

**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 18, 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 18, 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. GM K. Robbins gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JUNE 4, 2019

A motion was made by Director A. Nguyen, seconded by President C. Nguyen, to approve the minutes of the regular meeting of June 4, 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 \$ 235,867.76

#	CK #	Date	AMOUNT	VENDOR		
1				HANDCUT CHECKS:		
2	10638	6/6	\$ 1,453.14	Nguyen, Andrew - Replacement Check for May 2019 Payroll		
3	10639	6/6	\$ 298.30	AT&T Mobility - Service for May 2019: (KR) 714-310-2313, (NC) 714-310-8653,		
4				(RG) 714-325-3606, Sewer 714-310-8654, Emergency 714-310-9004.		
5	10640	6/6	\$ 526.67	Cintas - Uniform Services for April & May 2019		
6	10641	6/6	\$ 605.00	Crystal Clear Fleet & Auto Detailing - Wash & Detail T9, M5, G2, NG11, M64, NG3, NG12,		
7				NG6, NG7, NG8, NG9, NG4, NG14, M2, NG1, NG2, NG13, NG10.		
8	10642	6/6	\$ 153.98	DirectTV - Service for June 2019		
9	10643	6/6	\$ 130.00	Techno Sound - Window Tint of S1		
10	10644	6/6	\$ 580.00	La Ranchera 96.7FM - (18) 15-Second Promo for 80th Anniversary Open House		
11	10645	6/6	\$ 600.00	Miss Westminster Scholarship Organization - (10) Seats or (1) Table for Board Members to		
12				Attend 2019 Mayor's Charity Ball at Diamond Seafood 3.		
13	10646	6/6	\$ 14.05	SDRMA - Property Deductible for Claim on 10/03/2018		
14	10647	6/6	\$ 138.00	Staples Business Credit - Restock Office Supplies for May 2019		
15	10648	6/6	\$ 88.62	Union Bank (Nick Castro Credit Card) - Travel Costs for 2019 Waste Expo 05/06-05/09/2019		
16	10649	6/6	\$ 4,155.35	US Bank (District Credit Card) -		
17				(RH) City of Westminster - Water - Hydrant Meter Usage 03/16/19-04/15/19 APR-2019	\$	56.23
18				(RH) (1) Clear Box for District Safe Organization	\$	8.61
19				(RH) (4) Bags of Candy for District Front Office	\$	46.92
20				(RH) Remington Water MAY-2019	\$	64.00
21				(RH) (2) Bus Passes for 2019 GFOA Conf. Los Angeles, CA 05/20-05/22/2019	\$	28.00
22					RH Total	\$ 203.76
23				(NC) Touch-Up Paint for T9	\$	4.61
24				(NC) Event Registration for 2019 Safety Fest (NC)	\$	45.00
25				(NC) Event Registration for 2019 Safety Fest (RG)	\$	45.00
26				(NC) Event Registration for 2019 Safety Fest (AG)	\$	45.00
27				(NC) Event Registration for 2019 Safety Fest (CR)	\$	45.00
28				(NC) Event Registration for 2019 Safety Fest (MJ)	\$	45.00
29				(NC) Travel & Hotel Costs for 2019 Waste Expo Las Vegas, NV 05/06-05/09/2019	\$	305.82
30				(NC) Restock District Kitchen Supplies MAY-2019	\$	162.13
31				(NC) (10) Paper Towel Dispenser Keyes for District Bathrooms	\$	13.04
32					NC Total	\$ 710.60

33				(RG) Restock Sewer Safety Supplies MAY-2019	\$	71.84
34					RG Total	\$ 71.84
35				(KR) Meeting with President Nguyen 04/22/2019	\$	11.85
36				(KR) Administrative Professionals Luncheon 04/24/2019	\$	332.10
37				(KR) Clean-Up Event Lunch 04/27/2019 Golden West Park	\$	82.65
38				(KR) 2019 General Manager Leadership Summit 06/23-06/25/2019 (KR)	\$	625.00
39				(KR) Meeting with President Nguyen 04/26/2019	\$	17.10
40				(KR) Hotel Deposit Waste Expo Las Vegas, NV 05/06/2019-05/09/2019 (CN)	\$	153.07
41				(KR) Hotel Deposit Waste Expo Las Vegas, NV 05/06/2019-05/09/2019 (KR)	\$	277.79
42				(KR) Hotel Deposit Waste Expo Las Vegas, NV 05/06/2019-05/09/2019 (NC)	\$	277.79
43				(KR) Hotel Deposit Waste Expo Las Vegas, NV 05/06/2019-05/09/2019 (AN)	\$	277.79
44				(KR) Hotel Deposit Waste Expo Las Vegas, NV 05/06/2019-05/09/2019 (MR)	\$	277.79
45				(KR) Employee Sunscreen Restock	\$	27.99
46				(KR) Food & Travel Costs for Waste Expo Las Vegas, NV 05/06/2019-05/09/2019 (KR)	\$	258.38
47				(KR) (2) Dozen Donuts for Driver Safety Training 05/18/2019	\$	19.00
48				(KR) Wiorcom MAY-2019	\$	530.85
49					KR Total	\$ 3,169.15
50	10650	6/7	\$	100.00 Housley, Robert - (2) Failed Payroll Direct Deposit Funds Returned from 05/21 & 06/04		
51	10651	6/7	\$	206.15 Cintas - Uniform Services for June 2019		
52	10652	6/7	\$	73.33 Huntington Beach Ford - (1) Tube, (1) Plunger, (2) Bushings for T9		
53			\$	9,122.59 HANDCUT CHECKS SUBTOTAL		
54						
55				REGULAR CHECKS:		
56	10653	6/7	\$	151.20 Advanced Workplace Strategies - Random DOT Testing, Collection & Mileage Fees		
57	10654	6/7	\$	1,681.08 Bodyworks Equipment - Restock (5) 30mm Sourcing Switch, (10) 3 Micron Filter Elements,		
58				(2) In/Out Cylinder Cushion Kits.		
59	10655	6/7	\$	95,994.66 CR Transfer Incorporated - Tonnage from 05/16/2019 through 05/31/2019		
60	10656	6/7	\$	3,831.36 Daniels Tire Service - Restock (6) Recaps & (6) New Tires		
61	10657	6/7	\$	538.04 Hose-Man - (2) Hoses & (12) Fittings for NG5		
62	10658	6/7	\$	773.50 Konecranes - Quarterly Inspection & Preventative Maintenance for March & June 2019		
63	10659	6/7	\$	823.63 Los Alamitos Napa Auto Parts - Restock (12) M1 5W30, (6) Halogen Sealed Beams,		
64				(2) Fuel Filters, (2) Air Filters, (9) Air Filters, & (6) Hose Ends.		
65	10660	6/7	\$	600.20 Merchants Building Maintenance - District Offices Janitorial Services for June 2019		
66	10661	6/7	\$	42,537.20 Orange County Sanitation District - Permit Fees for May 2019 (MCSD 5% = \$2,238.80)		
67	10662	6/7	\$	615.05 TEC of California - Restock (3) Brake Pads & (2) Fuses for Battery Boxes		
68	10663	6/7	\$	23.20 Underground Service Alert - (8) New Tickets for May 2019		
69	10664	6/7	\$	441.00 Wespac Security Services - Burglar, Fire, & Gas Alarm Services for April through June 2019		
70			\$	148,010.12 REGULAR CHECKS SUBTOTAL		
71						
72				PAYROLL		
73	6/4	\$	67,302.83 Payroll - Staff Checks Taxes & Direct Deposits			
74	6/4	\$	3,765.51 Payroll - Nationwide Deferred Compensation (100% Paid By Employees)			
75	6/4	\$	835.00 Payroll - Nationwide Deferred Compensation (100% Paid By Employees)			
76	6/7	\$	6,334.43 Board of Director's Payroll for the Month of May 2019			
77	6/7	\$	497.28 Board of Director's Nationwide Deferred Compensation for May 2019 (100% Paid By Directors)			
78		\$	78,735.05 PAYROLL SUBTOTAL			
79						

79			
80			ACH TRANSFERS
81			No ACH Transfers for this Period
82	\$	-	ACH TRANSFERS SUBTOTAL
83			
84	\$	235,867.76	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)
85			
86			BANK TRANSFERS
87	5/31	\$ 557,636.00	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 \$ 235,867.76. 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 stated that he contacted VNCR and that the Board was confirmed to go on VNCR Radio on Thursday, June 20, 2019 at 10 A.M. to promote the District. A special meeting would be called to order at the District at 9:30 A.M. in order to be at VNCR at 10 A.M.

Report of General Manager

GM Robbins reported that the City of Westminster contacted the District regarding their Community Prevention Unit, and their activities compared to the District's bulky item service. He stated that bulky items still need to be scheduled a week in advance due to the amount of calls the District gets for them. He stated that so far, in 2019, the District had picked up over 4,450 items and that tonnage is down due to the mattress recycling at the District yard which started in April 2019. GM Robbins stated that he also suggested to the City that they negotiate a tonnage price with CR&R as opposed to doing bin service, take the items daily to reduce their costs, and to think about purchasing a flat bed truck.

GM K. Robbins stated that Lead Mechanic Juan Salce is planning to retire after 34+ years of service at the District sometime in August. Finance/HR Director R. Housley has offered to go to CalPERS to help him with all the paperwork and once there is an official date, a luncheon will be scheduled. GM Robbins stated that the District normally buys a watch for retiring employees but that he felt that a custom belt buckle would be more appreciated.

Report from the Orange County Sanitation District (OCSD) Meeting on June 12, 2019

Director A. Nguyen reported that OCSD adopted their 2019-2020 budget in the amount of \$65 million, and that there is approximately \$200 million set aside for a large scale emergency. There was discussion regarding additional security including surveillance cameras, an intercom system and access cards.

Director A. Nguyen stated that there will be an Open House and ribbon cutting on July 27, 2019 to celebrate their new facility and to celebrate their 65 year anniversary.

Report from the Westminster Mayor's Charity Ball on June 7, 2019

Directors M. Rice, A. Nguyen, and C. Nguyen all reported that they enjoyed the event, that there was plenty of food and entertainment and that money was raised for a scholarship for Miss Westminster.

Report from the 80th Anniversary Ad Hoc Committee Meeting on June 10, 2019

Director S. Contreras reported that they went over the details and layout of the program for the afternoon. They added some enhancements such as Italian Ice, face painting for kids, a rolling slide show, and a tent for shade.

resident C. Nguyen reported that it was good meeting and they covered a lot.

Directors A. Nguyen and C. Nguyen requested tables reserved for them and their families.

CONSENT CALENDAR

A. Approve and file the Treasurer's Investment Report for May 2019

B. Approve the May 2019 Financial Reports and Budget Review for the Period of July 1, 2018 through May 31, 2019

A motion was made by Director S. Contreras, 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. RESOLUTION NO. 2019-08

(Roll Call Vote)

PUBLIC HEARING AND ADOPTION OF RESOLUTION NO. 2019-08 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ADOPTING THE SPECIAL DISTRICT GENERAL FUND BUDGET FOR THE FISCAL YEAR JULY 1, 2019 THROUGH JUNE 30, 2020

President C. Nguyen read the title of the Resolution and opened the public hearing.

There were no public comments.

President C. Nguyen closed the public hearing.

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 Resolution No. 2019-08, adopting the special district general fund budget for the fiscal year July 1, 2019 through June 30, 2020. 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:

B. RESOLUTION NO. 2019-09

(Roll Call Vote)

PUBLIC HEARING AND ADOPTION OF RESOLUTION NO. 2019-09 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, APPROVING A REPORT ON SANITATION AND SEWER USER FEES PURSUANT TO SPECIAL USAGE PERMIT AGREEMENT AND COVENANT DOCUMENTS AND DIRECTING THE COUNTY AUDITOR TO ADD SUCH USAGE FEES TO THE JULY 1, 2019 THROUGH JUNE 30, 2020 SECURED TAX ROLL PURSUANT TO ORDINANCE NO. 26 AND ORDINANCE NO. 67

President C. Nguyen read the title of the Resolution and opened the public hearing.

There were no public comments.

President C. Nguyen closed the public hearing.

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 adopt Resolution No. 2019-09, approving a report on sanitation and sewer user fees pursuant to special usage permit agreement and covenant documents and directing the County Auditor to add such usage fees to the July 1, 2019 through June 30, 2020 secured tax roll pursuant to Ordinance No. 26 and Ordinance No. 67. 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:

C. RESOLUTION NO. 2019-10

(Roll Call Vote)

PUBLIC HEARING AND ADOPTION OF RESOLUTION NO. 2019-10 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, APPROVING A REPORT ON SANITATION AND SEWER USER FEES AND DIRECTING THE COUNTY AUDITOR TO ADD SUCH USER CHARGES TO THE JULY 1, 2019 THROUGH JUNE 30, 2020 SECURED TAX ROLL PURSUANT TO ORDINANCE NO. 64 AND ORDINANCE NO. 67

President C. Nguyen read the title of the Resolution and opened the public hearing.

There were no public comments.

President C. Nguyen closed the public hearing.

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 adopt Resolution No. 2019-10, approving a report on sanitation and sewer user fees and directing the County Auditor to add such user charges to the July 1, 2019 through June 30, 2020 secured tax roll pursuant to Ordinance No. 64 and Ordinance No. 67. 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:

D. Consider Approval of Request for Statements of Qualification for Architectural and Engineering Design Services and Construction Administration Services for the New Office Building, New Archive Building, Locker Rooms, and Solar Equipment at the Midway City Sanitary District, 14451 Cedarwood Avenue, Westminster, CA 92683

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 the Request for Statements of Qualification for Architectural and Engineering Design Services and Construction Administration Services for the New Office Building, New Archive Building, Locker Rooms, and Solar Equipment at the Midway City Sanitary District located at 14451 Cedarwood Avenue, Westminster, CA, 92683. 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 Approval of July 2019 Mailer in Three Languages Including 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 President C. Nguyen, seconded by Director A. Krippner, to approve the July 2019 mailer in three languages, including printing cost and mailing. 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:

F. RESOLUTION NO. 2019-11

(Roll Call Vote)

A RESOLUTION NO. 2019-11 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT RECOGNIZING EXTRAORDINARY ADDITIONAL WORK EFFORT OF GENERAL MANAGER KENNETH ROBBINS THROUGH PROVISION OF ONE-TIME LUMP SUM OF \$1,000

General Counsel James Eggart stated that, following the annual performance evaluation of the General Manager on June 4, 2019, the Board of Directors reconvened in open session and in minute action directed that, in recognition of the extraordinary additional work effort being provided by the General Manager to shepherd implementation of the District's organic recycling program, the General Manager be given a one-time lump sum of \$1,000. He stated that he was also directed to prepare an implementing resolution, which he did, and which is included in this meeting's agenda packet. He stated that pursuant to the Brown Act, an oral report on a summary recommendation that concerns the compensation of a local agency executive must be provided before the final action is taken, so this statement serves as the required oral report under the Brown Act. He also stated that by adopting the proposed resolution, the Board would be ratifying the minute action it took on June 4, 2019 and adoption of the resolution would serve as the Board's final action. The resolution provides, as directed

by the Board, recognition of the General Manager for his additional work effort and also provides that pursuant to Section 3 of his employment agreement that General Manager, Kenneth Robbins, receive an additional one-time lump sum of \$1,000. This amount will be non-base building and will not be deemed to be an increase in the General Manager's annual compensation in future years under that employment agreement. General Counsel James Eggart stated that that concluded his report and that he would be happy to answer any questions that the Board may have.

A motion was made by Director M. Rice, seconded by Director S. Contreras, to approve to publicly present the commendation to GM K. Robbins at the District's 80th anniversary on Saturday, June 22, 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 President C. Nguyen, seconded by Director M. Rice, to adopt Resolution No. 2019-11, recognizing extraordinary additional work effort of General Manager, Kenneth Robbins through provision of a one-time lump sum of \$1,000. 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:

The Board discussed the certificate of recognition that would be publicly presented to the General Manager.

INFORMATIONAL ITEMS

A. Web Site Activity for the Month of May 2019 (161,172 Successful Hits)

B. Special District Risk Management Authority (SDRMA) 2017-2018 Annual Report

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 A. Nguyen requested that the General Manager provide him with a list of all Midway City Sanitary District clean up event locations.

Director M. Rice asked what the Board would be speaking about at VNCR on Thursday, June 20, 2019.

GM K. Robbins stated that he would provide the Board with talking points.

President C. Nguyen asked about the dates for future clean up events.

GM K. Robbins confirmed that there would be a clean up event on Saturday, June 20 at the District, on August 10 at Village Park and then on October 26 at Park West Park.

GM/STAFF CONCERNS/COMMENTS

GM K. Robbins thanked the Board for their generous gift and said that it was very much appreciated.


GM K. Robbins reminded the Board of the special meeting on Thursday, June 20 at 9:30 A.M. to go to VNCR, the District's 80th Anniversary Open House on Saturday, June 22 and the Clean Up event at the District on Saturday, June 29.

GENERAL COUNSEL CONCERNS/COMMENTS

None

ADJOURNMENT

President C. Nguyen adjourned the meeting to Thursday, June 20, 2019 at 9:30 A.M. at the District office at approximately 5:51 P.M.



Andrew Nguyen, Secretary