

**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**

November 5, 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, November 5, 2019 at 5:00 P.M.

BOARD MEMBERS PRESENT:

Al P. Krippner (absent)
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
Chris Tooker, Trendzitions

PLEDGE AND INVOCATION

Director S. Contreras led the Pledge of Allegiance. GM K. Robbins gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF OCTOBER 15, 2019

A motion was made by Director M. Rice, seconded by Director A. Nguyen, to approve the minutes of the regular meeting of October 15, 2019. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: A. Krippner

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 241,176.58

1				HANDCUT CHECKS:
2	10931	10/16	\$ 140.36	Rice, Margie -CSDA Annual Conf Anaheim,CA Parking, Mileage Reimb 9/25-9/27/19
3	10932	10/16	\$ 219.41	AT&T Mobillity - Service for October 2019: (KR) 714-310-2313, (NC) 714-310-8653,
4				(RG) 714-325-3606, Sewer 714-310-8654, Emergency 714-310-9004.
5	10933	10/16	\$ 262.63	Cintas - Uniform Services for October 2019
6	10934	10/16	\$ 490.00	Crystal Clear Fleet & Auto Detailing - Wash & Detail Fleet Trucks for 10/14 & 10/15
7	10935	10/16	\$ 50.14	SoCal Gas - District Office, Maintenance Shop, & Wash Rack Usage Fees for October 2019
8	10936	10/16	\$ 5,042.93	SDRMA -Add NG16 (Sewer Vactor) & S4 (Solid Waste Chevy C-2500) to Insurance
9	10937	10/16	\$ 1,842.29	Verizon Business - Internet Connection for October 2019
10	10938	10/24	\$ 16.94	Nguyen, Andrew -Mileage Reimb CSDA Annual Conf Anaheim, CA 9/25-9/27/19
11	10939	10/24	\$ 27.14	Nguyen, Charlie -Mileage Reimb CSDA Annual Conf Anaheim, CA 9/25-9/27/19
12	10940	10/24	\$ 313.60	AT&T - Brookhurst Lift Station Service for October 2019
13	10941	10/24	\$ 262.63	Cintas - Uniform Services for October 2019
14	10942	10/24	\$ 200.00	Crystal Clear Fleet & Auto Detailing - Wash & Detail Fleet Trucks for 10/21
15	10943	10/24	\$ 127.60	LegalShield - Member Paid Services for October 2019
16	10944	10/24	\$ 150.00	Pitney Bowes/Purchase Power - Postage for Postage Machine September 2019
17	10945	10/24	\$ 3,518.05	SDRMA Delta Dental - Dental Insurance Premium for November 2019
18	10946	10/25	\$ 262.63	Cintas - Uniform Services for October 2019
19	10947	10/25	\$ 1,464.94	County of Orange Treasurer-Tax Collector -2019-20 Secured Property Tax Bill for District Offices
20	10948	10/25	\$ 200.00	Westminster Herald - Public Hearing & Special Usage Notices on 06/06
21			\$ 14,591.29	HANDCUT CHECKS SUBTOTAL
22				
23				REGULAR CHECKS:
24	10949	11/1	\$ 237.71	Adv Gas Products -Restock(1)Cylinder Compressed Gas,(11.7)Gallons Propane for Shop
25	10950	11/1	\$ 92.00	Advanced Workplace Strategies - Random DOT Drug & Alcohol Tests for October 2019
26	10951	11/1	\$ 65.00	Asbury Environmental Services - (300) Gallons Used/Mixed Oil Pick-Up
27	10952	11/1	\$ 2,622.38	Bodyworks Equipment - Restock (20) Rocker Switches, (20) 2" Cam Followers,
28				(5) 30MM Sourcing Switches, (2) Hop[per Skirts, (2) Coils.
29	10953	11/1	\$ 7,615.00	CSDA - 2020 Membership Dues
30	10954	11/1	\$ 7,294.10	Daniels Tire Service - Restock (25) New Tires & (9) Recaps

31	10955	11/1	\$	133.67	Hilco Fastener - (172) Locknuts, (102) Hexagonal Screws for Restock
32	10956	11/1	\$	2,751.39	LosAlamosNapaAutoParts-Restock(24) 13oz Carb-Choke Cleaners;(1)Gear Oil NG10;
33					(1)Air Jack Shop;(2)Batteries,(2)Battery Cable Terminals S4;(2)Batteries District Generator
34	10957	11/1	\$	3,854.00	Odyssey Power Corporation - Generator Preventative Maintenance for Hammon,
35					Westminster, & District; Repair Basin Sensor for Hammon Lift.
36	10958	11/1	\$	880.00	Reliable Monitoring Services - Calibration & Testing of CNG Gas Detection System
37	10959	11/1	\$	2,691.00	Rutan & Tucker - Legal Services for October 2019
38	10960	11/1	\$	1,781.58	TEC of California - Restock (6) Filters, (2) Slack Adjusters, (4) Brake Drums, (4) Brake Shoes,
39					(20) Studs, (20) Washers, (20) Nut Retainers, (20) Cone Fittings.
40	10961	11/1	\$	91.74	Tell Steel - (1) 3/8th x 4"x10" Sheet of Steel for S4
41	10962	11/1	\$	36.89	TrucPar Company - (5) Chains for S4
42	10963	11/1	\$	5,700.00	White Nelson Diehl Evans - Final Interim Billing of Audit for Fiscal Year Ending June 30, 2019
43	10964	11/1	\$	1,274.50	Woodruff, Spradlin & Smart - Legal Services for September 2019
44			\$	37,120.96	REGULAR CHECKS SUBTOTAL
45					
46					PAYROLL
47		10/22	\$	71,940.47	Payroll - Staff Checks Taxes & Direct Deposits
48		10/22	\$	2,271.94	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
49		10/22	\$	660.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
50			\$	74,872.41	PAYROLL SUBTOTAL
51					
52					ACH TRANSFERS
53		10/16	\$	1,109.95	Online Payment of Wex (Chevron) Fuel Credit Card for October 2019
54		10/15	\$	10,908.01	ACH Retirement Payment to CalPERS for Classic 8583 08/26/2019-09/08/2019
55		10/15	\$	2,220.89	ACH Retirement Payment to CalPERS for PEPRA 08/26/2019-09/08/2019
56		10/15	\$	1,073.39	ACH Retirement Payment to CalPERS for Classic 8584 08/26/2019-09/08/2019
57		10/11	\$	10,908.01	ACH Retirement Payment to CalPERS for Classic 8583 09/09/2019-09/22/2019
58		10/11	\$	2,477.57	ACH Retirement Payment to CalPERS for PEPRA 09/09/2019-09/22/2019
59		10/11	\$	1,073.39	ACH Retirement Payment to CalPERS for Classic 8584 09/09/2019-09/22/2019
60		10/11	\$	10,908.01	ACH Retirement Payment to CalPERS for Classic 8583 09/23/2019-10/06/2019
61		10/11	\$	2,477.57	ACH Retirement Payment to CalPERS for PEPRA 09/23/2019-10/06/2019
62		10/11	\$	1,073.39	ACH Retirement Payment to CalPERS for Classic 8584 09/23/2019-10/06/2019
63		11/1	\$	51,314.71	ACH Employee Health Insurance Payment to CalPERS for November 2019
64		11/1	\$	4,563.01	ACH Board Health Insurance Payment to CalPERS for November 2019
65		10/24	\$	10,927.01	ACH Retirement Payment to CalPERS for Classic 8583 10/07/2019-10/20/2019
66		10/24	\$	2,483.62	ACH Retirement Payment to CalPERS for PEPRA 10/07/2019-10/20/2019
67		10/24	\$	1,073.39	ACH Retirement Payment to CalPERS for Classic 8584 10/07/2019-10/20/2019
68			\$	114,591.92	ACH TRANSFERS SUBTOTAL
69					
70			\$	241,176.58	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)
71					
72					BANK TRANSFERS
73			\$	-	No Wire Transfers for This Period

A motion was made by Director M. Rice, seconded by Director S. Contreras, to approve the expenditures in the amount of \$ 241,176.58. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: A. Krippner

REPORTS

Report of President

None

Report of General Manager

GM K. Robbins reported that ProVision had finished installing new camera systems on all District trucks. There was a \$400 change order to add a camera to the front of the sewer vacor truck so that they can be viewed cleaning lines. The next step will be to improve the District's internet speed and wifi so that the content can be uploaded soon and more quickly.

GM K. Robbins reminded the Board that, going forward, the District would not be providing residents with second black containers and if residents insist on having one, there will be a charge of \$177 per year.

GM K. Robbins reminded the Board that the District would be closed in observance of Veteran's Day on Monday, November 11, 2019 and that solid waste service would be delayed by one day for that week.

GM K. Robbins reported that since July 1, 2019 the District had earned \$270,000 in interest in its CalPERS investments and \$950,000 since January. He stated that the District is in a unique position being fully funded and having surplus funds.

Finance HR Director R. Housley stated that this goes back to all the planning done by the Board and staff over the years to put money into the trust accounts. The District has two trust funds – OPEB and CEPPT. He stated that just since the District opened the CEPPT trust a month or so ago, it has earned \$54,000-55,000 in interest. The OPEB trust is earning approximately 6.5% and since its conception it has earned roughly \$1.6 million in interest.

Report from the Orange County Sanitation District (OCSD) Meeting on October 23, 2019

Director A. Nguyen reported that OCSD had a drawing contest and asked the children of employees to draw pictures regarding how to stay safe. The drawings were used in their annual calendar, which he shared with the Board. He stated that there was a 2018-2019 public affairs year-end report and summary provided at the meeting and that a new security agency was approved in the amount of \$1.5 million.

Report from the Midway City Sanitary District Harassment Training on October 19, 2019

Director M. Rice stated that it was one of the best harassment trainings that she had received and that it spoke on topics that she had never heard addressed before. She had harassment training at the CSDA conference and stated that it was completely different and didn't compare.

Director A. Nguyen stated that as times change, so do the laws, and that there was a lot of good information. He stated that he felt that the speaker was very knowledgeable on the subject.

Report from the Independent Special Districts of Orange County (ISDOC) Quarterly Meeting on October 24, 2019

Director M. Rice, S. Contreras, A. Nguyen and President C. Nguyen all attended the meeting and reported that the topic was homelessness.

Report from the Orange County Sanitation District (OCSD) State of the District Breakfast on October 25, 2019

Director A. Nguyen reported that OCSD provided a good review of their facilities and showcased the plants and their accomplishments. Director A. Nguyen stated that it was their largest turnout with a lot of State legislators' representatives in attendance.

Report from the MCSD Clean Up Event at Park West Park on October 26, 2019

President C. Nguyen stated that he arrived early and that the residents seemed very pleased. He stated that he felt it was a good location for a clean-up event.

Director M. Rice stated that a lot of people had to be turned away towards the end because the bins were full and she suggested that the District leave the end time off the flyers. She felt bad because one man had rented a truck to bring all his junk but came too late and had to be turned away.

Director A. Nguyen stated that one resident was so grateful that she brought a big cooler full of ice cream for everyone.

Report from the Woodruff, Spradlin & Smart Client Appreciation Reception on October 29, 2019

Director A. Nguyen stated that the offices of Woodruff, Spradlin & Smart are beautiful and that there was a good turn-out.

CONSENT CALENDAR

A. Approve the September 2019 Financial Reports and Budget Review for the Period of July 1, 2019 through September 30, 2019

A motion was made by Director S. Contreras, seconded by Director M. Rice, to approve the Consent Calendar. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: A. Krippner

OLD BUSINESS

None

NEW BUSINESS

A. Presentation from Trendzitions on the Midway City Sanitary District's New Offices and Solar Project

Chris Tooker from Trendzitions gave a presentation to the Board, explaining that he met with staff regarding their needs for the new spaces. He stated that his goal is provide the District with a functional facility that is cost effective and meets current and future needs.

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 S. Contreras, to receive and file. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: A. Krippner

B. Discussion and Consideration of Approval for Site Rendering Assessment of New Midway City Sanitary District Office Buildings and Solar Project

GM K. Robbins stated that the site rendering will show possibilities for the project and what the City will and will not allow before going on to an RFP.

Chris Tooker stated that there are several types of drawings that the District will need such as a schematic to illustrate the use of the facility with designated rooms and furniture showing how the space will function. A rendering and site assessment will also be necessary. He stated that he received several bids, but that they came in too late to provide with the agenda packet. The bids were between \$12,000-\$20,000 and he stated that he would recommend the lowest bid.

GM Robbins stated that having the renderings done is within his scope but since this is a once in a lifetime project, he wants the Board involved from start to finish.

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 S. Contreras, to approve staff's recommendation for staff to secure an architectural firm for rendering assessment, not to exceed \$15,000. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: A. Krippner

Chris Tooker left the meeting at 5:45 P.M.

C. Consider Approval of January 2020 Midway City Sanitary District Mailer in Three Languages – Printing Cost and Mailing

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 Director M. Rice, to approve the January 2020 mailer in three languages, including printing and mailing proposal, with changes including checking the Vietnamese translation on the sewer management portion, adding date of January 2020 and the District's phone number and website. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: A. Krippner

D. Discussion and Consideration of Employee Award for Solid Waste Driver Shannan Clarke for Saving a Solid Waste Truck from Burning on October 22, 2019

There was discussion regarding the increased number of truck fires and possible remedies.

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 Director A. Nguyen, to approve staff recommendation to continue the practice of awarding drivers who save District trucks from burning and award Solid Waste Driver Shannan Clarke with a \$1,000 safety award to be handed out at the District's holiday luncheon. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: A. Krippner

INFORMATIONAL ITEMS

A. Special District Risk Management Authority Letter Notifying of Change to SDRMA Workers' Compensation Program Third-Party Administrator

Receive and file.

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

BOARD CONCERNS/COMMENTS

Director M. Rice commended Finance/HR Director R. Housley for his good work.

Director S. Contreras stated that he felt the Board and staff should be thoughtful of the District's needs in terms of growth for the building project since it would not happen again soon and he hopes that the District gets it right.

President C. Nguyen stated that he enjoyed the update from GM K. Robbins and Director of Finance/Human Resources regarding the interest the District earned from CalPERS.

GM/STAFF CONCERNS/COMMENTS

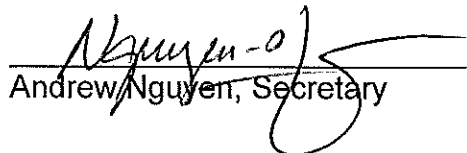
Finance/HR Director R. Housley stated that Nationwide and a representative from Shuster Financial Group would be at the District on Wednesday, November 6 to discuss changes to District employees' 457 plan. The rates for the Nationwide fixed account, which most employees are in, is reducing its interest from 3 ½ % to 2 ½ % in January 2020 and then to 1 ½% the following year because they can no longer sustain the high rates.

GENERAL COUNSEL CONCERNS/COMMENTS

General Counsel, James Eggart thanked the Board for their kind words regarding him and his firm and the Client Appreciation Reception at his offices. He stated that the harassment training that was held at the District was led by Keith Dobbins from his firm and that the District was charge a flat rate. He stated that there was a possibility that he may not be able to attend the November 19 regular Board meeting, and if that was the case, that his partner would attend in his place.

ADJOURNMENT

President C. Nguyen adjourned the meeting to Tuesday, November 19, 2019 at 5:00 P.M. at the District office at approximately 6:04 P.M.


Andrew Nguyen, Secretary