

**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**

**EVERYONE WHO ATTENDED THIS HYBRID/TELECONFERENCE MEETING  
ATTENDED FROM VARIOUS LOCATIONS PURSUANT TO THE PROVISION OF  
THE GOVERNOR'S EXECUTIVE ORDER WHICH SUSPENDS CERTAIN  
REQUIREMENTS OF THE RALPH M. BROWN ACT. AGENDA PACKETS WERE  
MADE AVAILABLE AT THE DISTRICT OFFICE AND A LINK, PHONE NUMBER AND  
ACCESS NUMBER WERE MADE AVAILABLE TO ANYONE WISHING TO ATTEND.  
PER STATE OF CALIFORNIA EXECUTIVE ORDER NO. N-29-20, AND IN THE  
INTEREST OF PUBLIC HEALTH AND SAFETY, THE DISTRICT STRONGLY  
ENCOURAGED MEMBERS OF THE PUBLIC TO PARTICIPATE IN THIS MEETING  
TELEPHONICALLY RATHER THAN ATTENDING IN PERSON.**

**October 6, 2020**

**CALL TO ORDER**

President C. Nguyen called the hybrid/special teleconference meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminister, California on Tuesday, October 6, 2020 at 5:30 P.M.

**BOARD MEMBERS PRESENT:**

Margie L. Rice  
Andrew Nguyen  
Sergio Contreras (via teleconference)  
Chi Charlie Nguyen

**OTHERS AT MEETING:**

Kenneth Robbins, General Manager  
Robert Housley, Finance/HR Director  
James Eggart, General Counsel (via teleconference)  
Danielle Gerardo, Board Secretary  
Mike Sheafer, President SDRMA (via teleconference)  
Laura Gill, CEO SDRMA (via teleconference)  
Debbie Yokota, SDRMA (via teleconference)  
Ellen Doughty, SDRMA (via teleconference)  
Gregory Karapoulis, CR&R

## PLEDGE AND INVOCATION

Director M. Rice led the Pledge of Allegiance. GM K. Robbins gave the Invocation.

## PUBLIC COMMENTS

None

## APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF SEPT. 15, 2020 (Roll Call Vote)

A motion was made by Director A. Nguyen, seconded by Director M. Rice, to approve the minutes of the special meeting of September 15, 2020. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

## APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 646,045.19 (Roll Call Vote)

| #  | CK #  | Date | AMOUNT       | VENDOR                                      | MEMO   |
|----|-------|------|--------------|---|--|
| 1  |       |      |              | <b>CHECKS:</b>                              |  |
| 2  | 11759 | 9/18 | \$ 115.54    | <b>Advanced Gas Products</b>                | Restock welding supplies for shop use                                      |
| 3  | 11760 | 9/18 | \$ 320.00    | <b>Asbury Environmental Services</b>        | (450) Gallons shop/public used oils  |
| 4  | 11761 | 9/18 | \$ 99.44     | <b>AT&amp;T Mobility</b>                    | Cell Phone Service for September 2020                                      |
| 5  | 11762 | 9/18 | \$ 1,470.00  | <b>Ayala's Car Wash</b>                     | Fleet wash 9/8, 9/10, 9/14   |
| 6  | 11763 | 9/18 | \$ 1,439.84  | <b>Bodyworks Equipment, Inc</b>             | Restock hydraulic dump cylinder & journal blocks for NG-15 & stock         |
| 7  | 11764 | 9/18 | \$ 522.82    | <b>Cintas</b>                               | Uniform Services for 9/11, 9/17  |
| 8  | 11765 | 9/18 | \$ 1,506.05  | <b>CR&amp;R Incorporated</b>                | 8/15 Bowling Green Clean-up event, NG-3 hot load drop off at District      |
| 9  | 11766 | 9/18 | \$ 1,805.37  | <b>Daniel's Tire Service</b>                | (8) Restock recap tires for Solid Waste                                    |
| 10 | 11767 | 9/18 | \$ 6,201.40  | <b>SoCal Gas</b>                            | CNG Station from 8/01/20 - 9/01/20, District Offices Usage Fees for August |
| 11 | 11768 | 9/18 | \$ 420.00    | <b>Konecranes, Inc</b>                      | Quarterly inspection of 5 ton crane  |
| 12 | 11769 | 9/18 | \$ 2,861.48  | <b>NVB Equipment, Inc</b>                   | A/C repairs for NG-2, NG-4, NG-5   |
| 13 | 11770 | 9/18 | \$ 254.48    | <b>Pitney Bowes, Inc</b>                    | Postage Machine Lease 10/10/20-01/09/21                                    |
| 14 | 11771 | 9/18 | \$ 151.50    | <b>Purchase Power</b>                       | Postage for Postage Machine September 2020                                 |
| 15 | 11772 | 9/18 | \$ 3,553.75  | <b>Rehrig Pacific Company</b>               | (112) Restock 65 gallon black carts  |
| 16 |       |      |              | <b>Rehrig Pacific Company</b>               | Recycle material credit (\$1,866.35)                                       |
| 17 | 11773 | 9/18 | \$ 1,520.08  | <b>Rutan &amp; Tucker, LLP</b>              | Professional Legal Services for August 2020                                |
| 18 | 11774 | 9/18 | \$ 3,987.22  | <b>SDRMA</b>                                | Dental Insurance Premiums for October 2020                                 |
| 19 | 11775 | 9/18 | \$ 396.94    | <b>Snap-On Tools</b>                        | Multi-probe ultra for shop use   |
| 20 | 11776 | 9/18 | \$ 31.79     | <b>SoCal Auto &amp; Truck Parts, Inc</b>    | Restock parts for differential use and axles (Solid Waste)                 |
| 21 | 11777 | 9/18 | \$ 441.62    | <b>Tell Steel</b>                           | Material to repair hopper cover for refuse trucks                          |
| 22 | 11778 | 9/18 | \$ 330.38    | <b>TrucPar Company</b>                      | Parts for CCC 2nd axle tires (Solid Waste)                                 |
| 23 | 11779 | 9/18 | \$ 1,860.26  | <b>Verizon</b>                              | Internet Connection for September 2020                                     |
| 24 | 11780 | 9/18 | \$ 171.00    | <b>WesPac Security Services</b>             | Gas Alarm Svcs. JUL-SEP 2020   |
| 25 | 11781 | 9/18 | \$ 16,400.00 | <b>White Nelson Diehl Evans, LLP</b>        | Accounting Audit FY 19-20  |
| 26 | 11782 | 9/18 | \$ 3,280.25  | <b>TEC of California, Inc</b>               | Restock dowels, wheel studs, air filters, brake shoes, rotors, drums NG-14 |
| 27 |       |      |              | <b>TEC of California, Inc</b>               | (2) Core return and stud return credit (\$807.48)                          |
| 28 | 11783 | 9/22 | \$ 95.00     | <b>Jerry's Broken Drill &amp; Tap Remov</b> | Removal of broken truck hub stud   |
| 29 | 11784 | 9/22 | \$ 207.81    | <b>Advanced Office</b>                      | Restock Ricoh MPC3503 Toner-Yellow   |
| 30 | 11785 | 9/22 | \$ 59.50     | <b>Advanced Workplace Strategie</b>         | Random drug testing & collection   |
| 31 | 11786 | 9/22 | \$ 323.14    | <b>AT&amp;T</b>                             | Brookhurst Lift Station September 2020                                     |

|    |       |      |               |  |  |
|----|-------|------|---------------|--|--|
| 32 | 11787 | 9/22 | \$ 810.00     | <b>Ayala's Car Wash</b>  | Fleet wash 9/17, 9/21 and sanitized cabs   |
| 33 | 11788 | 9/22 | \$ 56.23      | <b>City of Westminster</b>   | Hydrant Water Service for September 2020   |
| 34 | 11789 | 9/22 | \$ 109,906.26 | <b>CR Transfer</b>   | Solid Waste & Organics Tonnage Fees 9/1/20 through 9/15/20                       |
| 35 | 11790 | 9/22 | \$ 2,769.23   | <b>Daniel's Tire Service</b>   | (1) Restock recap tire & (6) restock new tires for Solid Waste trucks            |
| 36 | 11791 | 9/22 | \$ 75.01      | <b>Time Warner Cable</b>   | Television service September 2020  |
| 37 | 11792 | 9/22 | \$ 3,888.69   | <b>TEC of California, Inc</b>  | Restock brake pads,rotors,seals,wheel studs,air filters,alternator NG-2,gear oil |
| 38 | 11793 | 9/22 | \$ 5,529.14   | <b>Truck Gears, Incorporated</b>                                     | Parts for NG-9 differential replacement  |
| 39 | 11794 | 9/22 | \$ 23.79      | <b>TrucPar Company</b>   | Clamps for mirrors on Mack trucks  |
| 40 | 11795 | 9/22 | \$ 270.00     | <b>WesPac Security Services</b>                                      | Fire and Burglary Alarm Svcs. JUL-SEP 2020                                       |
| 41 | 11796 | 9/24 | \$ 125,000.00 | <b>CalPERS</b>   | Approved Contribution to CEPPT Trust Fund Related to Pensions                    |
| 42 | 11797 | 10/1 | \$ 225.00     | <b>Atlas Radiator, Inc</b>   | Repair radiator on Mack truck  |
| 43 | 11798 | 10/1 | \$ 970.00     | <b>Ayala's Car Wash</b>  | Fleet wash 9/24, 9/28 and sanitized cabs   |
| 44 | 11799 | 10/1 | \$ 968.78     | <b>Bodyworks Equipment, Inc</b>                                      | Restock Heil parts, dump cylinder, washers and springs                           |
| 45 | 11800 | 10/1 | \$ 264.77     | <b>Cintas</b>  | Uniform Services for 9/24  |
| 46 | 11801 | 10/1 | \$ 187.72     | <b>City of Westminster</b>   | Wash Rack and District Offices 7/29/20-9/22/20/20                                |
| 47 | 11802 | 10/1 | \$ 816.00     | <b>CRC Cloud</b>   | Maintenance/Support October 2020   |
| 48 | 11803 | 10/1 | \$ 1,160.44   | <b>Frontier Communications</b>                                       | District Office Phones & Lift Stations for September 2020                        |
| 49 | 11804 | 10/1 | \$ 290.73     | <b>Hilco Fastener Warehouse, Inc</b>                                 | Locknuts for Solid Waste truck wheels  |
| 50 | 11805 | 10/1 | \$ 67.80      | <b>LegalShield</b>   | Legalshield/ID Svcs. September 2020  |
| 51 | 11806 | 10/1 | \$ 659.19     | <b>Velocity Truck Centers</b>  | Door seal & washer reservoir for Solid Waste trucks                              |
| 52 | 11807 | 10/1 | \$ 3,000.00   | <b>Odyssey Power Corporation</b>                                     | District yard, Hammon & Westminster Generator Preventative Maintenance           |
| 53 | 11808 | 10/1 | \$ 121.22     | <b>Remington Pure</b>  | September 2020 Water Filtration + service charge on 9/15/20                      |
| 54 | 11809 | 10/1 | \$ 756.79     | <b>Snap-On Tools</b>   | Impact wrench with battery charge for Shop use                                   |
| 55 | 11810 | 10/1 | \$ 31.79      | <b>SoCal Auto &amp; Truck Parts, Inc</b>                             | Tailgate silicone for Solid Waste trucks   |
| 56 | 11811 | 10/1 | \$ 5,748.02   | <b>Southern California Edison</b>                                    | District Offices, CNG Station and Lift Stations for September 2020               |
| 57 | 11812 | 10/1 | \$ 1,204.64   | <b>Standard Insurance Company</b>                                    | Life Insurance & AD&D Premium Coverage for October 2020                          |
| 58 | 11813 | 10/1 | \$ 456.10     | <b>TrucPar Company</b>   | Restock hydraulic fittings for Solid Waste trucks                                |
| 59 |       |      | \$ 315,084.00 | <b>CHECKS SUBTOTAL</b>   |  |
| 60 |       |      |               |  |  |
| 61 |       |      |               | <b>PAYROLL</b>   |  |
| 62 | ACH   | 9/22 | \$ 76,546.19  | <b>Paychex</b>   | Employee Payroll - Checks, Taxes, & Direct Deposits                              |
| 63 | ACH   | 9/22 | \$ 3,368.54   | <b>Nationwide Retirement Solutions</b>                               | 457 Deferred Compensation (100% Paid By Employees)                               |
| 64 | ACH   | 9/22 | \$ 560.00     | <b>Nationwide Retirement Solutions</b>                               | 457 Roth (100% Paid By Employees)  |
| 65 | ACH   | 10/2 | \$ 4,225.91   | <b>Paychex</b>   | Board of Directors Payroll - Checks, Taxes, & Direct Deposits                    |
| 66 | ACH   | 10/2 | \$ 323.62     | <b>Nationwide Retirement Solutions</b>                               | 457 Deferred Compensation (100% Paid By Board of Directors)                      |
| 67 |       |      | \$ 85,024.26  | <b>ACH TRANSFERS SUBTOTAL</b>  |  |
| 68 |       |      |               |  |  |
| 69 |       |      |               |  |  |
| 70 |       |      |               | <b>ACH PAYMENTS</b>  |  |
| 71 | ACH   | 9/18 | \$ 1,228.72   | <b>Wex Bank (Chevron)</b>  | Gasoline & Diesel Fuel (Credit Card) for August 2020                             |
| 72 | ACH   | 9/9  | \$ 15,993.79  | <b>CalPERS</b>   | Retirement Contributions for 08/24/2020-09/06/2020                               |
| 73 | ACH   | 9/22 | \$ 15,865.04  | <b>CalPERS</b>   | Retirement Contributions for 09/07/2020-09/20/2020                               |
| 74 | ACH   | 9/16 | \$ 1,775.00   | <b>CalPERS</b>   | Employer Contribution to reduce Unfunded Accrued Liability (PEPRA Misc Plan)     |
| 75 | ACH   | 9/16 | \$ 150,921.00 | <b>CalPERS</b>   | Employer Contribution to reduce Unfunded Accrued Liability (Misc 1st Tier Plan)  |
| 76 | ACH   | 9/16 | \$ 3,307.00   | <b>CalPERS</b>   | Employer Contribution to reduce Unfunded Accrued Liability (Misc 2nd Tier Plan)  |
| 77 | ACH   | 10/1 | \$ 53,240.72  | <b>CalPERS</b>   | Active Employee and Retiree Health Ins Premiums for October 2020                 |
| 78 | ACH   | 10/1 | \$ 3,605.66   | <b>CalPERS</b>   | Board of Directors Health Insurance Premiums for October 2020                    |
| 79 |       |      | \$ 245,936.93 | <b>ACH TRANSFERS SUBTOTAL</b>  |  |
| 80 |       |      |               |  |  |
| 81 |       |      | \$ 646,045.19 | <b>TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)</b> |  |
| 82 |       |      |               |  |  |
| 83 |       |      |               | <b>BANK TRANSFERS</b>  |  |
| 84 | UB    | 9/17 | \$300,000.00  | <b>Transfer Funds from LAIF to UB Checking Account</b>               |  |
| 85 | UB    | 10/1 | \$500,000.00  | <b>Transfer Funds from LAIF to UB Checking Account</b>               |  |

A motion was made by Director M. Rice, seconded by Director A. Nguyen, to approve the expenditures in the amount of \$646,045.19. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

## **REPORTS**

### **Presentation of Safety Award from Special Districts Risk Management Authority (SDRMA)**

Mike Scheafer, Board President of SDRMA and Board member of Costa Mesa Sanitary District congratulated the Midway City Sanitary District for earning the 2020 Workers Compensation McMurchie (Don McMurchie was the 1<sup>st</sup> General Counsel for SDRMA) Excellence in Safety Award due to the District's sterling record of loss ratios, with only one paid workers compensation claim in the last three years. The District keeps losses down, uses a number of employee loss prevention safety measures and has been a member of SDRMA since 2013. Laura Gill, SDRMA CEO, Ellen Doughty, Member Services Chief, Debbie Yokota, Risk Management Chief, and Dennis Timony all gave their congratulations and thanked the Board and staff for their hard work and support.

President C. Nguyen thanked the members of SDRMA for the award on behalf of the District.

### **Report of President**

None

### **Report of General Manager**

GM K. Robbins reminded the Board of the cleanup event at Frank Fry Park on Saturday, October 10, 2020 starting at 8 A.M.

The District has one last cleanup event scheduled for November 19, 2020 at Buckingham Park, which is currently closed, but the District has partnered with the 405 Expansion Group who has offered to help out by opening access to the park on Edwards Street at Homer.

GM K. Robbins stated that he would potentially be taking a week off in December to visit the White House with his family.

GM K. Robbins reported that there would be Driver's Safety Training at the District on Saturday, October 24, 2020 from 8 A.M. – 12 Noon.

### **Report from the Orange County Sanitation District (OCSD) Meeting on Sept. 23, 2020**

Director A. Nguyen reported that OCSD continues to host virtual tours during the pandemic. They are financially stable with user fees remaining flat and no increase. He reported that 40% of their employees are on site working and 51% continue to work virtually. OCSD had one person test positive for COVID-19 recently but they are already

well and back to work. The District received an invitation to a virtual Zoom State of the District meeting on Friday, October 30, 2020 from 9 A.M.-10 A.M.

### **Report from the MCSD Clean Up Event at Coronet Park on Sept. 19, 2020**

Directors M. Rice, A. Nguyen and President C. Nguyen attended the cleanup event and were happy that it was well organized and went smoothly, and thanked staff for their hard work.

### **Report from CR&R – 3<sup>rd</sup> Quarter Tonnage**

Gregory Karapoulis from CR&R reported that the District's diversion rate for the third quarter of 2020 was at 24%. He gave an update on CR&R saying that they are finally starting to open slowly and that the District's overall diversion for the third quarter of 2020 was lower than usual due to their facility being closed. He stated that he is still doing site visits and pushing the organics program, including notices for businesses to be in compliance. With regard to yard waste, the four yard threshold has been reduced to two yards and he has been personally contacting people to continue to educate them and get the District's diversion rate higher.

### **CONSENT CALENDAR**

None

### **OLD BUSINESS**

None

### **NEW BUSINESS**

- A. Consider Approval of 2021 Midway City Sanitary District Annual Calendar  
***(Roll Call Vote)***

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 Midway City Sanitary District 2021 annual calendar, with changes, and authorize staff to move forward with final printing. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

B. Consider Election of Independent Special Districts of Orange County (ISDOC) Officers **(Roll Call Vote)**

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 authorize the Board President C. Nguyen or his designee to vote on behalf of the District for Mark Monin, Director of El Toro Water District for ISDOC Executive Committee President. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

C. Consider Claim Filed by Stephen Rakowski **(Roll Call Vote)**

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 approve staff recommendation and deny the claim filed by Stephen Rakowski. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

D. Discuss and Consider Approval of Recognition for Midway City Sanitary District Employees at Holiday Event **(Roll Call Vote)**

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 Director M. Rice, to approve of a COVID-style barbeque luncheon for employees and Board members only, to be held at the District during working hours on Wednesday, December 2, 2020, to purchase breathable shirts for District employees and Board members, and to continue with the Stater Brothers gift cards and See's Candy gift certificates as recognition. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

E. Discuss and Consider Changing the Midway City Sanitary District's Regularly Scheduled Board Meeting On Tuesday, October 20, 2020 at 5:30 P.M. to a Special Teleconference Meeting at 5 P.M. Due to the COVID-19 Pandemic **(Roll Call Vote)**

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 changing the District's regularly scheduled meeting on Tuesday, October 20, 2020 at 5:30 P.M. to a special teleconference meeting at 5 P.M. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

### **INFORMATIONAL ITEMS**

A. Independent Special Districts of Orange County (ISDOC) Quarterly Meeting via Zoom on Thursday, October 29, 2020 from 11:30 AM – 1 PM.

Receive and file.

### **BOARD CONCERNS/COMMENTS**

Director S. Contreras stated that he was looking forward to the cleanup event on Saturday, October 20, 2020.

Director A. Nguyen stated that he was planning to attend the virtual ISDOC quarterly meeting.

Director M. Rice stated that the expenditures were higher due to the extra week in September.

President C. Nguyen asked that a photo be taken of the Board with the safety award from SDRMA.

### **GM/STAFF CONCERNS/COMMENT**

GM K. Robbins thanked the Board, stated that he was looking forward to the cleanup event on Saturday. He stated that the first meeting in November would land on Election Day, so an item would be on the next agenda to consider moving it to another date.

Finance/HR Director R. Housley stated that the District's workers compensation program with SDRMA has saved the District thousands of dollars and that Director of Operations and Safety, Nick Castro has done a great job in overseeing and participating in the programs offered in order to lower the District's liability.

## **GENERAL COUNSEL CONCERNS/COMMENTS**

General Counsel James Eggart stated that he would be out on medical leave for a few days the following week and that if the District had questions or if he was not able to attend the meeting on Tuesday, October 20, 2020, that his partner, Omar Sandoval, would take his place.

## **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 in memory of Director A. Krippner to Tuesday, October 20, 2020 at 5:00 P.M. at the District office at approximately 7:18 P.M.

Sergio Contreras  
Sergio Contreras, Secretary