

VENTURA REGIONAL SANITATION DISTRICT
Minutes of the Regular Meeting of June 16, 2022
1001 Partridge Drive, Ventura, California

THIS MEETING WAS HELD AT THE VENTURA REGIONAL DISTRICT OFFICE AND DUE TO THE THREAT OF COVID-19 AND IN ACCORDANCE WITH GOVERNMENT CODE §54953, AS AMENDED BY STATUTES 2021, CHAPTER 165, THIS IN-PERSON MEETING WAS ALSO HELD BY VIDEO CONFERENCE MADE AVAILABLE VIA ZOOM OR BY TELEPHONE.

Chairperson Hernandez called the meeting to order at 8:36 a.m.

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

Jim Friedman, City of San Buenaventura
Laura Hernandez, City of Port Hueneme
Ed Jones, City of Thousand Oaks
Kevin Kildee, City of Camarillo
Bert Perello, City of Oxnard
Leon Shapiro, Special Districts
William Weirick, City of Ojai

Absent: Jenny Crosswhite, City of Santa Paula, Lynn Edmonds, City of Fillmore

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 Kildee.

3. Agenda Review:

It was moved by Director Weirick, seconded by Director Perello, to approve the Agenda with a scheduling note that the attorney for Agenda Item 21 with Labor Negotiators will call in when available. ROLL CALL VOTE: Motion carried 7-0 (FOR: Friedman, Hernandez, Jones, Kildee, Perello, Shapiro, and Weirick).

4. Public Comment:

None.

CONSENT AGENDA (Items 5 through 8)

5. Approval of Minutes: June 2, 2022 Regular Meeting
6. . Consideration and Re-Approval of Proposed VRSD Contract No. 22-005 With the Ventura County Waterworks Districts for Wastewater Facilities Maintenance
7. . Consideration and Approval of Proposed VRSD Contract No. 22-003 With the Camrosa Water District for Wastewater Facilities Maintenance
8. . Consideration and Approval of Amendment to VCERA Contract 17-032-01 With the Ventura County Regional Energy Alliance for Wastewater Facilities Management

It was moved by Director Edmonds, seconded by Director Weirick, to approve the Consent Agenda as presented with all Staff's recommendations. ROLL CALL VOTE: Motion carried 7-0 (FOR: Friedman, Hernandez, Jones, Kildee, Perello, Shapiro, and Weirick).

REGULAR AGENDA (Items 9 through 12)

9. Public Hearing – Ordinance Regulating the Use of the Malibu Bay Club Onsite Wastewater Treatment System and Adopting Sewer Service Charges – Second reading of Ordinance No. VRSD-117

Chairperson Hernandez called the public hearing to order at 8:44 a.m.

Tina Rivera, Director of Financing, gave the report.

Juliet Rodriguez, Clerk of the Board, reported that Malibu Bay Club consist of 135 parcels and 94 verified letters of protest were received. In addition, Leroy Smith, Malibu Bay Club Attorney addressed the Board stating that in light of the number of protest letters submitted, that the District did not have the legal alternative to adopt Ordinance No. VRSD-117 because of the majority protest.

Bruce Blavin, Malibu Bay Club resident, inquired on the amendment and justification for the fees and received clarification from Ms. Rivera on rising insurance costs and labor and material service costs that were contributory.

Allen Lawrence, Malibu Bay Club Homeowners Association President, urged the Board to approve the 3% CPI increase listed in the existing Ordinance No. VRSD-115 in lieu of the proposed Ordinance No. VRSD-117.

Chairperson Hernandez closed the public hearing at 9:01 a.m.

A properly presented majority protest from the Malibu Bay Club parcel owners prevailed in the defeat of Ordinance No. VRSD-117 Regulating the Use of Malibu Bay Club Onsite Wastewater Treatment System (“OWTS”) and Adopting Sewer Service Fees and Charges to become effective July 1, 2022. No action was taken by the Board.

10. Adoption of VRSD Board Resolution No. 22-06 Regarding Collection of Sewer Service Charges through the Ventura County Tax Roll

Tina Rivera, Director of Financing, gave the report.

It was moved by Director Weirick, seconded by Director Friedman, to A) Adopt VRSD Board Resolution No. 22-06 Regarding Collection of Sewer Service Charges by the County of Ventura; and B) Adopt the report which lists the Assessor’s Parcel Numbers and the corresponding amount of charges proposed for collection on the County tax rolls in Ordinance No. VRSD-115; and C) Direct VRSD staff to file a certified copy of the adopted reports and ordinance with the Ventura County Auditor-Controller; and D) Direct staff to coordinate collection of sewer service charges on the general Ventura County tax rolls with the County Auditor-Controller, Assessor, and Tax Collector, and to submit to the Auditor-Controller all required forms and data needed to place direct assessments on the tax roll.. ROLL CALL VOTE: Motion carried 7-0 (FOR: Friedman, Hernandez, Jones, Kildee, Perello, Shapiro, and Weirick).

11. Consider, Adopt, and Authorize Proposed Fiscal Year 2022-23 District Goals

Chris Theisen, General Manager, gave the report.

It was moved by Director Friedman, seconded by Director Weirick, to receive and file VRSD Staff’s recommended District Goals for FY2022-23, and Approve the District Goals for FY2022-23 with the additional goal of discussing Board stipend and travel expenses. ROLL CALL VOTE: Motion carried 7-0 (FOR: Friedman, Hernandez, Jones, Kildee, Perello, Shapiro, and Weirick).

12. Approval and Adoption of the Proposed Fiscal Year 2022-23 Budget

Tina Rivera, Director of Financing, gave the report.

It was moved by Director Friedman, seconded by Director Kildee, to approve the Proposed Fiscal Year 2022-23 Budget; and adopt VRSD Resolution No. 22-07 adopting the Fiscal Year 2022-23 Budget. ROLL CALL VOTE: Motion carried 7-0 (FOR: Friedman, Hernandez, Jones, Kildee, Perello, Shapiro, and Weirick).

INFORMATION ITEMS (Items 13 through 16)

13. Quarterly Financial Report: None

14. Disbursement Report: May 2022
15. Investment Report: May 2022
16. Future Meetings, Seminars and Conferences
 - ♦ July 5, 2022, 10:30 a.m. – VRSD P&F Committee Meeting
 - ♦ July 7, 2022, 8:30 a.m. – VRSD Board Meeting
 - ♦ July 21, 2022, 8:30 a.m. – VRSD Board Meeting

It was moved by Director Friedman, seconded by Director Weirick, to receive and file Information Items. ROLL CALL VOTE: Motion carried 7-0 (FOR: Friedman, Hernandez, Jones, Kildee, Perello, Shapiro, and Weirick).

ORAL REPORTS (Items 17 through 20)

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

17. Regulatory Compliance Report

None.
18. Committee Reports

None.
19. Board Member Comments and Future Agenda Items

None.
20. General Manager Comments

Mr. Theisen did not have any comments, but deferred to a request by Ms. Rodriguez to make a public comment.

Ms. Rodriguez acknowledged the challenging decision made by the Board in May for a Reduction in Force and thanked the Board for the opportunity to continue working for the District part-time.

Richard Jones, Director of Operations, reported that the County had provided staff with comments on the new flare installation that will assist in getting the installation back on track.

It was moved by Director Kildee, seconded by Director Perello, to receive and file all Oral Reports. ROLL CALL VOTE: Motion carried 7-0 (FOR: Friedman, Hernandez, Jones, Kildee, Perello, Shapiro, and Weirick).

CLOSED SESSION (Items 21 and 22)

Danny Carillo, SEIU 721 Regional Director, commented against non-represented employees benefitting from union negotiations.

At 10:41 a.m., Chairperson Hernandez announced that the Board would be convening to a Closed Session in a separate Zoom meeting.

21. CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, § 54957.6)

DISTRICT DESIGNATED REPRESENTATIVES:

Tina Rivera, VRSD Director of Finance; and Mayra Rodriguez, Human Resources Technician

EMPLOYEE ORGANIZATIONS:

Service Employees International Union (SEIU), Local 721
International Union of Operating Engineers (IUOE), Local 501
Non-represented Positions

22. 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 10:42 a.m. and adjourned at 12:01 p.m. where Legal Counsel Kwong reported that no reportable action taken.

ADJOURNMENT: With no further business, the meeting was adjourned at 12:01 p.m. to the Special Meeting held June 16, 2022, immediately following, at the Ventura Regional Sanitation District office.

Prepared by:

Approved:

Juliet Rodriguez
Clerk of the Board

Laura Hernandez, Chairperson
Ventura Regional Sanitation District