

**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.**

November 3, 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, November 3, 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. GM K. Robbins gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF OCT. 20, 2020 (Roll Call Vote)

A motion was made by Director A. Nguyen, seconded by President C. Nguyen, to approve the minutes of the special meeting of October 20, 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 \$ 305,371.21 (Roll Call Vote)

#	CK #	Date	AMOUNT	VENDOR	MEMO
1				CHECKS:	
2	11858	10/21	\$ 175.50	Advanced Workplace Strategies	Random drug testing & collection
3	11859	10/21	\$ 810.00	Ayala's Car Wash	Fleet wash 10/15, 10/19
4	11860	10/21	\$ 1,382.52	Bodyworks Equipment, Inc	Restock electrical rocker switches and tailgate hydraulic cylinders for NG-2
5	11861	10/21	\$ 1,238.94	Chemsearch, Inc	Restock premalube grease for all trucks & vehicles in fleet
6	11862	10/21	\$ 261.41	Cintas	Uniform Services for 10/15
7	11863	10/21	\$ 35.09	City of Westminster-Water Billing	Westminster/Lift Stations 08/19/20-10/13/20
8	11864	10/21	\$ 56.23	City of Westminster-Finance Department	Hydrant Water Service for October 2020
9	11865	10/21	\$ 350.00	Country City Towing, Inc	NG-3 towed to District yard-no air in brake system
10	11866	10/21	\$ 7,805.00	CA Special District Association	2021 Membership Dues
11	11867	10/21	\$ 27.00	DMV	Renewal Multi-equip Whitman Trailer
12	11868	10/21	\$ 711.85	Haaker Equipment Company	Water leak repair at front hose reel for NG-12
13	11869	10/21	\$ 626.91	Hose-Man Inc.	Air hoses for shop use to bypass air dryer, hydraulic hoses for NG-3
14	11870	10/21	\$ 714.86	Velocity Truck Centers	Air dryer for NG-3
15	11871	10/21	\$ 95.00	MemorialCare Medical Foundation	DMV Physical for Solid Waste
16	11872	10/21	\$ 854.00	Odyssey Power Corporation	Westminster Generator Preventative Maintenance
17	11873	10/21	\$ 150.00	Purchase Power	Postage for OCT-2020
18	11874	10/21	\$ 833.00	Rutan & Tucker, LLP	Professional Legal Services for September 2020
19	11875	10/21	\$ 4,652.33	Snap-On Tools	New toolbox for shop
20	11876	10/21	\$ 214.15	TEC of California, Inc	Restock brake shoes Mack trucks,electrical engine sensor NG-1 & stick, hud fluid for hubs
21				TEC of California, Inc	(1) Credit for Core Return (\$334.56)
22	11877	10/21	\$ 4,971.96	Tesco Controls, Inc	Alarm/communication issue Brookhurst/Willow&Hammon/Westminster troubleshooting
23	11878	10/21	\$ 982.19	Truck Gears Incorporated	Replacement parts for NG-5 differential
24	11879	10/21	\$ 1,359.38	W.S. Dodge Oil Co. Inc	Betalube oil for CNG station
25	11880	10/23	\$ 440.00	Advanced Workplace Strategies	Annual Renewal Fee for FMCSA Membership (DOT Drug & Alcohol Program)
26	11881	10/23	\$ 323.93	AT&T	Brookhurst Lift Station OCT 2020
27	11882	10/23	\$ 261.41	Cintas	Uniform Services for 10/22
28	11883	10/23	\$ 67.80	LegalShield	Legalshield/ID Svcs. October 2020
29	11884	10/23	\$ 119.00	Remington Pure	October 2020 Water Filtration
30	11885	10/23	\$ 560.87	Safety-Kleen Systems, Inc	Restock anti-freeze for Solid Waste trucks
31	11886	10/23	\$ 75.01	Time Warner Cable	Television service October 2020
32	11887	10/23	\$ 265.99	TruPar Company	Restock LED lights for Solid Waste trucks
33	11888	10/23	\$ 532.50	SDRMA	Vision Insurance Premiums for November 2020
34	11889	10/23	\$ 4,285.41	TEC of California, Inc	3-year CNG tank inspection, replace fuel line, repair CNG tank cover NG-2
35				TEC of California, Inc	Restock air compressor, tube, dowels, studs, rotor and gear oil for Solid Waste trucks
36	11890	10/28	\$ 345.00	Ayala's Car Wash	Fleet wash 10/22
37	11891	10/28	\$ 1,599.96	Bodyworks Equipment, Inc	Restock parts; electrical switches, grip belts and hydraulic hoses for Heil system
38	11892	10/28	\$ 103,356.14	CR Transfer	Solid Waste & Organics Tonnage Fees 10/1/20 through 10/15/20
39	11893	10/28	\$ 816.00	CRC Cloud	Maintenance/Support November 2020
40	11894	10/28	\$ 3,180.26	Cummins Sales and Service	Restock engine extension coils, spark plugs, tube water outlet for Solid Waste trucks
41	11895	10/28	\$ 9,050.00	ECIS	(362) Fats Oil Grease (FOG) Inspections
42	11896	10/28	\$ 1,165.35	Frontier Communications	District Office Phones & Lift Stations for October 2020
43	11897	10/28	\$ 1,220.32	Standard Insurance Company	Life Insurance & AD&D Premium Coverage for November 2020
44	11898	10/28	\$ 12.69	Union Bank	Bank fees; check #11830 mailed 10/6 but not posted until 10/20
45			\$ 155,984.96	CHECKS SUBTOTAL	
46					

46					
47				PAYROLL	
48	ACH	10/20	\$ 61,688.63	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
49	ACH	10/20	\$ 11,124.89	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
50	ACH	10/20	\$ 2,366.18	Nationwide Retirement Solutions	457 Deferred Compensation (100% Paid By Employees)
51	ACH	10/20	\$ 560.00	Nationwide Retirement Solutions	457 Roth (100% Paid By Employees)
52	ACH	10/20	\$ 1,000.00	Nationwide Retirement Solutions	457 Catch Up
53			\$ 76,739.70	ACH TRANSFERS SUBTOTAL	
54					
55					
56				ACH PAYMENTS	
57	ACH	10/21	\$ 15,800.17	CalPERS	Retirement Contributions for 10/05/2020-10/18/2020
58	ACH	11/1	\$ 53,240.72	CalPERS	Active Employee and Retiree Health Ins Premiums for November 2020
59	ACH	11/1	\$ 3,605.66	CalPERS	Board of Directors Health Insurance Premiums for November 2020
60			\$ 72,646.55	ACH TRANSFERS SUBTOTAL	
61					
62			\$ 305,371.21	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)	

A motion was made by Director M. Rice, seconded by Director A. Nguyen, to approve the expenditures in the amount of \$305,371.21. 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 was still waiting for a quote for the repair and parts for the CNG compressor and that the District is using its backup in the meantime. He reassured the Board that in the event of a total failure, the District had several places to choose from to refuel.

GM K. Robbins reported that the District's new front loader had arrived and was currently being wrapped with the District's information and logo and also equipped with a radio and backup cameras.

GM K. Robbins reminded the Board that the District would be closed on Wednesday, November 11, 2020 in honor of Veteran's Day and he wished good luck to everyone who was on the ballot for today's election.

Report from the Orange County Sanitation (OCSD) Meeting on Oct. 28, 2020

Director A. Nguyen reported that it was a short meeting with presentations made to honor 25 and 30 year of service from employees.

Report from the Independent Special Districts of Orange County (ISDOC) Virtual Quarterly Meeting on Oct. 29, 2020

Directors A. Nguyen and C. Nguyen attended the meeting and both agreed that it was a lengthy discussion regarding all of the propositions on the election ballots.

Report from the Virtual Orange County Sanitation District (OCSD) State of the District Event on Oct. 30, 2020

Directors A. Nguyen and C. Nguyen reported that it was a good meeting with a video giving highlights from OCSD throughout the year and that Senator Lou Correa was in attendance.

CONSENT CALENDAR

A. Receive and File the California Employers' Retiree Benefit Trust (CERBT) Program Financial Statement for the Quarter Ended September 30, 2020

B. Receive and File the California Employers' Pension Prefunding Trust (CEPPT) Program Financial Statement for the Quarter Ended September 30, 2020

C. Approve the September 2020 Financial Reports and Budget Review for the Period of July 1, 2020 through September 30, 2020

A motion was made by Director M. Rice, seconded by President C. Nguyen, to approve the Consent Calendar. 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:

OLD BUSINESS

None

NEW BUSINESS

A. General Manager Vacation Request – July 12, 2021 through July 26, 2021, for a Total of Eleven (11) Days and Approval of Acting Pay for Finance Director for the Eleven (11) Days **(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 the General Manager's vacation request for July 12-26, 2021 for a total of eleven days and to approve of acting pay for the Finance Director in his absence. 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. Discuss and Consider Changing the Midway City Sanitary District's Regularly Scheduled Board Meeting On Tuesday, November 17, 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 Director A. Nguyen, seconded by President C. Nguyen to approve changing the District's regularly scheduled meeting on Tuesday, November 17, 2020 at 5:30 P.M. to 5 P.M. due to the 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:

INFORMATIONAL ITEMS

None

BOARD CONCERNS/COMMENTS

Director M. Rice thanked Director A. Nguyen for attending the ISDOC and OCSD functions and reporting to the Board as she was unable to attend. She wished good luck to everyone running in the election.

Director A. Nguyen thanked staff for doing a wonderful job.
President C. Nguyen thanked everyone for attending the meeting on Election Day.

GM/STAFF CONCERNS/COMMENT

GM K. Robbins reiterated the Board's wishes and wished everyone good luck with the elections.

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, November 17, 2020 at 5:00 P.M. at the District office at approximately 10:19 A.M.

Sergio Contreras
Sergio Contreras, Secretary