

**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**

May 21, 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, May 21, 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
James Eggart, General Counsel
Danielle Gerardo, Board Secretary

PLEDGE AND INVOCATION

Director A. Krippner led the Pledge of Allegiance. Director S. Contreras gave the Invocation.

PUBLIC COMMENTS

James Fiser addressed the Board and requested its support for his candidacy for the vacant OC LAFCO Special District Regular Member seat.

Doug Davert, President of East Orange County Water District and Vice Chairman of OC LAFCO, spoke in support of James Fiser's candidacy for the vacant OC LAFCO Special District Regular Member seat.

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF APRIL 29, 2019

A motion was made by Director M. Rice, seconded by Director S. Contreras, to approve the minutes of the special meeting of April 29, 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 THE MINUTES OF THE SPECIAL MEETING OF MAY 1, 2019

A motion was made by Director A. Nguyen, seconded by Director A. Krippner, to approve the minutes of the special meeting of May 1, 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 \$ 314,166.81

#	CK #	Date	AMOUNT	VENDOR	
1				HANDCUT CHECKS:	
2	10573	4/25	\$ 588.33	Krippner, Allan - Hotel Reimbursement for CSDA Conference San Diego 04/08-04/10/2019	
3	10574	5/8	\$ 585.00	Crystal Clear Fleet & Auto Detailing - Wash & Detail Fleet Trucks	
4	10575	5/9	\$ 46.00	Jimenez, Raul - 2019 Driver's License Renewal Reimbursement	
5	10576	5/9	\$ 320.18	AT&T Mobility - Service for April 2019: (KR) 714-310-2313, (NC) 714-310-8653,	
6				(RG) 714-325-3606, Sewer 714-310-8654, Emergency 714-310-9004.	
7	10577	5/9	\$ 153.98	DirectTV - Service for May 2019	
8	10578	5/9	\$ 1,129.53	Frontier Communications - District Office Phones & Lift Stations for April 2019;	
9				\$618.27 District Office, \$170.41 Willow Lift, \$170.44 Westminster Lift, \$170.41 Hammon Lift.	
10	10579	5/9	\$ 195.40	LegalShield - Member Paid Services for April 2019	
11	10580	5/9	\$ 217.57	Staples Business Credit - Restock Office Supplies for April 2019	
12	10581	5/9	\$ 3,929.74	US Bank (District Credit Card)	
13				(RH) City of Westminster - Water - Hydrant Meter Usage 02/20/19-03/15/19 MAR-2019	\$ 56.23
14				(RH) City of Westminster - Water - Westminster Lift 02/06/19-04/02/19	\$ 18.99
15				(RH) City of Westminster - Water - Hammon Lift 02/06/19-04/02/19	\$ 15.03
16				(RH) Reminaton Water APR-2019	\$ 64.00
17				RH Total	\$ 154.25

18				(NC) Harbor Freight	\$ 93.33
19				(NC) Costco 3/27 & 4/15	\$ 227.07
20				(NC) Amazon & Carmenita Truck	\$ 169.14
21				(NC) Flight Ticket for Waste Expo 05/06-05/10/2019	\$ 196.60
22				NC Total	\$ 686.14
23				(RGr) Restock Sewer Supplies APR-2019	\$ 307.44
24				RGr Total	\$ 307.44
25				(LL) Desk Trays for Benefit Information	\$ 17.31
26				(LL) (2) Document Translation Services	\$ 74.00
27				LL Total	\$ 91.31
28				(KR) (1) Document Translation Service	\$ 23.30
29				(KR) 50th Birthday Cake for 2/27 Luncheon	\$ 35.99
30				(KR) Employee Award Luncheon 3/27	\$ 831.83
31				(KR) Water & Cookies for Board Meetings	\$ 32.46
32				(KR) (2) DO NO ENTER & (22) TEMP NO PARKING - signs for Clean-Up Events	\$ 42.73
33				(KR) Embassy Suites for Waste Expo Las Vegas, NV (AN)	\$ 663.33
34				(KR) Lunch for Spring Festival	\$ 48.26
35				(KR) Deposit for Hotel for Waste Expo Las Vegas, NV (KR)	\$ 96.37
36				(KR) Deposit for Hotel for Waste Expo Las Vegas, NV (MR)	\$ 96.37
37				(KR) Deposit for Hotel for Waste Expo Las Vegas, NV (CN)	\$ 96.37
38				(KR) Deposit for Hotel for Waste Expo Las Vegas, NV (AN)	\$ 96.37
39				(KR) Deposit for Hotel for Waste Expo Las Vegas, NV (NC)	\$ 96.37
40				(KR) Wiarcom APR-2019	\$ 530.85
41				KR Total	\$ 2,690.60
42	10582	5/9	\$ 476.35	Vislon Service Plan - Monthly Premium for May 2019	
43	10583	5/15	\$ 189.90	Nguyen, Andrew - Mileage Reimbursement for CSDA San Diego Conference 04/07-04/10/2019	
44	10584	5/15	\$ 189.90	Krippner, Allan - Mileage Reimbursement for CSDA San Diego Conference 04/07-04/10/2019	
45	10585	5/15	\$ 46.00	Griffith, Randy - 2019 Driver's License Renewal Reimbursement	
46	10586	5/15	\$ 21.00	Robbins, Kenneth - Room Tip Reimbursement for Waste Expo Las Vegas 05/06-05/09/2019	
47	10587	5/15	\$ 315.00	Crystal Clear Fleet & Auto Detailing - Wash & Detail Fleet Trucks	
48	10588	5/15	\$ 5,224.36	SoCal Gas - CNG Fuel for May 2019	
49			\$ 13,628.24	HANDCUT CHECKS SUBTOTAL	
50					
51				REGULAR CHECKS:	
52	10589	5/15	\$ 172.19	Advanced Gas Products - Cylinder Rental for April 2019;	
53				Restock (7.5) Gallons Liquefied Propane, (1) Cylinder of Compressed Oxygen.	
54	10590	5/15	\$ 116.20	Advanced Workplace Strategies, Inc. - DOT Drug Testing & Collection Fees	
55	10591	5/15	\$ 130.00	Asbury Environmental Services - (600) Gallons Used/Mixed Oil Pick-Up	
56	10592	5/15	\$ 3,671.36	Bodyworks Equipment - (1) Monoblock Valve for NG2; (1) Husco Control Box,	
57				(1) Interface Box, (1) RR Hose Tray Kit for NG6.	
58	10593	5/15	\$ 1,116.00	CRC Cloud - Maintenance & Support for May 2019;	
59				Renewal of Firewall Security Gateway for 05/2019 through 05/2020.	
60	10594	5/15	\$ 907.28	CR&R Incorporated - (4) 40-Yard Bins for Golden West Park Clean-Up Event 04/27/2019	
61	10595	5/15	\$ 100,044.62	CR Transfer Incorporated - Tonnage from 04/16/2019 through 04/30/2019	
62	10596	5/15	\$ 3,114.06	Daniels Tire Service - Restock (14) Recaps	
63	10597	5/15	\$ 44.85	Huntington Beach Ford - (1) Indicator Assembly for T9	
64	10598	5/15	\$ 1,311.27	Los Alamitos Napa Auto Parts - Restock (4) Air Filters, (2) Oil Filters, (2) Fuel Filters, (2) Brake	
65				Drums, (2) Grip Kits, (2) HD Plus, (50) Ft. Heat Hosing.	
66	10599	5/15	\$ 600.20	Merchants Building Maintenance - District Offices Janitorial Services for May 2019	
67	10600	5/15	\$ 58,885.75	Orange County Sanitation District - Permit Fees for April 2019 (MCSD 5% = \$3,099.25)	

68	10601	5/15	\$ 15,001.35	Paulus Engineering - Repair to 1-1/2' Waterline at District Yard
69	10602	5/15	\$ 1,282.86	Reliable Monitoring Services - Labor to Repair CNG Gas Detection System
70	10603	5/15	\$ 7,472.00	Rutan & Tucker - Legal Services for April 2019
71	10604	5/15	\$ 132.98	South Coast AQMD - AQMD Fee for July 2018 through June 2019
72	10605	5/15	\$ 279.30	Top Mobile Vision - Labor & (1) 65-Foot Video Cable for NG4
73	10606	5/15	\$ 2,475.63	Trillum USA Company - Recertification of 19 CNG Stations Pressure Release Valves (PRV's)
74	10607	5/15	\$ 124.54	TrucPar Company - (4) LED Red Lamps for M64
75	10608	5/15	\$ 908.06	TSP Printing - Restock (2,750) DCIR Books for Driver's
76	10609	5/15	\$ 54.65	Underground Service Alert - (8) New Tickets for February 2019; (13) New Tickets for April 2019
77	10610	5/15	\$ 2,585.50	Woodruff, Spradlin & Smart - Legal Services for April 2019
78			\$ 200,430.65	REGULAR CHECKS SUBTOTAL
79				
80				PAYROLL
81		5/3	\$ 6,324.14	Board of Director's Payroll for the Month of April 2019
82		5/3	\$ 497.28	Board of Director's Nationwide Deferred Compensation for April 2019 (100% Paid By Directors)
83		5/7	\$ 67,239.37	Payroll - Staff Checks Taxes & Direct Deposits
84		5/7	\$ 835.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
85		5/7	\$ 3,765.51	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
86			\$ 78,661.30	PAYROLL SUBTOTAL
87				
88				ACH TRANSFERS
89		4/29	\$ 1,340.33	Online Payment of Wex (Chevron) Fuel Credit Card for March 2019
90		5/9	\$ 1,813.49	Online Payment of Wex (Chevron) Fuel Credit Card for April 2019
91		5/9	\$ 4,309.00	Online Payment Southern California Edison (Electricity) for April 2019
92		5/14	\$ 2,018.36	ACH Retirement Payment to CalPERS for PEPRA 04/22/2019-05/05/2019
93		5/14	\$ 1,214.85	ACH Retirement Payment to CalPERS for Classic 8584 04/22/2019-05/05/2019
94		5/14	\$ 10,750.59	ACH Retirement Payment to CalPERS for Classic 8583 04/22/2019-05/05/2019
95			\$ 21,446.62	ACH TRANSFERS SUBTOTAL
96				
97			\$ 314,166.81	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)
98				
99				BANK TRANSFERS
100		5/3	\$ 200,000.00	Transfer Funds from LAIF to Checking Account
101		5/15	\$ 350,000.00	Transfer Funds from LAIF to Checking Account

A motion was made by Director A. Krippner, seconded by Director A. Nguyen, to approve the expenditures in the amount of \$ 314,166.81. 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

None

Report of General Manager

GM K. Robbins reported that the District will soon begin removing second black containers from resident's homes and if needed, giving them a second blue container in exchange.

GM K. Robbins reminded the Board that the District would be closed on Monday, May 27, 2019 in honor of the Memorial Day holiday so there will be a one-day delay in solid waste service for the entire week.

GM K. Robbins stated that the Calendar Committee would need to meet in June and that staff has been working on getting solid waste rates from other District's so that the comparison can be put on next year's calendar again.

GM K. Robbins reminded the Board of the Budget meeting on Thursday, May 23, 2019 at 5 P.M.

Report from the Orange County Sanitation District (OCSD) Meeting on May 8, 2019

None

Report from the Westminster Mayor's Prayer Breakfast on May 2, 2019

Director M. Rice stated that she was not able to attend.

Director A. Nguyen stated that it was his first time at the event and that it was a good environment and a lot of praying.

President C. Nguyen stated that the speaker was outstanding and that there were a lot of people in attendance.

Report from the 2019 Waste Expo in Las Vegas, NV May 6-9, 2019

Director M. Rice stated that she attended some classes and feels that the District is ahead of most other agencies because nobody else is recycling food waste.

Director A. Nguyen stated that it was his first time at the Waste Expo and was surprised at all the walking involved. He stated that he was grateful to GM K. Robbins and Director of Operations N. Castro for being his tour guide.

Director S. Contreras asked what the biggest takeaway was from the event.

Director M. Rice stated that there was a specialized truck that would help with smaller spaces.

GM K. Robbins stated that he will be putting it on the next agenda for Board consideration because it will help with the District's late stops and missed containers.

President C. Nguyen stated that he was glad that they were able to see the new products and information and he enjoyed speaking to the vendors.

Report from CR&R – 1st Quarter Tonnage Report

Thanh Tran from CR&R reported that the District's recycling totals continue to rise and that self reporting forms were sent out to customers within the District regarding the June 1, 2019 mandates and deadlines and that he is getting lots of calls and emails in response.

CONSENT CALENDAR

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

B. Approve the April 2019 Financial Reports and Budget Review for the Period of July 1, 2018 through April 30, 2019

A motion was made by Director M. Rice, 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. 2019-07

(Roll Call Vote)

A RESOLUTION NO. 2019-07 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE FISCAL YEAR 2019-2020 FOR THE DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF DIVISION 9 OF TITLE 1 OF THE CALIFORNIA GOVERNMENT CODE

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 adoption of Resolution No. 2019-07, establishing the appropriations limit for the fiscal year 2019-2020 for the District in accordance with the provisions of Division 9 of Title 1 of the California Government Code. 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. Discuss and Consider the Appointment Process for Orange County Local Agency Formation Commission (OC LAFCO) Regular and Alternate Special District Member Seats

A Staff report, correspondence from OC LAFCO regarding the appointment process for OC LAFCO regular and alternate special district member seats, the "Declaration of Qualification to Vote", and the "2019 Nomination Form" was provided and considered by the Board.

A motion was made by Director A. Nguyen, seconded by Director M. Rice, to authorize President C. Nguyen to vote in the Orange County Special District Selection Committee election as the regular voting member on the District's behalf. 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 Director S. Contreras, seconded by President C. Nguyen, to appoint Director A. Nguyen as the alternate voting member on the District's behalf. 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 Director S. Contreras, seconded by President C. Nguyen, to nominate Director M. Rice as a candidate for the OC LAFCO Alternate Special District member. 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:

C. Consideration and Appointment of Ad Hoc Committee for Midway City Sanitary District 80th Anniversary Open House on June 22, 2019

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 appoint Director S. Contreras and President C. Nguyen to the Ad Hoc Committee for Midway City Sanitary District's 80th Anniversary Open House on 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:

D. Consider Approval to Purchase Eight New Backup Pumps for Midway City Sanitary District Lift Stations

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 waive the purchasing policy and approve the purchase of eight new pumps for Midway City Sanitary District lift stations from Flo-Systems, Inc. in the amount of \$262,363.71. 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. Discussion and Consideration of the District's First Multi-Language Media and Publication Outreach and Recycling Mailer for July 2019

Director M. Rice asked if the District should try to get its information on out Channel 3.

GM Robbins stated that he would contact them.

Director S. Contreras suggested doing the mailer in a larger size such as 11x14 due to the amount of information on it.

Board consensus and direction was to have staff bring back a draft in the larger legal size and the cost to a regular meeting for Board consideration and approval.

F. Appointment of Labor Negotiator for Purposes of Facilitating Annual Employee Evaluation of General Manager and Conducting Labor Negotiations with General Manager

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 appoint Legal Counsel James Eggart for purposes of facilitating annual employee evaluation of General Manager and conducting labor negotiations with General Manager. 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:

General Counsel James Eggart convened the meeting to executive closed session to conduct a public employee evaluation of the General Manager pursuant to Government Code Section 54957(b)(1) and conference with labor negotiators regarding unrepresented General Manager pursuant to Government Code Section 54957.6 at 5:56 P.M. General Counsel Eggart announced that the Board had appointed James Eggart as its designated labor negotiator.

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.

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957(b)(1)) Title: General Manager

B. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)

Agency Designated Representatives: To be appointed in Open Session Prior to Closed Session. Unrepresented Employee: Kenneth Robbins

President C. Nguyen reconvened the meeting at 6:33 P.M.

INFORMATIONAL ITEMS

A. Web Site Activity for the Month of April 2019 (129,490 Successful Hits)

B. Independent Special Districts of Orange County (ISDOC) Quarterly Meeting on Thursday, June 27, 2019

Receive and file.

BOARD CONCERNS/COMMENTS

Director M. Rice thanked the Board for their support of her OC LAFCO nomination.

GM/STAFF CONCERNS/COMMENTS

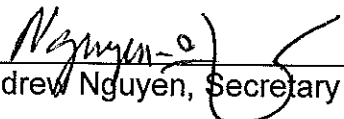
None

GENERAL COUNSEL CONCERNS/COMMENT

General Counsel James Eggart stated that the Board met in closed session per agenda Items 14A and 14B and there was no reportable action taken.

ADJOURNMENT

President C. Nguyen adjourned the meeting to Thursday, May 23, 2019 at 5:00 P.M. at the District office at approximately 6:35 P.M.



Andrew Nguyen, Secretary