

**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 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.

June 2, 2020

CALL TO ORDER

President C. Nguyen called the special teleconference meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Tuesday, June 2, 2020 at 10:00 A.M.

BOARD MEMBERS PRESENT:

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

OTHERS AT MEETING:

Kenneth Robbins, General Manager
Robert Housley, Finance/HR Director
James Eggart, General Counsel (via teleconference)
Danielle Gerardo, Board Secretary

PLEDGE AND INVOCATION

Director S. Contreras led the Pledge of Allegiance. Director M. Rice gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF MAY 19, 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 May 19, 2020. The motion was approved by the following 3-1 roll call vote:

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

NAYS:

ABSTAIN: S. Contreras

ABSENT:

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 190,626.44 (Roll Call Vote)

| # | CK # | Date | AMOUNT | VENDOR | MEMO |
|----|-------|------|--------------|-----------------------------------|---|
| 1 | | | | CHECKS: | |
| 2 | 11447 | 5/19 | \$ 1,659.67 | Debbie Ralph | 5/19/20 Direct Deposit Replacement |
| 3 | 11448 | 5/20 | \$ 75.00 | Advanced Gas Products | Compressed Gas, N.O.S. Cylinder Rental for April 2020 |
| 4 | 11449 | 5/20 | \$ 348.60 | Advanced Workplace Strategies | Random Drug Testing for DOT |
| 5 | 11450 | 5/20 | \$ 352.07 | AT&T | Brookhurst Lift Station May 2020 |
| 6 | 11451 | 5/20 | \$ 217.45 | AT&T Mobility | Cell Phone Service for May 2020 |
| 7 | 11452 | 5/20 | \$ 1,380.00 | Ayala's Car Wash | Fleet wash 5/7, 5/11, 5/14 |
| 8 | 11453 | 5/20 | \$ 1,677.93 | Bodyworks Equipment, Inc | Restock parts for hydraulic use at loader functions |
| 9 | 11454 | 5/20 | \$ 210.89 | Chemsearch | Restock product to replace Lysol product |
| 10 | 11455 | 5/20 | \$ 525.20 | Cintas | Uniform Services for 5/7, 5/14 |
| 11 | 11456 | 5/20 | \$ 56.23 | City of Westminster | Hydrant Water Service for May 2020 |
| 12 | 11457 | 5/20 | \$ 2,074.85 | Daniel's Tire Service | (10) Restock tires for fleet |
| 13 | 11458 | 5/20 | \$ 5,366.70 | SoCal Gas | CNG Fuel for April/District Offices Usage Fees for April 2020 |
| 14 | 11459 | 5/20 | \$ 1,902.50 | NVB Equipment | NG-6 A/C repairs |
| 15 | 11460 | 5/20 | \$ 150.00 | Purchase Power | Postage for Postage Machine April 2020 |
| 16 | 11461 | 5/20 | \$ 880.00 | Reliable Monitoring Services | Calibration & testing of gas detection system |
| 17 | 11462 | 5/20 | \$ 3,630.94 | SDRMA | Dental Insurance Premiums for June 2020 |
| 18 | 11463 | 5/20 | \$ 1,457.14 | Socal Auto & Truck Parts Inc | Restock hydraulic hose for Heil system |
| 19 | 11464 | 5/20 | \$ 412.89 | South Coast AQMD | AQMD Fee-July through June 2020 |
| 20 | 11465 | 5/20 | \$ 1,400.00 | St. Water Resources Control Board | Annual Permit Fee 04/01/20 through 03/31/21 |
| 21 | 11466 | 5/20 | \$ 3,790.28 | TEC of California, Inc | Restock brake caliper, air compressor/gaskets, replace exhaust |
| 22 | 11467 | 5/20 | \$ 91.67 | TrucPar Company | Restock clamps |
| 23 | 11468 | 5/20 | \$ 1,781.95 | Verizon | Internet Connection for May 2020 |
| 24 | 11469 | 5/20 | \$ 9,577.09 | Woodruff, Spradlin & Smart | Legal Services for April 2020 |
| 25 | 11470 | 5/22 | \$ 450.00 | Ayala's Car Wash | Fleet wash 5/18 |
| 26 | 11471 | 5/22 | \$ 5,264.15 | Bodyworks Equipment, Inc | Restock hydraulic cylinders, tray kit hoses, rocker switches, cam followers |
| 27 | 11472 | 5/22 | \$ 262.60 | Cintas | Uniform Services for 5/21 |
| 28 | 11473 | 5/22 | \$ 1,955.73 | Daniel's Tire Service | (9) Restock tires |
| 29 | 11474 | 5/22 | \$ 1,787.77 | TEC of California, Inc | Replace NG-10 batteries, rotors & brake pads |
| 30 | 11475 | 5/22 | \$ 337.21 | TrucPar Company | Restock clamps for hydraulic hoses & hydraulic tubes |
| 31 | | | \$ 49,076.51 | CHECKS SUBTOTAL | |
| 32 | | | | | |
| 33 | | | | PAYROLL | |
| 34 | ACH | 5/18 | \$ 66,137.46 | Paychex | Employee Payroll - Checks, Taxes, & Direct Deposits |
| 35 | ACH | 5/18 | \$ 3,572.49 | Nationwide Retirement Solutions | 457 Deferred Compensation (100% Paid By Employees) |
| 36 | ACH | 5/18 | \$ 560.00 | Nationwide Retirement Solutions | 457 Roth (100% Paid By Employees) |
| 37 | | | \$ 70,269.95 | ACH TRANSFERS SUBTOTAL | |
| 38 | | | | | |

| | | | | | |
|----|------|------|----|--------------|--|
| 38 | | | | | |
| 40 | | | | | ACH PAYMENTS |
| 41 | ACH | 5/19 | \$ | 14,428.57 | CalPERS Retirement Contributions for 05/04/2020-05/17/2020 |
| 42 | ACH | 6/1 | \$ | 3,606.74 | CalPERS Board of Directors Health Insurance Premiums for June 2020 |
| 43 | ACH | 6/1 | \$ | 53,244.67 | CalPERS Active Employee and Retiree Health Ins Premiums for June 2020 |
| 44 | | | \$ | 71,279.98 | ACH TRANSFERS SUBTOTAL |
| 45 | | | \$ | 190,626.44 | TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS) |
| 47 | | | | | |
| 48 | | | | | BANK TRANSFERS |
| 49 | | | | | |
| 50 | UB | 5/20 | \$ | 110,000.00 | Transfer Funds from Union Bank Money Market Account to Union Bank Checking Account |
| 51 | UB | 5/28 | \$ | 1,000,000.00 | Transfer Funds from Union Bank Money Market Account to Union Bank Checking Account |
| 52 | LAIF | 5/28 | \$ | 500,000.00 | Transfer Funds from Union Bank Checking Account to LAIF |

A motion was made by Director M. Rice, seconded by Director S. Contreras, to approve the expenditures in the amount of \$ 190,626.44. 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

Report of President

None

Report of General Manager

GM K. Robbins reported that the District would be back to regular operations starting Monday, June 8, 2020 and that MCSD employees would be receiving their second \$500 stipend.

GM K. Robbins reported that Heil and CR&R would be providing the District with loaner trucks to help with the large amount of bulky item pickups. The District has already scheduled over 60 stops per day starting on June 8, 2020 and has been encouraging residents to drop off their mattresses at the District as it moves toward a full reopening. GM K. Robbins stated that he has been negotiating a new contract with the State of California's Mattress Recycling.

Report from Orange County Sanitation District (OCSD) Meeting on May 27, 2020

Director A. Nguyen reported that an OCSD employee has tested positive for COVID-19 but that the employee is on administrative leave at home. There were nominations for Chairman and Vice Chairman and David Shawver was nominated as Chairman and John Withers was nominated as Vice Chairman. He reported that OCSD has continued to invest \$500 million in construction projects over the next few months.

CONSENT CALENDAR

None

OLD BUSINESS

None

NEW BUSINESS

A. Consider Appointment of Director Rice to Treasurer from Treasurer Pro-Tem and Appoint a New Secretary/Treasurer Pro-Tem **(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 S. Contreras, seconded by Director A. Nguyen, to approve the nomination of Director M. Rice to Treasurer from Treasurer Pro-Tem. 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:

A second motion was made by Director A. Nguyen, seconded by Director S. Contreras, to approve the nomination of Director A. Nguyen to Secretary/Treasurer Pro-Tem. 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 Approval of Continued Lift Station Maintenance and Agreement with PumpMan for Fiscal Year 2020/2021 **(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 continued lift station maintenance and agreement with PumpMan for fiscal year 2020/2021. 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 Approval of July 25, 2020 Clean Up Event at the District to Help the Community Dispose of Items after Covid-19 Stay at Home Order is Lifted
(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 S. Contreras, to approve the July 25, 2020 clean-up event at the District to help the community dispose of items after COVID-19 stay at home order lifted. 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. Discussion and Consideration to Temporarily Increase the Number of Bulky Items the District Picks Up at each Location from Two(2) to Six (6) for the First Three (3) Weeks of Restarting the Program on Monday, June 8, 2020 and Ending on Friday, June 26, 2020
(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 President C. Nguyen, to approve to temporarily increase the number of bulky items the District picks up at each location from two to six for the first three weeks of restarting the program on Monday, June 8, 2020 and ending on Friday, June 26, 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:

E. Discuss and Consider Changing the Midway City Sanitary District's Regularly Scheduled Board Meeting on Tuesday, June 16, 2020 at 5:30 P.M. to a Special Teleconference Meeting held in the afternoon to Accommodate Director S. Contreras Amid 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 Midway City Sanitary District's regularly scheduled Board meeting on Tuesday, June 16, 2020 at 5:30 P.M. to a special teleconference meeting held at 4 P.M. due to COVID-19 pandemic. 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:

F. Discussion and Consideration of the Multi-language Media and Publication Outreach and Recycling Mailer for July 2020 and including July 25, 2020 Clean-up Event at the District
(Roll Call Vote)

Director M. Rice stated that she felt that the mailer should be blue since it is the District's color and that she would not support it if it was not blue.

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 multi-language media and publication outreach and recycling mailer for July 2020 including July 25, 2020 clean-up event at the District and authorize the General Manager to approve the final design. The motion was approved by the following 3-1 roll call vote:

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

NAYS: M. Rice

ABSTAIN:

ABSENT:

G. Consider Approval of Delta Dental PPO Dividend Refund Payments to Eligible Employees who Made Contributions towards Dependent Coverage for Dental Benefits
(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 of Delta Dental PPO dividend refund payments to eligible employees who made contributions towards dependent coverage for dental benefits totaling \$947.56. 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. California Special Districts Association (CSDA) 2020 Annual Conference Cancelled

Receive and file.

BOARD CONCERNS/COMMENTS

Director M. Rice stated that she was glad that Director S. Contreras was able to attend the meeting.

Director A. Nguyen thanked staff and employees for all their work during a difficult time.

Director S. Contreras thanked the Board for being flexible with the Board meeting time in order to accommodate his work schedule.

President C. Nguyen thanked everyone for attending the teleconference meeting and stated that he would like Board consensus regarding another radio outreach and putting it on the next agenda. The Board’s consensus was to place it on the next agenda so Staff was directed to do so.

GM/STAFF CONCERNS/COMMENT

GM K. Robbins stated that the next clean-up event scheduled for June would need to be cancelled due to the City’s closure of parks, but that it would be rescheduled. Staff is still coordinating with the City to target hot spots but has not received any information yet.

GENERAL COUNSEL CONCERNS/COMMENTS

None

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, June 2, 2020 at 4:00 P.M. at the District office at approximately 10:48 A.M.

Sergio Contreras
Sergio Contreras, Secretary