

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE MIDWAY CITY
SANITARY DISTRICT OF ORANGE COUNTY
14451 CEDARWOOD AVENUE
WESTMINSTER, CA 92683**

June 4, 2019

CALL TO ORDER

President C. Nguyen called the regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Tuesday, June 4, 2019 at 5:02 P.M.

BOARD MEMBERS PRESENT:

Al P. Krippner
Margie L. Rice
Andrew Nguyen
Sergio Contreras
Chi Charlie Nguyen

OTHERS AT MEETING:

Kenneth Robbins, General Manager
Robert Housley, Finance/HR Director
James Eggart, General Counsel
Danielle Gerardo, Board Secretary
Saundra Jacobs, Board Pres., SMWD
Jim Leach, Dir. External Affairs, SMWD
Mike Scheafer, Director, CMSD
Jim Fidler, Director, Mesa Water District
Stacy Taylor, Dir.External Affairs, Mesa Water District

PLEDGE AND INVOCATION

Director A. Krippner led the Pledge of Allegiance. Director A. Nguyen gave the Invocation.

PUBLIC COMMENTS

Saundra Jacobs, President of Santa Margarita Water District (SMWD) addressed the Board and requested their support for her candidacy for the vacant OC LAFCO Special District Regular Member seat.

Mike Scheafer, Director at Costa Mesa Sanitary District spoke in support of Saundra Jacobs for the vacant OC LAFCO Special District Regular Member seat.

James Fisler, Director at Mesa Water District addressed the Board and requested their support for his candidacy for the vacant OC LAFCO Special District Regular Member seat.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MAY 21, 2019

A motion was made by Director M. Rice, seconded by Director A. Nguyen, to approve the minutes of the regular meeting of May 21, 2019. The motion was approved by the following 5-0 vote:

AYES: S. Contreras, A. Krippner, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT:

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF MAY 23, 2019

A motion was made by Director S. Contreras, seconded by Director M. Rice, to approve the minutes of the special meeting of May 23, 2019. The motion was approved by the following 5-0 vote:

AYES: S. Contreras, A. Krippner, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT:

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 264,329.23

#	CK #	Date	AMOUNT	VENDOR
1				HANDCUT CHECKS:
2	10611	5/23	\$ 728.42	Nguyen, Andrew - Travel Cost Reimbursements for CSDA SDLA Conference, San Diego, CA
3				04/07-04/10/2019; 2019 Waste Expo Las Vegas, NV 05/06-05/09/2019
4	10612	5/23	\$ 323.84	Nguyen, Chi Charlie - Travel Cost Reimbursements for 2019 Waste Expo Las Vegas, NV 05/06-05/09/2019

5	10613	5/23	\$ 702.85	Rice, Margie - Travel Costs Reimbursements for 2019 Waste Expo Las Vegas, NV 05/06-05/09/2019
6	10614	5/23	\$ 275.62	Cintas - Uniform Services for May 2019
7	10615	5/23	\$ 240.00	Crystal Clear Fleet & Auto Detailing - Wash & Detail S2, S3, M5, T9, NG1, NG2, NG4, M64
8	10616	5/23	\$ 49.23	SoCal Gas - District Office, Maintenance Shop, & Wash Rack Usage Fees for May 2019
9	10617	5/23	\$ 195.40	LegalShield - Member Paid Services for May 2019
10	10618	5/23	\$ 3,524.47	SDRMA Delta Dental - Dental Insurance Premium for June 2019
11	10619	5/29	\$ 195.82	AT&T - Brookhurst Lift Station Service for May 2019
12	10620	5/29	\$ 551.24	Cintas - Uniform Services for May 2019
13	10621	5/29	\$ 1,126.53	Frontier Communications - District Office Phones & Lift Stations for May 2019; \$615.30 District Office,
14				\$170.41 Willow Lift, \$170.41 Westminster Lift, \$170.41 Hammon Lift.
15	10622	5/29	\$ 150.00	Purchase Power/Pitney Bowes - Postage Meter Refill for May 2019
16	10623	5/29	\$ 500.00	SDRMA - Properly Deductible for Claim on 02/04/2019
17	10624	5/29	\$ 3,770.22	Southern California Edison-District Office \$2,578.71, Brookhurst Lift Station \$75.78, Westminster Lift
18				Station \$503.10, Willow Lift Station \$176.62, Hammon Lift Station \$436.01.
19	10625	5/29	\$ 1,196.08	The Standard Life Insurance - Life Insurance & AD&D Premium Coverage for June 2019
20	10626	5/29	\$ 476.35	Vision Service Plan - Monthly Premium for June 2019
21			\$ 14,006.07	HANDCUT CHECKS SUBTOTAL
22				
23				REGULAR CHECKS:
24	10627	6/1	\$ 158.00	Advanced Office - Repair Ricoh MPC2500
25	10628	6/1	\$ 6,650.18	Bodyworks Equipment - Restock (5) 30mm Sourcing Switch, (1) Packer Paddle & Actuator Kit; (1)
26				Packer Paddle & Actuator Kit for NG8.
27	10629	6/1	\$ 94,751.22	CR Transfer Incorporated - Tonnage from 05/01/2019 through 05/15/2019
28	10630	6/1	\$ 816.00	CRC Cloud - Maintenance & Support for June 2019
29	10631	6/1	\$ 1,717.96	Daniels Tire Service - Restock (8) Recaps & (1) Repair
30	10632	6/1	\$ 690.91	Los Alamitos Napa Auto Parts - Restock (6) Air Filters, (5) Oil Filters, (4) Fuel Filters
31	10633	6/1	\$ 2,603.86	Orange County Sanitation District - FOG Inspections 2018-2019 Q3
32	10634	6/1	\$ 880.00	Reliable Monitoring Services - Calibration & Testing of CNG Gas Detection System
33	10635	6/1	\$ 265.96	South Coast AQMD - AQMD Fee for July 2018 through June 2019 for Westminster & Hammon Lift
34	10636	6/1	\$ 236.20	Top Mobile Vision - Labor & Repairs to Monitors & Cameras for NG2 & NG13
35	10637	6/1	\$ 157.47	TrucPar Company - (12) L.E.D. Clearance Lights for Restock
36			\$ 108,927.76	REGULAR CHECKS SUBTOTAL
37				
38				PAYROLL
39	5/21		\$ 68,753.33	Payroll - Staff Checks Taxes & Direct Deposits
40	5/21		\$ 835.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
41	5/21		\$ 3,779.25	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
42			\$ 73,367.58	PAYROLL SUBTOTAL
43				
44				ACH TRANSFERS
45	5/29		\$ 10,848.76	ACH Retirement Payment to CalPERS for Classic 8583 05/06/2019-05/19/2019
46	5/29		\$ 2,018.36	ACH Retirement Payment to CalPERS for PEPRA 05/06/2019-05/19/2019
47	5/29		\$ 1,214.85	ACH Retirement Payment to CalPERS for Classic 8584 05/06/2019-05/19/2019
48	6/2		\$ 4,561.19	ACH Board Health Insurance Payment to CalPERS for June 2019
49	6/2		\$ 49,384.66	ACH Employee Health Insurance Payment to CalPERS for June 2019
50			\$ 68,027.82	ACH TRANSFERS SUBTOTAL
51				

51			
52	\$ 264,329.23	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)	
53			
54		BANK TRANSFERS	
55	5/24 \$ 100,000.00	Transfer Funds from Money Market to Checking Account	

A motion was made by Director A. Krippner, seconded by Director A. Nguyen, to approve the expenditures in the amount of \$ 264,329.23. The motion was approved by the following 5-0 vote:

AYES: S. Contreras, A. Krippner, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT:

REPORTS

Report of President

President C. Nguyen reported that the Memorial Day wreath that the District ordered was never delivered.

GM Robbins stated that the District would be getting a refund for it.

President C. Nguyen stated that he received an email from a resident on Pinehurst who complained that his trash had not been picked up for three weeks. After looking into it, staff called to let him know that his trash service was delayed by one day due to the Memorial Day holiday during one week and that his carts were tagged due to contamination during the other two weeks. His carts were serviced and staff took the opportunity to explain what goes where and the resident was apologetic about the complaint.

Report of General Manager

GM K. Robbins stated that there was a truck load fire on Tuesday and that the District was thankful to CR&R for helping out with the clean up.

Report from the Orange County Sanitation District (OCSD) Meeting on May 22, 2019

Director A. Nguyen reported that there were elections for OCSD Chairman and Vice Chairman and that the same two people were re-elected. There was also discussion regarding the budget, and there were negotiations during closed session.

CONSENT CALENDAR

A. Approve the Midway City Sanitary District's Reserves and Approve Transferring and Reallocating Funds into the Districts Reserve Accounts

A motion was made by Director M. Rice, seconded by Director A. Nguyen, to approve the Consent Calendar. The motion was approved by the following 5-0 vote:

AYES: S. Contreras, A. Krippner, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT:

OLD BUSINESS

None

NEW BUSINESS

A. Presentation by Waste Not OC

Waste Not OC Executive Director, restaurateur and Orange County resident Mike Learakos explained that Waste Not OC was started by a public health officer in an effort to end hunger in Orange County, and is a Public/Private/Non-Profit organization that strives to divert excess edible food that gets thrown away. He stated that five years ago 17.5 million pounds of unrecovered edible food was going into the landfills. He spoke about the procedures for fresh food recovery with enhanced safety and handling, their partnerships with health inspectors, food insecurity partners, private industry partners, waste hauling partners, industry support, and food recovery kitchens.

Jeff Snow, Vice President of CR&R stated that 9 million tons of organics are going to the landfills where they create methane pollution, and the demographics of the food insecure is not the homeless like most people think - it's seniors, children of working families, and college students. He thanked MCSD for adopting Waste Not OC and adding their information to the website, and for diverting organics within the District by using the green containers which take the material to Perris to make gas for CR&R's fleet. California has the worst methane readings in the nation and is adopting laws to divert organics and green waste that cause methane from landfills. He stated that the District's partnership with CR&R and their anaerobic digestion facility puts the District in compliance with the most difficult part of SB1383, which is residential food waste recycling.

Mike Learakos spoke about Waste Not OC's collaborators and the need for donations to keep the 230 food pantries throughout Orange County running efficiently. He stated that it works out to .17 cents per person, or \$17,000 for the District, and he asked that it be considered by the Board on a future agenda.

B. Discuss and Consider Special District Risk Management Authority (SDRMA) 2019 Board of Directors Election

A motion was made by Director M. Rice, seconded by President C. Nguyen, to defer discussion and consideration of the SDRMA 2019 Board of Directors election until the July 2, 2019 Board meeting. The motion was approved by the following 5-0 vote:

AYES: S. Contreras, A. Krippner, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT:

C. Consider Approving the Purchase of One New Heavy Duty Pick-Up Truck for Easy Lift

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director M. Rice, seconded by A. Nguyen, to approve the purchase of one 2019 Chevrolet Silverado 2500 pick-up truck from National Auto Fleet Group (NAFG) in the amount of \$34,534.96, and authorize to the General Manager to make the purchase. The motion was approved by the following 5-0 vote:

AYES: S. Contreras, A. Krippner, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT:

D. Consider Approval to Purchase Three Cubic Yard Easy Dump to be Installed in the Back of District Pick-Up Truck

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director S. Contreras, seconded by M. Rice, to approve the purchase of a three yard easy dump from Perkins Manufacturing at a cost of \$15,918.33. The motion was approved by the following 5-0 vote:

AYES: S. Contreras, A. Krippner, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT:

E. Discussion and Approval of Radio Outreach to the Vietnamese Community for Upcoming 80th Anniversary Open House

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director S. Contreras, seconded by President C. Nguyen, to approve to call a special meeting on June 20, 2019 at 9:30 A.M. in order to do a public outreach promo at VNCR on June 20, 2019 at 10 A.M. The motion was approved by the following 5-0 vote:

AYES: S. Contreras, A. Krippner, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT:

GM Robbins stated that it was brought to his attention on Friday, May 31, 2019, after the agenda was posted, that the Westminster Mayor's Charity Ball was scheduled for June 7, 2019, and that if the Board was interested in sponsoring or attending, it would need to be walked onto the agenda for their consideration.

General Counsel Eggart advised the Board that, in order to add a non-agenda item to the agenda, at least four of the Board Members must determine that there is a need for immediate action and the need to take action came to the attention of the District subsequent to the agenda being posted.

A motion was made by President C. Nguyen, seconded by Director M. Rice, to add consideration of sponsorship of and attendance at the Westminster Mayor's Charity Ball to the agenda as it came to the attention of the District after the agenda was posted and requires immediate attention as the event is on Friday, June 7, 2019. The motion was approved by the following 5-0 vote:

AYES: S. Contreras, A. Krippner, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT:

A motion was made by Director A. Nguyen, seconded by Director M. Rice, to approve the expenditure of a maximum of \$600 for a table at the Westminster Mayor's Charity Ball to support the Miss Westminster Scholarship Competition. The motion was approved by the following 5-0 vote:

AYES: S. Contreras, A. Krippner, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT:

President C. Nguyen thanked the OC LAFCO candidates who came to the meeting and stated that the Board would discuss the election at a later time.

F. Consideration of Compensation for General Manager

There was Board consensus to defer Item 9F until after the closed session.

General Counsel James Eggart convened the meeting to executive closed session to conduct a public employee evaluation of the General Manager pursuant to Government Code Section 54957(b)(1) and conference with labor negotiator James Eggart regarding unrepresented employee General Manager pursuant to Government Code Section 54957.6 at 6:12 P.M.

CLOSED EXECUTIVE SESSION

CLOSED SESSION: During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government Code Sections 54956.8, 54956.9, 54957 or 54957.6, as noted.

Reports relating to (a) purchase and sale of property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time as the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957(b)(1)) Title: General Manager

B. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6) Agency Designated Representatives: James Eggart Unrepresented Employee: Kenneth Robbins

President C. Nguyen reconvened the meeting at 7:00 P.M.

General Counsel James Eggart stated that the Board met in closed session per agenda Items 14A and 14B and as a result of that closed session there was no reportable action taken.

F. Consideration of Compensation for General Manager

A motion was made by President C. Nguyen, seconded by Director M. Rice, that, in recognition of the extraordinary additional work effort being provided by the General Manager to Shepherd implementation of the District's organics recycling program, the General Manager be given a one-time lump sum of \$1,000; and General Counsel be directed to prepare a ratifying resolution for presentation at the next regularly scheduled meeting on June 18, 2019. The motion was approved by the following 5-0 vote:

AYES: S. Contreras, A. Krippner, A. Nguyen, C. Nguyen and M. Rice
NAYS:
ABSTAIN:
ABSENT:

INFORMATIONAL ITEMS

None

BOARD CONCERNS/COMMENTS

Director M. Rice asked if she could have copies of her statement for the OC LAFCO Alternate Special District member seat. She stated that she would add her four years on the OC Waste Commission to her statement.

Director S. Contreras stated that he would like the District to also do an ad for the Spanish speaking community within the District to let them know about the 80th anniversary celebration and that there was an Ad Hoc Committee meeting on Monday, June 10 to discuss the planning of that event.

GM/STAFF CONCERNS/COMMENTS

GM K. Robbins thanked the Board for their generous compensation and commendation.

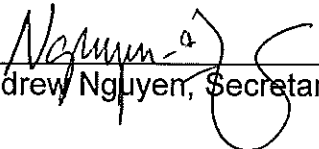
GM K. Robbins stated that he ordered polo shirts for the Directors to wear to District events.

GENERAL COUNSEL CONCERNS/COMMENTS

None

ADJOURNMENT

President C. Nguyen adjourned the meeting to Tuesday, June 18, 2019 at 5:00 P.M. at the District office at approximately 7:09 P.M.



Andrew Nguyen, Secretary