45 a.m. and reconvened in open session at 12:13 p.m. where Legal Counsel Kwong reported that the closed session had concluded at 12:12 p.m., with no reportable action taken on either closed session matter.

ADJOURNMENT: With no further business, the meeting was adjourned at 12:14 p.m., to the Regular Meeting to be held May 19, 2022, 8:30 a.m. via video conference.

Prepared by:

Approved:

Juliet Rodriguez
Clerk of the Board

Laura Hernandez, Chairperson
Ventura Regional Sanitation District