

**VENTURA REGIONAL SANITATION DISTRICT**  
Minutes of the Special Meeting of August 23, 2023  
4105 W. Gonzalez Road, Oxnard, California

Chairperson Kildee 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:

Doug Halter, City of Ventura *arrived at 8:45 a.m.*  
Carlos Juarez, City of Santa Paula  
Kevin Kildee, City of Camarillo  
David Newman, City of Thousand Oaks  
Bert Perello, City of Oxnard  
Christina Villaseñor, City of Fillmore  
William Ulrich, Special Districts

Absent: Directors Rachel Lang, City of Ojai; Laura Hernandez, City of Port Hueneme

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

2. Pledge of Allegiance: The pledge was led by Director Bert Perello.

3. Agenda Review:

General Manager Chris Theisen announced that under Agenda Item No. 7, there was a correction to signature page 18 of Amendment No. 4 to VRSD Contract No. 19-005 with the City of Santa Paula. The replacement page included VRSD Legal Counsel.

Chairperson Kildee suggested the Board consider moving Closed Session Item No.s 15-17 before the Consent Agenda.

*It was moved by Director Perello, seconded by Director Villaseñor to approve the Agenda as corrected. ROLL CALL VOTE: Motion carried 6-0 (FOR: Juarez, Kildee, Newman, Perello, Ulrich, and Villaseñor).*

4. Public Comment:

None.

Per the Board's action during Agenda Review, the following Agenda Items were taken out of order:

**CLOSED SESSION** (Items 15 through 17)

At 8:39 a.m., Legal Counsel Robert Kwong announced that it was the intention of the Ventura Regional Sanitation District Board of Directors to meet in closed session to consider the following items:

15. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code §54956.8)  
Property: Bailard Landfill, 4105 E. Gonzalez Road, Ventura County, CA (APNs 138-0-190-290 and -480)  
Agency Negotiators: Chris Theisen, VRSD General Manager; Richard Jones, VRSD Director of Operations; and Tina Rivera, VRSD Director of Finance  
Negotiating Parties: AC Power, LLC., 915 Broadway, Suite 801, New York, NY 10010; and Southern California Edison Company, 2244 Walnut Grove Avenue, Rosemead, CA  
Under Negotiation: Potential terms and conditions regarding use of subject property
16. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code §54956.9 (d)(2) :  
two (2) potential cases.
17. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Government Code §54956.9(a))  
*OPV Coalition et al. v. Fox Canyon Groundwater Management Agency et al.*  
Santa Barbara County Superior Court, Case No. VENC100555357

The Board met in closed session matters at 8:42 a.m. and reconvened in Open Session at 11:07 a.m., with no reportable action taken on any closed session matter.

**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: June 29, 2023 Special Meeting

*It was moved by Director Juarez, seconded by Director Halter to approve the Consent Agenda as corrected. ROLL CALL VOTE: Motion carried 7-0 (FOR: Halter, Juarez, Kildee, Newman, Perello, Ulrich, and Villaseñor).*

**REGULAR AGENDA** (Items 6 and 7)

6. Receive and File the Staff Update Regarding Design of Phase 4C for the Toland Road Landfill  
Richard Jones, Director of Operations, gave the staff report and PowerPoint presentation. Chris Dragomir, Dragomir Design Build, Inc., was present to answer any questions.

*It was moved by Director Halter, seconded by Director Perello to receive and file the staff update regarding design of Phase 4C for the Toland Road Landfill. ROLL CALL VOTE: Motion carried 7-0 (FOR: Halter, Juarez, Kildee, Newman, Perello, Ulrich, and Villaseñor).*

7. Consideration and Approval of Amendment No. 4 to VRSD Contract No. 19-005 with the City of Santa Paula for Wastewater Collection System and Stormwater Sewer System Maintenance

Richard Jones, Director of Operations, gave the staff report.

*It was moved by Director Newman, seconded by Director Juarez, to Approve, and Authorize the Board Chairperson to sign, Amendment No. 4 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 \$932,810 for Fiscal Year 2023-2024, with the corrected contract signature page. ROLL CALL VOTE: Motion carried 7-0 (FOR: Halter, Juarez, Kildee, Newman, Perello, Ulrich, and Villaseñor).*

**INFORMATION ITEMS** (Items 8 through 10)

8. Disbursement Report: June and July 2023
9. Investment Report: June and July 2023
10. Future Meetings, Seminars and Conferences
- ♦ Sept. 5, 2023, 8:30 a.m. – P&F Committee Meeting, District Office – *Cancelled*
  - ♦ Sept. 7, 2023, 8:30 a.m. – Regular Board Meeting, District Office
  - ♦ Sept. 21, 2023, 8:30 a.m. – Regular Board Meeting, District Office
  - ♦ Oct. 3, 2023, 8:30 a.m. – P&F Committee Meeting, District Office
  - ♦ Oct. 5, 2023, 8:30 a.m. – Regular Board Meeting, District Office
  - ♦ Oct. 15, 2023, 8:30 a.m. – Regular Board Meeting, District Office

Director Villaseñor has been called to jury duty on September 7<sup>th</sup> and may not be present for the meeting.

*It was moved by Director Newman, seconded by Director Perello, to receive and file Information Items. ROLL CALL VOTE: Motion carried 7-0 (FOR: Halter, Juarez, Kildee, Newman, Perello, Ulrich, and Villaseñor).*

**ORAL REPORTS** (Items 11 through 14)

11. Regulatory Compliance Report (none)
12. Committee Reports (none)
13. Board Member Comments and Future Agenda Items (none)

14. General Manager Comments

Chris Theisen, General Manager, updated the Board on the progress of meeting certain conditions in Toland Road Landfill Conditional Use Permit:

- Condition 55b: Offsite Air Monitoring. The data collection continues. The collection period is May 2023 to October 2023.
- Condition 57: Dust Control Monitoring. The data collection continues. The one-year collection period began in March 2023.

Richard Jones, Director of Operations, was asked to give an update on any impact to the Toland Road Landfill by the August 20<sup>th</sup> “Hurriquake” activity. Mr. Jones reported that all the VRSD monitored landfills were inspected for earthquake damage and none appear to have any problems. In preparation for the anticipated storm that brought 5.8 inches of rain and 35 m.p.h. winds, staff worked until 7:30 p.m. on the preceding Friday to lay out extra tarping, extra tires, etc., to secure the landfill. The Board expressed appreciation and asked that Solid Waste workers Miguel Arroyo, Saul Soto, and Jason Hoffman be recognized for their contributive efforts.

ADJOURNMENT: With no further business, the meeting was adjourned at 11:26 a.m. to the Regular Meeting to be held September 7, 2023, 8:30 a.m. at the Ventura Regional Sanitation District office.

Prepared by:

Approved:

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Juliet Rodriguez  
Clerk of the Board

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Kevin Kildee, Chairperson  
Ventura Regional Sanitation District