

**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**

TELECONFERENCE MEETING LOCATION:

**DIRECTOR ALLAN KRIPPNER DID NOT ATTEND THIS REGULAR MEETING OF
THE BOARD OF DIRECTORS VIA TELECONFERENCE FROM THE FOLLOWING
LOCATION:**

15872 PLUMWOOD STREET, WESTMINSTER, CA 92683

January 21, 2020

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, January 21, 2020 at 5:30 P.M.

President C. Nguyen stated that Director A. Krippner would not be attending the meeting.

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

President C. Nguyen led the Pledge of Allegiance. GM K. Robbins gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JANUARY 7, 2020

A motion was made by Director M. Rice, seconded by Director S. Contreras, to approve the minutes of the regular meeting of January 7, 2020. 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 THE MINUTES OF THE SPECIAL MEETING OF JANUARY 16, 2020

A motion was made by President C. Nguyen, seconded by Director A. Nguyen, to approve the minutes of the special meeting of January 16, 2020. The motion was approved by the following 3-0-1 vote:

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

NAYS:

ABSTAIN: S. Contreras

ABSENT: A. Krippner

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 716,093.39

#	CK #	Date	AMOUNT	VENDOR
1				CHECKS:
2	11106	1/8	\$ 455.00	Ayala's Car Wash - Fleet Truck Washes on 1/6/2020
3	11107	1/8	\$ 445.33	Bodyworks Equipment - Restock Electrical Coils Used for Lift Arm Loader
4	11108	1/8	\$ 733.55	Wex Bank (Chevron) - Fuel Credit Card for January 2020
5	11109	1/8	\$ 264.15	Cintas - Uniform Services for 1/3/2020
6	11110	1/8	\$ 415.40	Cummins Sales and Service - Restock Engine Coils for Solid Waste Trucks
7	11111	1/8	\$ 2,804.01	Daniels Tire Service - Restock (14) Tires for Fleet and (1) Tire Repair
8	11112	1/8	\$ 138.98	DIRECTV - TV Service for Employee Break and Board Room for January 2020
9	11113	1/8	\$ 264,798.64	Flo-Systems - (8) Lift Station Replacment Pumps, (2) for Each Lift Station
10	11114	1/8	\$ 549.00	Frog Environmental - 2019-2020 Q3 Storm Water Monitoring Services (Sewer)
11	11115	1/8	\$ 178.58	Hillco Fastner Warehouse - Restock Fastners and Bolts for In and Out Cylinder Bracket and Cylinders
12	11116	1/8	\$ 11.42	Hose-Man - Sales Tax Owed on Previously Paid Invoice 1257437-0001-01 (Check No. 011078)
13	11117	1/8	\$ 400.00	Koncranes - Quarterly Inspection of 5 Ton Crane in Shop
14	11118	1/8	\$ -	Voided Check - Incorrectly Entered
15	11119	1/8	\$ 205,630.66	Orange County Sanitation District - Permit Fees for December 2019 (MCSD 5% = \$10,822.67)
16	11120	1/8	\$ 1,000.00	SFG Retirement Plan Consulting - Q4 2019 Advisor Fee for 457 Def. Comp and OBRA Plan
17	11121	1/8	\$ 146.34	SoCal First Aid & Safety - Restock First Aid Supplies in District Offices, Break Room, and Shop
18	11122	1/8	\$ 915.90	TEC of California - Restock (4) Brake Pads for Solid Waste Trucks, and (2) New Batteries for Vactor Truck NG16

19	11123	1/8	\$	14.85	Underground Service Alert - (9) New Tickets for December 2019
20	11124	1/8	\$	478.49	Vision Service Plan - Monthly Premiums for January 2020
21	11125	1/8	\$	-	Voided Check - Incorrectly Entered
22	11126	1/8	\$	327.52	Los Alamitos Napa Auto Parts - NG7 Front Strobe Lights on Cab, Restock (4) U-Joints for Drive Line
23	11127	1/8	\$	650.00	Little Saigon Westminster Tet Parade - Sponsor a Table at the January 10, 2020 Tet Parade Fund Raising Event
24	11128	1/14	\$	216.05	AT&T Mobility - Cell Phone Services for January 2020
25	11129	1/14	\$	263.76	Cintas - Uniform Services for 1/9/2020
26	11130	1/14	\$	30.66	City of Westminster - Water Service for Westminster and Hammon Lift Stations January 2020
27	11131	1/14	\$	6,277.57	SoCal Gas (CNG Station) - CNG Fuel for December 2019
28	11132	1/14	\$	185.39	SoCal Gas - District Offices, Maintenance Shop, & Wash Rack Usage Fees for December 2019
29	11133	1/14	\$	496.00	HB Staffing - Temporary Employee Services Week Ending 01/05/2020
30	11134	1/14	\$	12,064.44	US Bank Corporate Payment Systems - District Credit Cards
31	11135	1/14	\$	1,800.11	Verizon Business - Internet Connection for January 2020
32	11136	1/14	\$	130.00	Asbury Environmental Services - (200) Gallons Used/Mixed Oil Pick-Up & (220) Gallons Used/Mixed Oil Pick-Up
33	11137	1/14	\$	5,678.86	Bodyworks Equipment - Restock Hydraulic Hose, Cylinder, Check Valve, Electrical Rocker, Switches, & Harness
34	11138	1/14	\$	46.06	Hillco Fastner Warehouse - Restock Locknuts, Bolts, Bearings for Packer System for Solid Waste Trucks
35	11139	1/14	\$	127.21	Hose-Man - Restock Fittings, O-rings, Couplers, Hose for Loader System for Solid Waste Trucks
36	11140	1/14	\$	359.73	Los Alamitos Napa Auto Parts - Restock Hydraulic Fittings & Head Lights for Solid Waste Mack Trucks
37	11141	1/14	\$	10,412.50	PumpMan - 2nd Quarter Pump System Planned Preventative Maintenance for all Four Lift Stations
38	11142	1/14	\$	3,266.50	SDRMA - Insurance Premium to add New 2020 Mack to Policy Eff. 10/28/2019
39	11143	1/14	\$	1,000.00	SDRMA - Automobile Liability Deductible for 12/12/2019 Incident re Solid Waste Cart Hitting a Parked Vehicle
40	11144	1/14	\$	452.86	TEC of California - Restock (2) Foot Brake Valves for Brake System, Air Filter for NG3
41	11145	1/14	\$	21.45	Underground Service Alert - (13) New Tickets for November 2019
42	11146	1/14	\$	950.00	White Nelson Diehl Evans - Billing for Audit & Submission of the District's State Controller's Report FYE June 30, 2019
43	11147	1/14	\$	4,494.21	Woodruff, Spradlin & Smart - Legal Services for December 2019
44	11148	1/14	\$	77.50	Advanced Gas Products - Restock (5) Cylinder Rentals for December 2019
45	11149	1/14	\$	225.00	Ayala's Car Wash - Fleet Truck Washes on 1/13/2020
46	11150	1/14	\$	87,189.79	CR Transfer - Tonnage Fees 12/16/2019 through 12/31/2019
43			\$	616,123.47	CHECKS SUBTOTAL
44					
45					PAYROLL
46		1/14	\$	81,528.41	Payroll - Staff Checks Taxes & Direct Deposits
47		1/14	\$	3,537.59	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
48		1/14	\$	560.00	Payroll - Nationwide Deferred Compensation - Roth (100% Paid By Employees)
56			\$	85,626.00	PAYROLL SUBTOTAL
57					
58					ACH PAYMENTS
59		1/14	\$	14,343.92	Retirement Contributions to CalPERS for 12/30/2019-01/12/2020
63			\$	14,343.92	ACH TRANSFERS SUBTOTAL
64					
65			\$	716,093.39	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)
66					
67					BANK TRANSFERS
68		1/3	\$	1,680,067.16	Transfer Funds from Money Market to Checking Account
69		1/8	\$	200,000.00	Transfer Funds from Money Market to Checking Account
70		1/15	\$	250,000.00	Transfer Funds from Money Market to Checking Account

A motion was made by Director M. Rice, seconded by Director S. Contreras, to approve the expenditures in the amount of \$ 716,093.39. 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 an investigation by CR&R into the trash truck fires over the last few years resulted in findings that they are due to lithium batteries. He stated that when he and the Board went on VNCR radio to promote the District he purposefully mentioned that batteries should not be thrown in the trash because they are hazardous waste and need to be disposed of properly. He stated that in his first 18 years at the District, there were 2 truck fires and in the last 2 1/2 years there have been 8 so the District needs to address this issue. CR&R provided the District with a flyer containing this information in order to help the District get the word out to residents regarding this problem.

GM K. Robbins reminded the Board of the Tet Parade on Saturday, January 25, 2020 starting at 8 A.M. Midway City Sanitary District will be #31 in the lineup and he would be picking Directors up at 7 A.M. because they must be there by 7:30 A.M. GM K. Robbins stated that he had magnets made for the sides of each of the vehicles.

GM K. Robbins reminded the Board that their semi-annual campaign disclosure statements were due by January 31, 2020 and 700 forms were due by April 1, 2020.

Report from the 2020 Little Saigon Westminster Tet Parade Organization Meetings on January 6 & 13, 2020

Director A. Nguyen stated that there would be a Disney float with Mickey Mouse since it is the year of the rat, that a helicopter would be flying overhead and that the event would be televised.

Report from the 2020 Little Saigon Westminster Tet Parade Fundraiser on January 10, 2020

Directors A. Nguyen, M. Rice and President C. Nguyen all attended the event and thought it was fun and well attended. President C. Nguyen stated that Midway City Sanitary District was recognized and appreciated for its support of the event.

CONSENT CALENDAR

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

B. Approve the Combined November 2019 and December 2019 Financial Reports and Budget Review for the Period of July 1, 2019 through December 31, 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

A. Establishment of Policy for the Rotation of Board Officer Positions

A report describing multiple options for amendment of the Board's Policies and Procedures to establish a policy for the rotation of Board officer positions was provided and considered by the Board. A motion was made by Director S. Contreras, seconded by President C. Nguyen, to select option #3 described in the Staff report, which states that a Director may not serve in the same officer position either for more than two consecutive years or for no more than two total years during any four year elective term, and to direct Staff and General Counsel to prepare a proposed resolution amending the Policies and Procedures to reflect option 3 for Board review and adoption at the next regular Board meeting. 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

NEW BUSINESS

A. Consider Approval of the Program Eligibility Rules and Program Participation Agreement for Enrollment into the Special District Risk Management Authority (SDRMA) Vision Benefit Program

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 Program Eligibility Rules and Program Participation Agreement for enrollment into the Special District Risk Management Authority (SDRMA) Vision Benefit Program. 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

GM K. Robbins stated that Chris Tooker from Trendzitions was running late and asked that the Board postpone agenda item 9B until he arrived.

INFORMATIONAL ITEMS

A. Midway City Sanitary District 2019 Year End Report

B. Web Site Activity for the Month of December 2019 (143,965 Successful Hits)

Receive and file.

BOARD CONCERNS/COMMENTS

Director A. Nguyen thanked GM K. Robbins for all of his help representing the District within the community.

Director M. Rice thanked President C. Nguyen and Director A. Nguyen for their help with the Tet Parade and she suggested that staff send an Edible Arrangement to Director A. Krippner once he was back at home.

Director S. Contreras stated his concern for Director A. Krippner and noted the robust phone system setup for the teleconferencing. He also stated that he noticed that there were missed black containers on his street the day after Christmas and asked what the reason would be and what the District's procedure was for missed containers.

GM K. Robbins stated that if the driver did not pick the containers up on purpose, they would have been tagged with the reason or they were possibly blocked by vehicles. Either way, he suggested that Director S. Contreras tell his neighbors that if their containers are ever missed, they can just call the District and someone will be sent back out.

President C. Nguyen stated that he received a call from Mr. Richard Parsons because his containers were missed and he asked GM K. Robbins why.

GM K. Robbins stated that his containers were missed due to a lack of communication and that he had also called the Westminster Police Dept. as well as all the Directors, and that his containers were picked up on the following Monday.

GM/STAFF CONCERNS/COMMENT

Director A. Nguyen stated that everyone else's rates for trash services were going up but that the District still had not raised its rates.

GM K. Robbins stated that he would have the District's strategic plan and 5-year outlook, as well as a schedule of clean up events on the next agenda for the Board's consideration.

Chris Tooker from Trendzitions arrived at the meeting at 6:06 P.M.

GENERAL COUNSEL CONCERNS/COMMENTS

General Counsel James Eggart reported that CalRecycle had finally adopted their organics regulations to implement Senate Bill 1383 which require the residential pickup of organic waste which the District is already doing, also to the benefit of the City of Westminster. In addition to that requirement, there are additional requirements which will apply to the City of Westminster. The City may need to adopt an ordinance because the City is the one who does enforcement and he stated that when it comes to that, he would work with the City Attorney to make sure they are consistent with the Districts regulations. At some point in the near future he stated that he would be preparing a memo to the General Manager on the regulation requirements and that he would provide that to the Board as well.

B. Presentation from Trendzitions on Space Plan Rendering Options for 14451 Cedarwood Avenue, Westminster, CA 92683

Chris Tooker provided space plan rendering drawings to the Board and explained them in detail.

President C. Nguyen requested that the Board be provided with the renderings and have time to look them over prior to making a decision.

A motion was made by President C. Nguyen, seconded by Director A. Nguyen, to bring back the space plan renderings for the Board to review to the next Board meeting. 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

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, February 4, 2020 at 5:30 P.M. at the District office at approximately 6:29 P.M.

Sergio Contreras

Sergio Contreras, Secretary