

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

May 1, 2019

CALL TO ORDER

President C. Nguyen called the special meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Wednesday, May 1, 2019 at 5:00 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

PLEDGE AND INVOCATION

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

PUBLIC COMMENTS

None

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

A motion was made by Director M. Rice, seconded by Director S. Contreras, 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 \$ 294,330.36

#	CK #	Date	AMOUNT	VENDOR
1				HANDCUT CHECKS:
2	10553	4/22	\$7,447.22	DTNtech - (19,200) Postcards Print, Postage, Delivery for 80th Anniversary Open House
3	10554	4/23	\$195.78	AT&T - Brookhurst Lift Station Service for April 2019
4	10555	4/23	\$263.99	Cintas - Uniform Services for April 2019
5	10556	4/23	\$225.00	Crystal Clear Fleet & Auto Detailing - Wash & Detail S1, S2, S3, T9, NG11, M12, M64, NG1
6	10557	4/23	\$3,524.47	SDRMA Delta Dental - Dental Insurance Premium for May 2019
7	10558	4/23	\$1,196.08	The Standard Life Insurance - Life Insurance & AD&D Premium Coverage for May 2019
8	10559	4/23	\$50.00	Westminster Prayer Breakfast Committee - 2019 Westminster Prayer Breakfast (AN, MR)
9			\$12,902.54	HANDCUT CHECKS SUBTOTAL
10				
11				REGULAR CHECKS:
12	10560	5/1	\$4,920.24	Bodyworks Equipment - Restock (1) Packer Paddle & Actuator Kit,
13				(20) Rocker Switches, (24) Cam Followers.
14	10561	5/1	\$1,455.00	City of Westminster - 1st Qtr Over-The-Top Fees Collected by CR&R & Remitted to MCSD
15	10562	5/1	\$102,085.59	CR Transfer - Tonnage from 04/01/2019 through 04/15/2019
16	10563	5/1	\$290.25	DPF - Level 1 DPF Filter Cleaning for M64
17	10564	5/1	\$292.50	DTNtech - (4) Event Posters for 80th Anniversary Open House
18	10565	5/1	\$200.00	Four Pals - Four Backflow Devices Tested, Passed, & Certified for District
19	10566	5/1	\$21.55	Los Alamitos Napa Auto Parts - Restock (20) Lamps
20	10567	5/1	\$2,954.31	NVB Equipment - Air Conditioning Inspection & Service for NG6, NG9, NG13, NG14
21	10568	5/1	\$26,601.20	Otto Environmental Systems - (504) 95-Gallon Blue Containers for Restock
22	10569	5/1	\$419.97	Plumber's Depot - (1) Leader Hose, (1) Hose, (1) Switch Toggle for M64
23	10570	5/1	\$1,400.00	SWRCB - Annual Permit Fee for 04/01/2019 through 03/31/2020
24	10571	5/1	\$163.33	TEC of California - Restock (2) Air Filters

25	10572	5/1	\$225.74	TrucPar Company - Restock (6) LED Strobe Lights
26			\$141,029.68	REGULAR CHECKS SUBTOTAL
27				
28				PAYROLL
29		4/23	\$68,531.53	Payroll - Staff Checks Taxes & Direct Deposits
30		4/23	\$835.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
31		4/23	\$3,480.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
32			\$72,846.53	PAYROLL SUBTOTAL
33				
34				ACH TRANSFERS
35		4/23	\$2,018.36	ACH Retirement Payment to CalPERS for PEPR 04/08/2019-04/21/2019
36		4/23	\$1,214.85	ACH Retirement Payment to CalPERS for Classic 8584 04/08/2019-04/21/2019
37		4/23	\$10,750.59	ACH Retirement Payment to CalPERS for Classic 8583 04/08/2019-04/21/2019
38		5/1	\$49,006.62	ACH Employee Health Insurance Payment to CalPERS for May 2019
39		5/1	\$4,561.19	ACH Board Health Insurance Payment to CalPERS for May 2019
40			\$67,551.61	ACH TRANSFERS SUBTOTAL
41				
42			\$294,330.36	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)
43				
44				BANK TRANSFERS
45		4/19	\$2,500,000.00	Transfer Funds from Checking Account to LAIF
46		4/19	\$2,700,000.00	Transfer Funds from Money Market to Checking Account

A motion was made by Director A. Krippner, seconded by Director M. Rice, to approve the expenditures in the amount of \$ 294,330.36. 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

None

Report of General Manager

GM K. Robbins reported that staff was in the process of getting quotes for replacement pumps for the District's lift stations and that they would hopefully be on the next agenda for Board consideration and approval. He stated that at that point in time, it will take approximately 18-20 weeks to receive the replacement pumps.

Report from the Orange County Sanitation District (OCSD) Meeting on April 24, 2019

None

Report from the Administrative Professionals Day Luncheon on April 24, 2019

Directors M. Rice, A. Krippner and President C. Nguyen all reported that they enjoyed the luncheon with District Staff.

Report from the Clean Up Event on April 27, 2019

Director M. Rice reported that it was great to meet the people in that community.

Director S. Contreras enjoyed being at the event and seeing the people get excited about getting rid of their stuff. He stated that he was glad that the District can do the clean up events and would like to see more of them and more often.

Director A. Nguyen enjoyed the clean up event and helped by directing traffic because there were a lot of people bringing a lot of stuff and even making repeat trips.

GM K. Robbins stated that next year he is hoping that the District will be able to partner with the City to clean up target neighborhoods with blight one at a time.

President C. Nguyen stated that he enjoyed being at the event and was impressed with the way District staff worked.

Director A. Nguyen asked if the District employees that worked got paid overtime for being there.

GM K. Robbins stated that there is a signup sheet for employees to work the clean up events and that they stagger who goes and that they do get paid for being there and helping.

CONSENT CALENDAR

None

OLD BUSINESS

A. RESOLUTION NO. 2019-06

(Roll Call Vote)

A RESOLUTION NO. 2019-06 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA ADOPTING AN EMPLOYEE HANDBOOK FOR NON-REPRESENTED EMPLOYEES AND RESCINDING RESOLUTION NO. 2005-13

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 President C. Nguyen, to approve adoption of Resolution No. 2019-06, adopting an employee handbook for non-represented employees, and rescinding Resolution No. 2005-13. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

NEW BUSINESS

A. Consider Approval of Continue Lift Station Maintenance and Agreement with PumpMan for Fiscal Years 2019/2020

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by President C. Nguyen, seconded by Director A. Nguyen, to approve the one-year contract with PumpMan to assure proper maintenance of all pumps and electrical components at all four of the District's lift stations. 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:

B. Consider Approval for TESCO Controls to Install Emergency Backup Auto Dialers at Each Midway City Sanitary District Lift Station

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 Director A. Nguyen, to waive the three bid requirement for purchases and approve TESCO Controls to install emergency backup auto dialers at each Midway City Sanitary District lift station. 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 Approval for the District to Purchase Renewable Natural Gas (RNG) from Clean Energy Fuels

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director A. Nguyen, seconded by President C. Nguyen, to approve the agreement with Clean Energy Fuels and authorize the General Manager to sign the agreement. 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 of Printer for 2020 Midway City Sanitary District Annual Calendar

Director S. Contreras asked why the District didn't go out to bid on the calendar.

GM K. Robbins stated that DTN Tech had been doing the calendar for the past few years and that their price actually went down.

Director S. Contreras stated that the District should go out to bid for this in the future, to be fair and consistent.

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by President C. Nguyen, seconded by Director A. Nguyen, to approve DTN Tech to print and mail the 2020 Midway City Sanitary District annual calendar for all residents and businesses for \$36,715.57 plus any increases to postal service that may occur after Board approval. 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. Consider Award of Economy Suggestion Program to Midway City Sanitary District Administrative Secretary/Accountant Crystal Enciso for Credit to the District due to her Persistence with Frontier for Internet Power Outages during Rain Events this Past Winter

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by President C. Nguyen, seconded by Director M. Rice, to approve awarding Midway City Sanitary District Administrative Secretary/Accountant Crystal Enciso \$126.00 or 5% for her persistence with Frontier resulting in a \$2,508.00 credit to the District for internet power outages. 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

A. California Society of Municipal Finance Officers (CSMFO) Orange County Chapter Meeting – April 18, 2019

B. Email from Neal Kelley, Orange County Registrar of Voters – Invitation to Orange County 2020 Vote Center Planning Update/Secretary of State Visit

Receive and file.

BOARD CONCERNS/COMMENTS

Director A. Krippner stated that the District should try to improve on the calendar every year.

Director M. Rice thanked the Board and staff for clarifying Resolution No. 2019-06.

Director S. Contreras asked what committees he was on and stated that if there was a planning committee for the 80th anniversary that he and Director A. Nguyen could be on it since they were both new to the District.

General Counsel J. Eggart stated that the discussion for a planning committee for the 80th anniversary should be agendized.

Director M. Rice stated that she would rather hand out inexpensive things like pens or cups to the public instead of shirts.

GM K. Robbins stated that the shirts and hats have already been purchased due to Board approval.

GM/STAFF CONCERNS/COMMENTS

GM K. Robbins reminded the Board of the Waste Expo in Las Vegas, Nevada next week.

GENERAL COUNSEL CONCERNS/COMMENT

General Counsel J. Eggart reported to the Board that after the last regular meeting, President C. Nguyen asked him about agendizing the General Manager's annual performance review and evaluation and stated that it would be agendized on the May 21, 2019 meeting in closed session and that he would add a labor negotiator as well.

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.

None

ADJOURNMENT

President C. Nguyen adjourned the meeting to Tuesday, May 21, 2019 at 5:00 P.M. at the District office at approximately 5:45 P.M.


Andrew Nguyen, Secretary