



**Monday, October 26, 2020
Board of Directors Regular Meeting**

Time: 4:30 P.M.

IMPORTANT NOTICE REGARDING OCTOBER 26, 2020 REGULAR BOARD MEETING

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic.

The livestream of the meeting can be viewed by clicking the "Video" icon on this page (which will be made available at the start of the meeting) or by visiting www.youtube.com/CostaMesaSanitary. In accordance with Executive Order N-29-20, the public may only view the meeting online and not in the District's Board Room.

To participate in the meeting by computer:

1. Copy and paste the following into your browser - <https://us02web.zoom.us/join>
2. Enter the Meeting ID number - 832 0989 2356
3. Click "Join."

To join the meeting with a mobile device:

1. Download the Zoom app at the Google Play Store (for Android devices) or the App Store (for Apple devices)
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To join the meeting by phone:

1. Call 1-669-900-6833.
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3. Lastly, you will be asked to enter your Participant ID. Press the # symbol again to bypass this step.

Public Comments: Members of the public can submit any comments in writing for the Board of Directors' consideration by sending them to the District Clerk, Noelani Middenway, at nmiddenway@cmsdca.gov. Those comments will be made part of the official public record of the meeting.

Obtaining Agenda Materials: The public is entitled to copies of all documents that are made part of the agenda packet. If any document or other writing pertaining to an agenda item is distributed to all or a majority of the Board after the packet is prepared, a copy of that writing may be obtained from the District Clerk's Office.

In Compliance with ADA: Contact District Clerk, Noelani Middenway, at (949) 645-8400, 48 hours prior to meeting if assistance is needed (28 CFR 35.102.35.104 ADA Title II).

A. OPENING ITEMS

1. Call to Order - President Ferryman
2. Pledge of Allegiance - President Ferryman

3. Invocation - Vice President Ooten

4. Roll Call - (If absences occur, consider whether to deem those absences excused based on facts presented for the absence – such determination shall be the permission required by law.)

5. Announcement of Late Communications - Unless directed otherwise by the Board of Directors, all actions shall be based on/memorialized by the latest document submitted as a late communication.

6. Ceremonial Matters and Presentations

B. Public Comments - This time has been set aside for persons in the audience to make comments on items within the subject matter jurisdiction of the Costa Mesa Sanitary District that are not listed on this agenda. Members of the public will have the opportunity to address the Board of Directors about all other items on this agenda at the time those items are considered. Under the provisions of the Brown Act, the Board of Directors is prohibited from taking action on oral requests but may refer the matter to staff or to a subsequent meeting. The Board of Directors will respond after public comment has been received. Please state your name. Each speaker will be limited to four (4) continuous minutes.

1. Public Comments

C. CONSENT CALENDAR - All matters listed on the consent calendar are considered to be routine and may be acted upon by one motion after public comment has been received. Only Board of Directors may pull an item for discussion. Reading of resolutions is waived and they will be adopted and numbered. Now is the time for those in the audience who wish to speak to items listed on the consent calendar. Each speaker will be limited to four (4) continuous minutes of comment on the consent calendar as a whole.

1. Approve Consent Calendar

2. Approve the Board of Directors Study Session Minutes of September 8, 2020

3. Approve the Board of Directors Special Meeting Minutes of September 21, 2020

4. Approve the Board of Directors Regular Meeting Minutes of September 28, 2020

5. Approve the Directors' Compensation and Reimbursement of Expenses

6. Adopt Warrant Resolution No. CMSD 2021-04 Approving District Warrant Registers

7. Approve Payroll Transparency Disclosure for September 2020

8. Approve the preparation of a warrant to CR Transfer in the amount of \$246,156.13 for September 2020 recycling and disposal services in the October 2020 warrant register

9. Accept the occupancy count as presented as 22,985 and direct staff to prepare a warrant to CR&R Environmental Services for \$238,205.05 for September 2020 collection

10. Contracts Signed by the General Manager

11. Adopt Resolution No. 2020-936 Approving Revisions to the Employee Handbook Adding Special Holiday Pay

12. Receive and File Annual Report of Expenses- Fiscal Year 2019-20

13. Receive and File Fiscal Year 2019-2020 Annual Compliance Report for Requirements of Government Code Section 66013 (d) for Capacity Charges.

D. PUBLIC HEARINGS

E. GENERAL MANAGER'S REPORTS

1. Receive and File the First Quarter Budget Review for FY 2020-21
2. Carryover Appropriations and Carryover Encumbrances from Fiscal Year 2019-20 to Fiscal Year 2020-21
3. Receive and File January through September 2020 Performance Measurement Report
4. Receive and File 2020-25 Strategic Plan Quarterly Update - FY 2020-21 1st Quarter
5. Approve the emergency services contract with American Integrated Services, Inc. and Request Budget Transfer \$429,000 from Project #327 Calcium Removal Phase 1 to Project # 333 Elden Force Main Air Release Valve Removal
6. Project #318 President Pump Station Reconstruction - Approving Contract Administration & Inspection Services with Robin B. Hamers & Associates, Inc.

F. ENGINEER'S REPORTS

1. Receive and File the Monthly Capital Improvements Project Status Report
2. Project #318 President Pump Station Reconstruction Bid Opening and Award of Contract

G. TREASURER'S REPORTS

1. Approve the Investment Report for the Month of September 2020

H. ATTORNEY'S REPORTS

I. LOCAL MEETINGS: In accordance with AB 1234 (Gov. Code 53232.3), a report is required to be given by a Director for any meeting for which expense reimbursement of any kind is provided. Note: For meetings for which the per diem compensation is sought, the Operations Code provides that such compensation is authorized for each day's service rendered as a Director at the request of the Board (not to exceed six days in one month), and certain meetings are specified as being eligible as set forth in District Operations Code § 3.01.030. For meetings not so listed, the Board must approve the service for it to be eligible for the per day compensation.

1. Orange County Sanitation District (OCSD) - (President Ferryman)
2. Santa Ana River Flood Protection Agency (SARFPA) - (Director Perry)
3. Independent Special Districts of Orange County (ISDOC) - (Secretary Schafer)
4. California Special Districts Association (CSDA) - (Secretary Schafer)
5. Special District Risk Management Authority (SDRMA) - (Director Scheafer)
6. Other Meetings Qualifying for Reimbursement under CMSD Ordinance No. 55, Operations Code Section 3.01.030

J. OLD BUSINESS

K. NEW BUSINESS

L. ORAL COMMUNICATIONS AND DIRECTOR COMMENTS

1. Oral Communications and Director Comments

M. ADJOURN TO CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation Paragraph (1) of subdivision (d) Section 54956.9 California River Watch v. Costa Mesa Sanitary District, USDC No.: 8:20-cv-01702

N. RECONVENE TO OPEN SESSION

1. Report out of Closed Session

O. CLOSING ITEMS

1. Adjourn



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A. OPENING ITEMS

Subject **1. Call to Order - President Ferryman**

Meeting	Oct 26, 2020 - Board of Directors Regular Meeting
Access	Public
Type	Procedural

A. OPENING ITEMS

Subject	2. Pledge of Allegiance - President Ferryman
Meeting	Oct 26, 2020 - Board of Directors Regular Meeting
Access	Public
Type	Procedural

A. OPENING ITEMS

Subject	3. Invocation - Vice President Ooten
Meeting	Oct 26, 2020 - Board of Directors Regular Meeting
Access	Public
Type	Procedural

A. OPENING ITEMS

Subject **4. Roll Call - (If absences occur, consider whether to deem those absences excused based on facts presented for the absence – such determination shall be the permission required by law.)**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Procedural

James Ferryman, President
Robert Ooten, Vice President
Arlene Schafer, Secretary
Michael Scheafer, Director
Arthur Perry, Director

A. OPENING ITEMS

Subject	5. Announcement of Late Communications - Unless directed otherwise by the Board of Directors, all actions shall be based on/memorialized by the latest document submitted as a late communication.
Meeting	Oct 26, 2020 - Board of Directors Regular Meeting
Access	Public
Type	Procedural

A. OPENING ITEMS

Subject

6. Ceremonial Matters and Presentations

Meeting

Oct 26, 2020 - Board of Directors Regular Meeting

Access

Public

Type

Procedural

B. Public Comments - This time has been set aside for persons in the audience to make comments on items within the subject matter jurisdiction of the Costa Mesa Sanitary District that are not listed on this agenda. Members of the public will have the opportunity to address the Board of Directors about all other items on this agenda at the time those items are considered. Under the provisions of the Brown Act, the Board of Directors is prohibited from taking action on oral requests but may refer the matter to staff or to a subsequent meeting. The Board of Directors will respond after public comment has been received. Please state your name. Each speaker will be limited to four (4) continuous minutes.

Subject

1. Public Comments

Meeting

Oct 26, 2020 - Board of Directors Regular Meeting

Access

Public

Type

Procedural

C. CONSENT CALENDAR - All matters listed on the consent calendar are considered to be routine and may be acted upon by one motion after public comment has been received. Only Board of Directors may pull an item for discussion. Reading of resolutions is waived and they will be adopted and numbered. Now is the time for those in the audience who wish to speak to items listed on the consent calendar. Each speaker will be limited to four (4) continuous minutes of comment on the consent calendar as a whole.

Subject 1. Approve Consent Calendar

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action (Consent)

Recommended That the Board of Directors approve the Consent Calendar as presented.
Action

All matters listed on the consent calendar are considered to be routine and may be acted upon by one motion after public comment has been received. Only Board of Directors may pull an item for discussion. Reading of resolutions is waived and they will be adopted and numbered. Now is the time for those in the audience who wish to speak to items listed on the consent calendar. Each speaker will be limited to four (4) continuous minutes of comment on the consent calendar as a whole.

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Subject **2. Approve the Board of Directors Study Session Minutes of September 8, 2020**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action (Consent), Minutes

Recommended That the Board of Directors approve the meeting minutes as presented.
Action

Minutes [View Minutes](#) for Sep 8, 2020 - Board of Directors Study Session

To: **Board of Directors**

Via: **Scott Carroll, General Manager**

From: **Gina Terraneo, Management Analyst II**

Date: **October 26, 2020**

Subject: **Approve the Board of Directors Study Session Minutes of September 8, 2020**

Summary

The recorded minutes of the September 8, 2020 Board of Directors Study Session are hereby submitted to the Board of Directors for review and approval.

Analysis

Attached to the staff report are the minutes for the Board of Directors Study Session on September 8, 2020.

Staff Recommendation

That the Board of Directors approve the meeting minutes as presented.

Legal Review

Not applicable.

Environmental Review

Consideration of public meeting minutes is an administrative matter and is exempt from the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA allows an agency while establishing its own procedures "to list those specific activities which fall within each of the exempt classes", and the District has adopted "CEQA Guidelines and Implementing Procedures" that state on page 6 "Projects" does not include C. Continuing administrative or maintenance activities."

Financial Review

Not applicable.

Public Notice Process

Copies of this report are on file and will be included in the complete agenda packet for the October 26, 2020 Board of Directors Regular Meeting at District Headquarters and posted on the District's website.

Alternative Actions

1. Do not approve the meeting minutes as presented.
2. Direct staff to report back with more information.

File Attachments
[minutes_2020_09_08_ss.pdf \(168 KB\)](#)

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C. CONSENT CALENDAR - All matters listed on the consent calendar are considered to be routine and may be acted upon by one motion after public comment has been received. Only Board of Directors may pull an item for discussion. Reading of resolutions is waived and they will be adopted and numbered. Now is the time for those in the audience who wish to speak to items listed on the consent calendar. Each speaker will be limited to four (4) continuous minutes of comment on the consent calendar as a whole.

Subject 3. Approve the Board of Directors Special Meeting Minutes of September 21, 2020

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action (Consent), Minutes

Recommended That the Board of Directors approve the meeting minutes as presented.
Action

Minutes [View Minutes](#) for Sep 21, 2020 - Board of Directors Special Meeting - Revised Agend

To: Board of Directors

Via: Scott Carroll, General Manager

From: Gina Terraneo, Management Analyst II

Date: October 26, 2020

Subject: Approve the Board of Directors Special Meeting Minutes of September 21, 2020

Summary

The recorded minutes of the September 21, 2020 Board of Directors Special Meeting are hereby submitted to the Board of Directors for review and approval.

Analysis

Attached to the staff report are the minutes for the Board of Directors Special Meeting on September 21, 2020.

Staff Recommendation

That the Board of Directors approve the meeting minutes as presented.

Legal Review

Not applicable.

Environmental Review

Consideration of public meeting minutes is an administrative matter and is exempt from the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA allows an agency while establishing its own procedures "to list those specific activities which fall within each of the exempt classes", and the District has adopted "CEQA Guidelines and Implementing Procedures" that state on page 6 "Projects" does not include C. Continuing administrative or maintenance activities."

Financial Review

Not applicable.

Public Notice Process

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Alternative Actions

1. Do not approve the meeting minutes as presented.
2. Direct staff to report back with more information.

File Attachments
[minutes_2020_09_21_sm.pdf \(173 KB\)](#)

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Subject **4. Approve the Board of Directors Regular Meeting Minutes of September 28, 2020**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action (Consent), Minutes

Recommended That the Board of Directors approve the meeting minutes as presented.
Action

Minutes [View Minutes](#) for Sep 28, 2020 - Board of Directors Regular Meeting

To: **Board of Directors**

Via: **Scott Carroll, General Manager**

From: **Gina Terraneo, Management Analyst II**

Date: **October 26, 2020**

Subject: **Approve the Board of Directors Regular Meeting Minutes of September 28, 2020**

Summary

The recorded minutes of the September 28, 2020 Board of Directors Regular Meeting are hereby submitted to the Board of Directors for review and approval.

Staff Recommendation

That the Board of Directors approve the meeting minutes as presented.

Analysis

Attached to the staff report are the minutes for the Board of Directors Regular Meeting on September 28, 2020.

Legal Review

Not applicable.

Environmental Review

Consideration of public meeting minutes is an administrative matter and is exempt from the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA allows an agency while establishing its own procedures "to list those specific activities which fall within each of the exempt classes", and the District has adopted "CEQA Guidelines and Implementing Procedures" that state on page 6 "Projects" does not include C. Continuing administrative or maintenance activities."

Financial Review

Not applicable.

Public Notice Process

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Alternative Actions

1. Do not approve the meeting minutes as presented.
2. Direct staff to report back with more information.

File Attachments
[minutes_2020_09_28_rm.pdf \(224 KB\)](#)

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Subject 5. Approve the Directors' Compensation and Reimbursement of Expenses

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action (Consent)

Recommended That the Board of Directors approve the compensation and reimbursement of
Action expenses as presented.

To: Board of Directors

Via: Scott Carroll, General Manager

From: Noelani Middenway, District Clerk & Public Information Officer

Date: October 26, 2020

Subject: Directors' Compensation and Reimbursement of Expenses

Summary

The Directors' Compensation and Reimbursement of Expenses are hereby submitted to the Board of Directors for review and approval.

Analysis

Attached to the staff report are the Directors' Compensation and Reimbursement of Expenses.

Staff Recommendation

That the Board of Directors approve the compensation and reimbursement of expenses as presented.

Legal Review

Not applicable.

Environmental Review

Consideration of the compensation and reimbursement of expenses is an administrative matter and is exempt from the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA allows an agency while establishing its own procedures "to list those specific activities which fall within each of the exempt classes", and the District has adopted "CEQA Guidelines and Implementing Procedures" that state on page 6. "Projects" does not include C. Continuing administrative or maintenance activities."

Financial Review

Not applicable.

Public Notice Process

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Alternative Actions

1. Do not approve the compensation and reimbursement of expenses as presented.
2. Direct staff to report back with more information.

File Attachments

[director_compensation.pdf \(581 KB\)](#)

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Subject **6. Adopt Warrant Resolution No. CMSD 2021-04 Approving District Warrant Registers**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action, Action (Consent)

Budgeted Yes

Recommended That the Board of Directors adopt Warrant Resolution No. CMSD 2021-04
Action approving District warrants for the month of September in the amount of
\$793,906.47.

To: Board of Directors

Via: Scott Carroll, General Manager

From: Lieu Tran, Accountant

Date: October 26, 2020

Subject: Adopt Warrant Resolution No. CMSD 2021-04 Approving District Warrant Registers

Summary

Attached is the Warrant Resolution, which ratifies the payment of certain claims and demands and specifies the funds from which they were paid.

Recommendation

That the Board of Directors approve and file the report.

Analysis

Attached is the Warrant Resolution, which ratifies the payment of certain claims and demands and specifies the funds from which they were paid.

Legal Review

Not Applicable.

Environmental Review

Subject activity is exempt from the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA allows an agency while establishing its own procedures "to list those specific activities which fall within each of the exempt classes", and the District has adopted "CEQA Guidelines and Implementing Procedures" that state on page 6 "'Projects" does not include C. Continuing administrative or maintenance activities."

Financial Review

Sufficient funds are available in the adopted budget.

Public Notice Process

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Alternative Actions

Refer item back to staff with further instructions.

File Attachments
[WARRANT RESO 2021-04.pdf \(134 KB\)](#)

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Subject 7. Approve Payroll Transparency Disclosure for September 2020

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action (Consent)

Budgeted Yes

Recommended That the Board of Directors approve and file the report.
Action

Goals 4.7 Demonstrate outstanding efforts in transparency
 7.0 Finance

To: Board of Directors

Via: Scott Carroll, General Manager

From: Lieu Tran, Accountant

Subject: Approve Payroll Transparency Disclosure for September 2020

Summary

Attached is the Payroll General Ledger Distribution Report summarizing each payroll during the month.

Recommendation

That the Board of Directors approve and file the report.

Analysis

Attached is the Payroll General Ledger Distribution Report summarizing each payroll during the month.

Legal Review

Not Applicable.

Environmental Review

Subject activity is exempt from the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA allows an agency while establishing its own procedures "to list those specific activities which fall within each of the exempt classes", and the District has adopted "CEQA Guidelines and Implementing Procedures" that state on page 6 "'Projects" does not include C. Continuing administrative or maintenance activities."

Financial Review

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Alternative Actions

Refer item back to staff with further instructions.

File Attachments

[Payroll Transparency Disclosure Sept 2020.pdf \(986 KB\)](#)

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Subject **8. Approve the preparation of a warrant to CR Transfer in the amount of \$246,156.13 for September 2020 recycling and disposal services in the October 2020 warrant register**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action (Consent)

Recommended Action That the Board of Directors approves the preparation of a warrant to CR Transfer in the amount of \$246,156.13 for September 2020 recycling and disposal services to be ratified in the October 2020 warrant register.

To: Board of Directors

Via: Scott Carroll, General Manager

From: Nabila Guzman, Management Analyst I

Date: October 26, 2020

Subject: Approve the preparation of a warrant to CR Transfer in the amount of \$246,156.13 for September 2020 recycling and disposal services in the October 2020 warrant register

Summary

This payment to CR Transfer is for the sorting of recyclables from the mixed waste and disposal of the remaining waste at the landfill. With the implementation of the Organics Recycling Program adopted by the Board, this payment also includes the diverting of the organics waste to the Anaerobic Digestion facility to be recycled into fertilizer or renewable natural gas to fuel the refuse trucks.

Recommendation

That the Board of Directors approves the preparation of a warrant to CR Transfer in the amount of \$246,156.13 for September 2020 recycling and disposal services to be ratified in the October 2020 warrant register.

Analysis

Below is a chart depicting the total tonnage and payments due for residential and organic waste collected in Costa Mesa and Newport Beach.

Due to weight ticket calculation rounding, monthly invoices may be slightly off by a few pennies. Invoices that are slightly off are marked by an asterisk below.

Type of Waste	Invoice	Tonnage	Rate	Amount Billed
Residential Waste - Costa Mesa	39399	1,581.54	\$54.98	\$86,953.15*
Residential Waste - Costa Mesa	39444	1,417.50	\$54.98	\$77,934.20*
Residential Waste - Newport Beach	39445	61.16	\$54.98	\$3,362.58
Residential Waste - Newport Beach	39400	33.55	\$54.98	\$1,844.57*
Total Residential Waste		3,093.75		\$170,094.50
Organics	39481	499.83	\$75.65	\$37,812.18*

Organics	39435	505.61	\$75.65	\$38,249.45*
Total Organics		1,005.44		\$76,061.63
Grand Total		4,099.19		\$246,156.13

Legal Review

Not Applicable

Environmental Review

Subject activity is exempt from the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA allows an agency while establishing its own procedures “to list those specific activities which fall within each of the exempt classes”, and the District has adopted “CEQA Guidelines and Implementing Procedures” that state on page 6 “Projects” does not include C. Continuing administrative or maintenance activities.”

Financial Review

Sufficient funds are available in the adopted budget to pay for the services provided.

Public Notice Process

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Alternative Actions

Refer item back to staff with further instructions.

All matters listed on the consent calendar are considered to be routine and may be acted upon by one motion after public comment has been received. Only Board of Directors may pull an item for discussion. Reading of resolutions is waived and they will be adopted and numbered. Now is the time for those in the audience who wish to speak to items listed on the consent calendar. Each speaker will be limited to four (4) continuous minutes of comment on the consent calendar as a whole.

C. CONSENT CALENDAR - All matters listed on the consent calendar are considered to be routine and may be acted upon by one motion after public comment has been received. Only Board of Directors may pull an item for discussion. Reading of resolutions is waived and they will be adopted and numbered. Now is the time for those in the audience who wish to speak to items listed on the consent calendar. Each speaker will be limited to four (4) continuous minutes of comment on the consent calendar as a whole.

Subject 9. Accept the occupancy count as presented as 22,985 and direct staff to prepare a warrant to CR&R Environmental Services for \$238,205.05 for September 2020 collection

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action (Consent)

Recommended Action That the Board of Directors accept the occupancy count as presented using 22,985 as the correct number of active units and direct staff to prepare a warrant to CR&R Environmental Services for September 2020 collection based on this occupancy report so long as the contractor fulfills the obligations of the agreement in the amount of \$238,205.05 to be ratified in the October 2020 warrant list.

To: Board of Directors

Via: Scott Carroll, General Manager

From: Nabila Guzman, Management Analyst I

Date: October 26, 2020

Subject: Accept the occupancy count as presented using 22,985 as the correct number of active units and direct staff to prepare a warrant to CR&R Environmental Services for \$238,205.05 for September 2020 collection

Summary

Accept the occupancy count as presented using 22,985 as the correct number of active units and direct staff to prepare a warrant to CR&R Environmental Services for September 2020 collection based on this occupancy report so long as the contractor fulfills the obligations of the agreement in the amount of \$238,205.05 to be ratified in the October 2020 warrant list.

Recommendation

That the Board of Directors accept the occupancy count as presented using 22,985 as the correct number of active units and direct staff to prepare a warrant to CR&R Environmental Services for September 2020 collection based on this occupancy report so long as the contractor fulfills the obligations of the agreement in the amount of \$238,205.05 to be ratified in the October 2020 warrant list.

Analysis

The occupancy count is the number of residential customers that the District pays CR&R for the trash truck to stop and pick-up trash. The District pays CR&R \$10.3635 per occupant, per month. Each month, new residential customers in brand-new developments contact the District to establish new trash service. District staff contacts CR&R to approve the drop-off of carts at the residence, which results in an increase in the occupancy count as shown on the attached list.

As of September 30, 2020, total District occupancy was at 22,985 with three (3) new accounts added and two (2) accounts deleted since the last billing period. District staff will continue to track the number of new service addresses.

The payment calculation is based on the following:

District's Current Rate for September 2020:

22,985 x \$10.3635 = \$238,205.05

Legal Review

Not Applicable

Environmental Review

Subject activity is exempt from the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA allows an agency while establishing its own procedures "to list those specific activities which fall within each of the exempt classes", and the District has adopted "CEQA Guidelines and Implementing Procedures" that state on page 6 "'Projects" does not include C. Continuing administrative or maintenance activities."

Financial Review

Sufficient funds are available in the adopted budget to pay for the services provided.

Public Notice Process

Copies of this report are on file and will be included in the complete agenda packet for the October 26, 2020 Board of Directors Regular meeting at District Headquarters and posted on the District's website.

Alternative Actions

Refer item back to staff with further instructions.

File Attachments

[2020-09-G CMSD Occupancy Report.pdf \(516 KB\)](#)

All matters listed on the consent calendar are considered to be routine and may be acted upon by one motion after public comment has been received. Only Board of Directors may pull an item for discussion. Reading of resolutions is waived and they will be adopted and numbered. Now is the time for those in the audience who wish to speak to items listed on the consent calendar. Each speaker will be limited to four (4) continuous minutes of comment on the consent calendar as a whole.

C. CONSENT CALENDAR - All matters listed on the consent calendar are considered to be routine and may be acted upon by one motion after public comment has been received. Only Board of Directors may pull an item for discussion. Reading of resolutions is waived and they will be adopted and numbered. Now is the time for those in the audience who wish to speak to items listed on the consent calendar. Each speaker will be limited to four (4) continuous minutes of comment on the consent calendar as a whole.

Subject **10. Contracts Signed by the General Manager**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action (Consent)

Recommended That the Board of Directors receive and file this report
Action

Goals 6.0 Administrative Management

To: Board of Directors

From: Scott Carroll, General Manager

Date: October 26, 2020

Subject: Contracts Signed by the General Manager

Summary

At the January 24, 2019 Board of Directors meeting, the Board directed the General Manager to submit a list of contracts he signed during the previous month. Below are the contracts he signed in the months of September 2020.

Recommendation

That the Board of Directors receive and file this report.

Analysis

Below are the contracts signed by the General Manager in the month of September 2020:

Contracts

1. Revize LLC – Redesigning and maintaining CMSD’s website. Cost **\$6,000** a year for the next five years bringing the total cost to **\$30,000**.
2. ADS Environmental Contract – Smoke test at OC Fairgrounds. Cost: **\$15,400**
3. Robin B. Hamers, Inc. – Engineering services. Cost: **\$105/Hour**.

Purchase Orders

4. California Fuels & Lubrication – Purchasing clear renewable diesel. Cost: **\$3,045.79**

Legal Review

All contracts are reviewed and approved by District Counsel before contracts are executed.

Environmental Review

Providing the Board of Directors a monthly list of contracts signed by the General Manager is an administrative matter that will not result in direct or indirect physical changes in the environment and is not considered a

"project".

Financial Review

There is adequate funding in the budget for the expenses referenced above.

Public Notice Process

Copies of this report are on file and will be included with the entire agenda packet for the October 26, 2020 Board of Directors meeting at District Headquarters and on District website at www.cmsdca.gov

Alternative Actions

1. Direct staff to report back with more information.

All matters listed on the consent calendar are considered to be routine and may be acted upon by one motion after public comment has been received. Only Board of Directors may pull an item for discussion. Reading of resolutions is waived and they will be adopted and numbered. Now is the time for those in the audience who wish to speak to items listed on the consent calendar. Each speaker will be limited to four (4) continuous minutes of comment on the consent calendar as a whole.

C. CONSENT CALENDAR - All matters listed on the consent calendar are considered to be routine and may be acted upon by one motion after public comment has been received. Only Board of Directors may pull an item for discussion. Reading of resolutions is waived and they will be adopted and numbered. Now is the time for those in the audience who wish to speak to items listed on the consent calendar. Each speaker will be limited to four (4) continuous minutes of comment on the consent calendar as a whole.

Subject 11. Adopt Resolution No. 2020-936 Approving Revisions to the Employee Handbook Adding Special Holiday Pay

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action (Consent)

Fiscal Impact Yes

Budgeted Yes

Recommended Action That the Board of Directors approve Resolution No. 2020-936 amending the Employee Handbook to include two additional paid holidays for employees.

To: **Board of Directors**

Via: **Scott Carroll, General Manager**

From: **Dyana Bojarski, Administrative Services Manager**

Date: **October 26, 2020**

Subject: Adopt Resolution No. 2020-936 Approving Revisions to the Employee Handbook Adding Special Holiday Pay

Summary

Attached is the Employee Handbook which includes revisions to Policy No. 2.3 Benefits. Revisions include the addition of two paid holidays, the day before Thanksgiving and the day before Christmas.

Recommendation

That the Board of Directors approve Resolution No. 2020-936 amending the Employee Handbook to include two additional paid holidays for employees.

Analysis

Attached is the Employee Handbook which includes revisions to Policy No. 2.3 Benefits (page 57). The revisions include the addition of Special Holiday Pay for the day before Thanksgiving and the day before Christmas. These two additional paid holidays were approved by the Board of Directors at the September 28, 2020, Board of Directors Regular meeting. An Ordinance is not required as there are not any changes being made to the Operations Code. The attached Resolution will amend the Employee Handbook.

Legal Review

District Counsel has revised and provided input for the Resolution.

Environmental Review

Revising the Employee Handbook is an administrative matter and is categorically exempt under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA

allows an agency while establishing its own procedures “to list those specific activities which fall within each of the exempt classes”, and the District has adopted “CEQA Guidelines and Implementing Procedures” that state on page 6 “Projects” does not include C. Continuing administrative or maintenance activities.”

Financial Review

Sufficient funds are available in the adopted budget.

Public Notice Process

Copies of this report are on file and will be included with the complete agenda packet for the October 26, 2020 Board of Directors Regular meeting at District Headquarters and posted on the District’s website www.cmsdca.gov.

Alternative Actions

Refer item back to staff with further instructions.

File Attachments

[Employee_Handbook_2020.07 DRAFT MARKUPS.pdf \(1,751 KB\)](#)

[Resolution No 2020-936.pdf \(14 KB\)](#)

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Subject **12. Receive and File Annual Report of Expenses- Fiscal Year 2019-20**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action (Consent)

Budgeted Yes

Recommended Staff recommends that the Board of Directors receive and file the Annual
Action Report of Expenses for the Fiscal Year 2019-20.

Goals [8.0 Finance](#)

To: Board of Directors

Via: Scott Carroll, General Manager

From: Kaitlin Tran, Finance Manager

Date: October 26, 2020

Subject: Receive and File Annual Report of Expenses- Fiscal Year 2019-20

Summary

California Government Code requires special districts to disclose, at least annually, any reimbursement paid by the District of at least \$100 for each individual charge for services or products received by a Board Member or Staff. The Annual Report of Expenses for Fiscal Year 2019-20 is provided as Attachment A of this report.

Recommendation

Staff recommends that the Board of Directors receive and file the Annual Report of Expenses for the Fiscal Year 2019-20.

Analysis

Section 53065.5 of the California Government Code states that "Each special district, as defined by subdivision (a) of Section 56036, shall, at least annually, disclose any reimbursement paid by the district within the immediately preceding fiscal year of at least one hundred dollars (\$100) for each individual charge for services or product received. "Individual charge" includes, but is not limited to, one meal, lodging for one day, transportation, or a registration fee paid to any employee or member of the governing body of the district. The disclosure requirement shall be fulfilled by including the reimbursement information in a document published or printed at least annually by a date determined by that district and shall be made available for public inspection." Attached is the Annual Report of Expenses for the Fiscal Year 2019-20 which will be published on the District's website under the Transparency tab.

Legal Review

Not applicable.

Environmental Review

Subject activity is exempt from the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA allows an agency while establishing its own procedures “to list those specific activities which fall within each of the exempt classes”, and the District has adopted “CEQA Guidelines and Implementing Procedures” that state on page 6 ““Projects” does not include C. Continuing administrative or maintenance activities.”

Financial Review

It is the policy of the District to encourage and promote training and educational opportunities for all District employees so that the services they render to the District may be made more effective. Attendance at educational seminars, conferences and meetings by Board Members and/or Staff are also encouraged to monitor new legal requirements and technological advancements in the solid and wastewater industries. The reimbursement of approved training, travel and other work related expenses are dictated by the CMSD Employee Handbook, Policy 2.4 and the Operations Code, Section 3.01.090; Conferences, Travel and Expenses. The \$7,516.30 of reimbursements reported on Attachment A have met the requirements outlined above. The Annual Report of Expenses are included on the District's website under the Transparency tab.

Public Notice Process

Copies of this report are on file and will be included with the entire agenda packet for the October 26, 2020 regular Board of Directors meeting at District Headquarters and on District's website www.cmsdca.gov.

Alternative Actions

Refer the matter back to staff.

File Attachments

[Annual Report of Expenses FY19-20 Attachment A.pdf \(382 KB\)](#)

All matters listed on the consent calendar are considered to be routine and may be acted upon by one motion after public comment has been received. Only Board of Directors may pull an item for discussion. Reading of resolutions is waived and they will be adopted and numbered. Now is the time for those in the audience who wish to speak to items listed on the consent calendar. Each speaker will be limited to four (4) continuous minutes of comment on the consent calendar as a whole.

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Subject **13. Receive and File Fiscal Year 2019-2020 Annual Compliance Report for Requirements of Government Code Section 66013 (d) for Capacity Charges.**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action (Consent)

Recommended Action Staff recommends the Board receive and file this report.

Goals [8.0 Finance](#)

To: The Board of Directors

Via: Scott Carroll, General Manager

From: Kaitlin Tran, Finance Manager

Date: October 26, 2020

Subject: Receive and File Fiscal Year 2019-2020 Annual Compliance Report for Requirements of Government Code Section 66013 (d) for Capacity Charges.

Summary

Staff is providing the Board with the Annual Compliance Report to fulfill the information and reporting requirements of Government Code Section 66013(d) for Capacity Charges.

Recommendation

Staff recommends the Board receive and file this report.

Analysis

On May 27, 2010 the Board adopted Ordinance No. 76, revising the charges collected by the District and establishing that fixture fees are capacity charges and making related clarifying changes. (CMSD § 6.04.040) Fixture fees are capacity charges for public facilities in existence at the time a charge is imposed or charges for new public facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged, including supply or capacity contracts for rights or entitlements, real property interests, and entitlements and other rights of the local agency involving capital expense relating to its use of existing or new public facilities.

Upon payment of the fees, the money shall be deposited in a separate capital facilities account maintained in accordance with Government Code Section 66013(d). For each such separate account, the District shall, within one hundred eighty (180) days of the close of the fiscal year, make available to the public the following information:

(1) A description of the charges deposited in the fund.

- (2) The beginning and ending fund balance of the fund and the interest earned from investment of moneys in the fund.
- (3) The amount of charges collected in that fiscal year.
- (4) An identification of all of the following:
 - (A) Each public improvement on which charges were expended and the amount of the expenditure for each improvement, including the percentage of the total cost of the public improvement that was funded with those charges if more than one source of funding was used.
 - (B) Each public improvement on which charges were expended that was completed during that fiscal year.
 - (C) Each public improvement that is anticipated to be undertaken in the following fiscal year.
- (5) A description of each interfund transfer or loan made from the capital facilities fund. The information provided, in the case of an interfund transfer, shall identify the public improvements on which the transferred moneys are, or will be, expended. The information, in the case of an interfund loan, shall include the date on which the loan will be repaid, and the rate of interest that the fund will receive on the loan.

Legal Review

District Counsel has reviewed this report. The report complies with Gov. Code § 66013 and CMSD Operations Code 6.04.040.

Environmental Review

Preparing the yearly compliance report is categorically exempt under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) Section 15300.4 of CEQA allows an agency while establishing its own procedures "to list those specific activities which fall within each of the exempt classes", and the District has adopted "CEQA Guidelines and Implementing Procedures" that state on page 6 "'Projects" does not include C. Continuing administrative or maintenance activities."

Financial Review

Finance staff confirms that the Annual Compliance Report presents fairly the financial activity of the Facilities Revolving Fund for the fiscal year ending June 30, 2020. During the fiscal year 2019-2020, the Facilities Revolving Fund received \$243,113 in capacity charges, and interest earnings of \$6,101 for the fiscal year. Due to cancellation of one project by the contractor there was a refund issued for a total of \$1,087. There were no expenditures incurred during the fiscal year. As of June 30, 2020, the funds available in the Facilities Revolving Fund were \$376,050. These funds are designated for the Emergency Battery Storage System for Solar Photovoltaic System at HQ project in the following fiscal years.

In comparison, the capacity charges collected in fiscal year 2018-19 were \$161,484. The increase of \$80,542 in capacity charges collected over the prior fiscal year was the result of the timing of payments received.

Public Notice Process

Copies of this report are on file and will be included with the entire agenda packet for the October 26, 2020 regular Board of Directors meeting at District Headquarters and on District's website www.cmsdca.gov

Alternative Actions

Refer the matter back to staff.

File Attachments

[Annual Compliance Report for Capacity Charges FY19-20- Attachment 1.pdf \(93 KB\)](#)

All matters listed on the consent calendar are considered to be routine and may be acted upon by one motion after public comment has been received. Only Board of Directors may pull an item for discussion. Reading of resolutions is waived and they will be adopted and numbered. Now is the time for those in the audience who wish to speak to items listed on the consent calendar. Each speaker will be limited to four (4) continuous minutes of comment on the consent calendar as a whole.

E. GENERAL MANAGER'S REPORTS

Subject **1. Receive and File the First Quarter Budget Review for FY 2020-21**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action, Receive and File

Recommended That the Board of Directors receive and file this report.
Action

Goals 8.3 Finance - Forecast revenues and expenditures
 8.0 Finance

To: Board of Directors

Via: Scott Carroll, General Manager

From: Kaitlin Tran, Finance Manager

Date: October 26, 2020

Subject: Receive and File the First Quarter Budget Review for FY 2020-21

Summary

This report serves as a summary of the District's spending through September 30, 2020 as well as staff's best estimate of projected balances for the year-ended June 30, 2021.

Recommendation

That the Board of Directors receive and file this report.

Analysis

Based on the limited spending trends through September 30, 2020, staff is projecting the Solid Waste Fund to have savings of \$75,000 and the Wastewater Fund is projecting to meet the budgeted amounts on June 30, 2021. Please note, however, that projections with only three months or less of activity as the basis should not be relied upon. As the year progresses, these projections become more precise.

As of September 30, 2020, a total of 24.4% of the Solid Waste budget and a total of 23.8% of the Wastewater Fund's operating budget for the 2019-20 fiscal year has been expended.

Please see the attached report for a more detailed analysis.

Legal Review

Not applicable.

Environmental Review

Subject activity is exempt from the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA allows an agency while establishing its own procedures "to list those specific activities which fall within each of the exempt classes", and the District has adopted "CEQA Guidelines and Implementing Procedures" that state on page 6 "'Projects" does not include C. Continuing administrative or maintenance activities."

Financial Review

See attached report.

Public Notice Process

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Alternative Actions

Refer the matter back to staff for additional information.

File Attachments

[A-FY2020-21 First Quarter Budget Analysis.pdf \(159 KB\)](#)

[B- Expenditure Analysis 09302020.pdf \(125 KB\)](#)

E. GENERAL MANAGER'S REPORTS

Subject **2. Carryover Appropriations and Carryover Encumbrances from Fiscal Year 2019-20 to Fiscal Year 2020-21**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action

Budgeted Yes

Recommended Action 1) That the Board of Directors approve the re-appropriation of funds in the Fiscal Year 2020-21 for the carryover items from the prior fiscal year as detailed in Attachment A and B, summarized as follows:
10 Solid Waste Fund: Carryover Appropriations \$6,628, Encumbrances \$35,245
20 Wastewater Fund: Carryover Appropriations \$3,271,957, Encumbrances \$88,011
2) Consider approving a budget adjustment to transfer the remaining balance of Project Indus Phase 2 #321 in the amount \$24,691 to Project City MH Adjustment Program #309.

Goals 8.0 Finance
 8.6 Finance - Develop a long-term Capital Improvement Plan (CIP)

To: Board of Directors

Via: Scott Carroll, General Manager

From: Kaitlin Tran, Finance Manager

Date: October 26, 2020

Subject: Carryover Appropriations and Carryover Encumbrances from Fiscal Year 2019-20 to Fiscal Year 2020-21

Summary

All appropriations lapse at the end of each fiscal year, therefore it is necessary to request that certain unspent appropriations and encumbrances for goods and/or services that have yet to be completed by fiscal year end be carried over into the subsequent fiscal year. After the close of the prior fiscal year, the Board of Directors reviews and approves a list of appropriations and encumbrances that are requested to be carryover in to the new fiscal year.

Recommendation

1) That the Board of Directors approve the re-appropriation of funds in the Fiscal Year 2020-21 for the carryover items from the prior fiscal year as detailed in Attachment A and B, and summarized as follows:

10 Solid Waste Fund: Carryover Appropriations \$6,628, Encumbrances \$35,245

20 Wastewater Fund: Carryover Appropriations \$3,271,957, Encumbrances \$88,011

2) Consider approving a budget adjustment to transfer the remaining balance of Project Indus Phase 2 #321 in the amount \$24,691 to Project City MH Adjustment Program #309.

Analysis

All appropriations lapse at the end of each fiscal year, therefore it is necessary to request that certain unspent appropriations for goods and/or services be carried over into the subsequent fiscal year. The carryover appropriations represent budgeted Fiscal Year 2019-20 appropriations for goods and/or services that were not expended as of June 30, 2020, but are expected to be expended in the Fiscal Year 2020-21. Generally, allowable carryovers are limited to certain types of goods or services, such as professional service contracts, capital outlay or capital improvement projects (CIP). Due to their scope and size, CIP is inherently precluded from being completed within the fiscal year in which funding was initially appropriated.

The carryover of operating transfers represents the use of specific resources to fund specific carryover appropriations. The carryover of revenues typically relates to grants where the money has been received but not earned.

Encumbrances represent purchase orders (POs) issued for goods and/or services which were not received or completed during the prior fiscal year by June 30, 2020. A PO is a commitment created to reserve a portion of the appropriation's available balance, but does not represent an expenditure or liability for budgetary or accounting purposes. The budget appropriations associated with encumbrance's lapse at fiscal year-end unless the Board re-appropriates the funds in the subsequent fiscal year as requested in this report.

After all payments are made for goods and services received by June 30, 2020, staff analyzes the remaining appropriation balances and open encumbrances to determine their validity. If the proposed continuing appropriations and encumbrances were not carried over into Fiscal Year 2020-21, there would not be sufficient appropriations in the current year budget to fund existing and the current year adopted projects.

Legal Review

Not applicable.

Environmental Review

Subject activity is exempt from the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA allows an agency while establishing its own procedures "to list those specific activities which fall within each of the exempt classes", and the District has adopted "CEQA Guidelines and Implementing Procedures" that state on page 6 "'Projects" does not include C. Continuing administrative or maintenance activities."

Financial Review

The total amount to be carried over for Solid Waste Fund is \$41,873 The total amount to be carried over for Wastewater Fund is \$3,359,968.

Public Notice Process

Copies of this report are on file and will be included with the entire agenda packet for the October 26, 2020 Board of Directors regular meeting at District Headquarters and on District's website.

Alternative Actions

Refer the matter back to staff.

File Attachments

Attachment A & B- Carryover Appropriations and Encumbrances FY 2019-20 to 2020-21.pdf (80 KB)

E. GENERAL MANAGER'S REPORTS

Subject **3. Receive and File January through September 2020 Performance Measurement Report**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Receive and File

Goals [6.0 Administrative Management](#)

To: Board of Directors

From: Scott Carroll, General Manager

Date: October 26, 2020

Subject: Receive and File January through September 2020 Performance Measurement Report

Summary

On November 29, 2018, the Board of Directors adopted Administrative Regulations No. 70.00, Performance Measurement Program, which established methods and procedures for gathering and analyzing organizational performance while at the same time collaborating towards continuous improvement of performance in an open and transparent manner.

Recommendation

That the Board of Directors receive and file this report.

Analysis

A Performance Measurement Program has been developed to determine how well the District is performing in areas of efficiency, effective workforce, customer satisfaction, cost effectiveness, citizen engagement and transparency. The purpose of the program is to continually look at ways to improve and/or enhance the level of service that is being provided internally to staff and externally to the public.

The attached report is for performance during January through September 2020.

One measurement is temporarily being discontinued until staff believes the data is reliable. The measurement that is temporarily being discontinued is:

- Diverting 75% of the solid waste stream away from landfills.

Data for some measures could not be attainable due to the COVID-19 pandemic and it's quite possible data for the following measurements may not be obtained for the entire 2020 year.

- Number of Citizens Environmental Protection Academy (CEPA) attendees.
- Average rating of residents attending the Citizens Environmental Protection Academy (CEPA) indicated the program is Satisfactory.
- Number of days CMSD participated in community events and hosted District events.
- Number of attendees at CMSD State of the District event.

Notable measures to report.

- Available on CalRecycle website is the 2019 Disposal Rate per person in Costa Mesa. In 2019, the residential disposal rate per person in Costa Mesa is 4.6 pounds per person, which is 15% less than the 2018 disposal rate.
- It's taking less than a day to upload Board of Directors meeting videos on CMSD's website.
- The average number of business days it takes staff to respond to Public Records Request with requested documents is one day. State law gives public agencies 10 days to respond to public records requests.

- More people are using credit cards and Paypal to pay for services. In fact more than half of business transactions (53%) were performed using e-commerce.
- Only 61% of residents corresponding on the District's app indicated the effectiveness of staff is good or superior. However, the data from this measure is not a true reflection of staff because the low percentage is attributed to missed trash collections. Staff responds immediately to residents and notifications go directly to CR&R from the app when trash carts are missed and staff ensures carts are emptied either the same day or the following day. Staff will also correspond with CR&R to prevent recurring missed pickups.
- Social media followers and engagement have increased significantly due to the District's new Communication Outreach Plan and staff's collaboration with its consultant, Tripepi Smith.

Legal Review

Not applicable

Environmental Review

A Performance Measurement Program is an administrative matter that will not result in direct or indirect physical changes in the environment and is not considered a "project".

Financial Review

There are no financial impacts to the District for implementing a Performance Measurement Program

Public Notice Process

Copies of this report are on file and will be included with the entire agenda packet for the October 26, 2020 regular Board of Directors meeting at District Headquarters and on District website at www.cmsdca.gov

Alternative Actions

1. Direct staff to report back with more information.

File Attachments

[2020 Jan-Sept Outcome and Performance Measurement Program.pdf \(1,062 KB\)](#)

E. GENERAL MANAGER'S REPORTS

Subject **4. Receive and File 2020-25 Strategic Plan Quarterly Update - FY 2020-21 1st Quarter**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Receive and File

Goals 1.0 Sewer Infrastructure
 2.00 Solid Waste
 3.00 Partnerships
 4.0 Community Outreach & Communications
 5.0 Administrative Management
 6.0 Personnel/Organizational Management
 7.0 Finance

To: Board of Directors

From: Scott Carroll, General Manager

Date: October 26, 2020

Subject: Receive and File 2020-25 Strategic Plan Quarterly Update - FY 2020-21 1st Quarter

Summary

On June 22, 2020, the Board of Directors adopted the 2020-2025 Strategic Plan, which is a plan that establishes goals, objectives, strategies and work plans for the next five years and will help move the organization in a direction toward achieving its mission and vision. Attached is the first quarterly update of the new Plan that demonstrates the progress staff is making toward achieving the strategic goals. The next quarterly report from this Plan will be presented to the Board on January 26, 2021.

Recommendation

That the Board of Directors receive and file this report.

Analysis

The 2020-25 Strategic Plan is the most ambitious Plan in the history of the District. The Plan has 131 Strategic Goals to achieve and/or implement in the next five years compared to 48 strategic goals in the FY 2015-20 Strategic Plan. In the first quarter, staff has already completed the following strategic goals:

- 1.15.1 - New inspector will perform inspections for sewer projects.
- 7.1.1 - Implement a recognition board; employee can post thank you notes, photos, and announcements to share with staff
- 7.3.1 - Issue employee surveys with short yes or no questions to analyze employee satisfaction
- 7.6.1 - Promote open enrollment and benefit options through the annual Benefits Fair
- 7.6.2 - Develop clear and understandable policies

77 Strategic Goals are already in progress.

Legal Review

Not applicable

Environmental Review

The District's Strategic Plan is a planning document and preparation and adoption of the plan itself is an administrative matter and is not a disturbance of the environment similar to grading or construction and is not a project under CEQA or the District's CEQA Guidelines. The environmental review of each of the efforts or projects outlined in the Strategic Plan will occur when the Board of Directors specifically considers each of the items since that is when the full scope of work of each effort or project will be described

Financial Review

Activities described in the strategic goals are funded in the budget.

Public Notice Process

Copies of this report are on file and will be included with the entire agenda packet for the October 26, 2020 Board of Directors regular meeting at CMSD headquarters and on CMSD's website at www.cmsdca.gov.

Alternative Actions

1. Direct staff to report back with more information.

File Attachments

[2020-25 Qtly Progress Report 2020-21 1st Qtr.pdf \(341 KB\)](#)

E. GENERAL MANAGER'S REPORTS

Subject **5. Approve the emergency services contract with American Integrated Services, Inc. and Request Budget Transfer \$429,000 from Project #327 Calcium Removal Phase 1 to Project # 333 Elden Force Main Air Release Valve Removal**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action

Fiscal Impact Yes

Recommended Action That the Board of Directors:
1. Approve the emergency services contract with American Integrated Services, Inc. for \$89,632; and
2. Approve transferring \$429,000 from Project #327 Calcium Removal Phase I to Project #333 Elden Force Main Air Release Valve Removal

Goals 1.0 Sewer Infrastructure
 1.7 Sewer Infrastructure - Repair infrastructure after deficiencies have been identified

To: Board of Directors

From: Scott Carroll, General Manager

Date: October 26, 2020

Subject: Approve the emergency services contract with American Integrated Services, Inc. and Request Budget Transfer \$429,000 from Project #327 Calcium Removal Phase 1 to Project # 333 Elden Force Main Air Release Valve Removal

Summary

On October 2, 2020, the District experienced a sanitary sewer overflow (SSO) that occurred inside the Mesa Drive SR55 overpass bridge. The SSO was caused by rags and debris clogging the air release valve to the Elden force main.

Wastewater Air Release Valves are designed to release accumulated air from a piping system while the system is in operation and under pressure. Staff believes the clogging was the result of COVID-19 because the valve was last inspected and flushed in December 2019.

Recommendation

That the Board of Directors:

1. Approve the emergency services contract with American Integrated Services, Inc. for \$89,632; and
2. Approve transferring \$429,000 from Project #327 Calcium Removal Phase I to Project #333 Elden Force Main Air Release Valve Removal

Analysis

On Friday, October 2, 2020 at 7:42 am the District was notified that water was emitting underneath the Mesa Drive SR 55 overpass bridge and onto the southbound lane shoulder of the freeway. At approximately 8:03 am staff arrived on the freeway shoulder with the combination sewer cleaning truck to block the storm drain and begin capturing the spill. At approximately 9:04 am more staff arrived on the Mesa Drive overpass bridge and began confine space entry to enter the bridge and determine what's causing the spill.

After staff entered the bridge they saw wastewater overflowing on the top of the force main air release valve. The SSO stopped at 9:48 am after staff turned off the air release valve by shutting down a 2" ball valve. Staff believes the SSO was caused by rags and debris as a result of more people staying home due to COVID-19. The air release valve is on an annual inspection and flushing program in which the last time it was inspected and flushed was in December 2019. Furthermore, improvements were made to the air release valve and piping in 2018 that included a new pipe to the air release valve and coating the valve to prevent rusting.

Staff estimates the spill volume to be 3,950 gallons in which 1,350 gallons of the total amount entered a Caltrans storm drain. California Office of Emergency Services was notified, as required by the State Water Discharge Requirement because wastewater entered a storm drain, and Orange County Healthcare Agency and Public Works were notified. Orange County Sanitation District was available to provide backup assistance, but they were not needed and staff mobilized several private pumping trucks in case the Elden Lift Station wet well needed to be pump down to reduce flow from the mainline. However, the pumper trucks were not used because the spill volume was estimated at 25 gallons per minute and stopping the SSO did not require diverting wastewater from the mainline to perform repairs. Attached are pictures of the SSO and recovery efforts.

On the same day of the SSO, staff contacted Caltrans officials to coordinate cleanup efforts inside the storm drain. The following week staff and Caltrans officials met several days to strategize a cleanup plan. It was determined to test several samples of sludge inside the storm drain to verify if fecal matter existed in the drainage system. On Wednesday, October 7, eight samples were taken from the storm drain at a cost of **\$11,124.00**. In accordance to the District's Operations Code Section 4.04.120(a), the General Manager determined the sampling for fecal matter in Caltrans storm drain to be an emergency to public health and safety and authorized work to be performed without the benefit of competitive bidding. In accordance with the Code, the Board is receiving this report at your successive regular meeting stating the justification for the emergency work. Attached is the proposal for the sampling.

Results of the sampling came back positive for fecal matter, so Caltrans and staff finalized our cleanup plan. Because there is a sag in the storm drain and the drainage system is full of debris, grit and sludge, staff believes wastewater from the SSO was captured inside the storm drain and did not enter the Delhi Channel. Caltrans agrees with staff's assessment. The General Manager approved the proposal from American Integrated Services, Inc. to clean the storm drain by removing 4,700 feet of debris, grit and sludge at a cost of **\$78,508**. In accordance to the District's Operations Code Section 4.04.120(a), the General Manager determined the cleaning of Caltrans storm drain to be an emergency to public health and safety and authorized work to be performed without the benefit of competitive bidding. In accordance with the Code, the Board is receiving this report at your successive regular meeting stating the justification for the emergency work. On Monday, October 12 cleanup began and it was concluded by noon on Friday, October 16 (4.5 days). Attached are pictures of the cleanup.

The air release valve is still shut off. To prevent this from happening again, staff believes we can simply remove the valve altogether due to the geometry and flow characteristics of the force main. Removing the valve is the preferred method, but if that's not feasible a second alternative is relocating the air release valve outside the bridge and at the corner of Newport Blvd and Mesa Drive. A containment device would be installed to ensure future spills, if any, would not enter the storm drain system. Interim District Engineer Mike Benesh will be available to answer questions about both alternatives.

The total cost for the sampling and cleaning Caltrans storm drain is **\$89,632**. This expenditure is not budgeted nor is the cost to remove or replace the air release valve. Staff is recommending transferring **\$429,000** from Project #327, Calcium Removal Phase 1 and allocate the funds to pay for emergency services (sampling and cleanup) and for a new project, Project #333 Elden Force Main Air Release Valve Removal. Robin Hamers & Associates are currently developing designs to remove calcium from the District's collection system, but there is not a dire need to remove calcium right now, so Project #327 can be delayed a year or two. There is however, a dire need to remove the Elden Force Main air release valve, which is why staff is seeking your approval to transfer and allocate funds.

Legal Review

Not applicable

Environmental Review

Replacing a force main air release valve is categorically exempt under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) under Section 15301 as a “Class 1” “minor alteration of existing public or private structures”, as further described in Section (b) as “Existing facilities of both investor and publicly-owned utilities used to provide sewerage ...”.

Financial Review

The total cost for the sampling and cleaning Caltrans storm drain is **\$89,632**. This expenditure is not budgeted nor is the cost to remove or replace the air release valve. Staff is recommending transferring **\$429,000** from Project #327, Calcium Removal Phase 1 and allocate the funds to pay for emergency services (sampling and cleanup) and for a new project, Project #333 Elden Force Main Air Release Valve Removal.

Project 327 Calcium Removal Ph1

FY 2021-20 Budget	\$450,000
RBH Design Phase	(21,000)
Available Budget	\$429,000

Propose Budget Adjustment Transfer

Account	Account Description	Budget Adjustment
20-201327-4300	Calcium Removal Ph1	(\$429,000)
20-201333-4300	Elden Force Main Air Release Valve Removal	\$429,000

Public Notice Process

Copies of this report are on file and will be included in the complete agenda packet for the October 26, 2020 Board of Directors Regular Meeting at District Headquarters and posted on the District’s website at www.cmsdca.gov.

Alternative Actions

1. Direct staff to report back with more information.

<p>File Attachments Elden FM ARV 10-02-20 Pictures.pdf (2,680 KB) Sludge Sample Quote.pdf (46 KB) Cleaning Proposal.pdf (41 KB) Storm Drain Cleanup Pictures.pdf (668 KB)</p>

E. GENERAL MANAGER'S REPORTS

Subject **6. Project #318 President Pump Station Reconstruction - Approving Contract Administration & Inspection Services with Robin B. Hamers & Associates, Inc.**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Receive and File

Goals 1.0 Sewer Infrastructure
 1.1 Sewer Infrastructure - Prevent Sanitary Sewer Overflows (SSOs)
 1.6 Sewer Infrastructure - Rehabilitate and/or replace infrastructure before reaching the end of its life cycle
 1.15 Sewer Infrastructure - Plan check designs and perform inspections in accordance with the Standard Plans and Specifications for the Construction of Sanitary Sewers

To: **Board of Directors**

From: **Scott Carroll, General Manager**

Date: **October 26, 2020**

Subject: **Project #318 President Pump Station Reconstruction - Approving Contract Administration & Inspection Services with Robin B. Hamers & Associates, Inc.**

Summary

Later this evening the Board will be considering awarding a contract to reconstruct President Pump Station. If the Board approves the construction contract then the General Manager is approving the contract administration, engineering and inspection services proposal from Robin B. Hamers & Associates, Inc.

Recommendation

That the Board of Directors receive and files this report.

Analysis

In 2018 and 2019, the Board of Directors considered several alternatives for reconstructing the President Pump Station. After discussing each alternative and receiving Citizens Advisory Committee recommendation, the Board of Directors approved Alternative 2 to reuse the existing concrete pump station structure as the emergency storage vault. A structural engineering study was conducted and the results of the analysis indicated that because building codes have become stricter over the years, the existing concrete vault requires moderate structural enhancements to meet these codes. The Board of Directors directed Robin B. Hamers & Associates, Inc., to complete construction designs that include moderate structural enhancements to the existing concrete structure. Bids were solicited from qualified contractors and the bid results along with a recommendation to award a contract is being considered later this evening.

Robin B. Hamers & Associates, Inc. (RBH) submitted a proposal to perform contract administration, engineering and inspection services in the amount of **\$100,500**. Industry standard for contract administration, engineering and inspection services is ten percent of the construction cost. RBH proposal is below ten percent, so the General Manager is approving the attached proposal.

Legal Review

Not applicable.

Environmental Review

The replacement of an existing pump station with a similar pump station of the same size for the same rate of flow as shown on the plans for Project #318 is categorically exempt under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) under Section 15302 as a "Class 2" project as stated under **15302(c) "Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity"**.

Financial Review

The cost for administration, engineering and inspection services is **\$100,500**. There is adequate funding in the capital improvement budget for this expense.

Public Notice Process

Copies of this report are on file and will be included with the complete agenda packet for the October 26, 2020 Board of Directors meeting at District Headquarters and posted on the District's website at www.cmsdca.gov

Alternative Actions

1. Do not approve RBH proposal and direct staff to seek bids for contract administration and inspection services.

File Attachments

[#318 RBH Proposal.pdf \(135 KB\)](#)

F. ENGINEER'S REPORTS

Subject **1. Receive and File the Monthly Capital Improvements Project Status Report**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action, Receive and File

Recommended Action That the Board of Directors receive and file the report.

Goals 4.7 Demonstrate outstanding efforts in transparency
 7.2 Develop a long term CIP
 1.10 Abandon five pump stations on the west side in conjunction with Orange County Sanitation District companion project
 1.4 System Wide Sewer Replacement and Repair Program
 1.1 Manhole Cover Maintenance Program
 1.0 Sewer Infrastructure

To: Board of Directors

Via: Scott Carroll, General Manager

From: Michael Benesh, District Engineer

Date: October 26, 2020

Subject: Capital Improvement Projects Status Report

Summary

Attached is a summary of the Capital Improvement Project activities during the month.

Recommendation

That the Board of Directors receive and file the report.

Analysis

Attached are fourteen capital improvement projects that are in progress or will soon begin.

Legal Review

Not Applicable.

Environmental Review

Subject activity is exempt from the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA allows an agency while establishing its own procedures "to list those specific activities which fall within each of the exempt classes", and the District has adopted "CEQA Guidelines and Implementing Procedures" that state on page 6 "'Projects" does not include C. Continuing administrative or maintenance activities."

Financial Review

Sufficient funds are available in the adopted budget.

Public Notice Process

Copies of this report are on file and will be included with the complete agenda packet for the October 26, 2020 Board of Directors Regular meeting at District Headquarters and posted on the District's website www.cmsdca.gov.

Alternative Actions

1. Refer item back to staff with further instructions.

File Attachments

[CIP Updates Oct 2020 Mtg.pdf \(696 KB\)](#)

F. ENGINEER'S REPORTS

Subject	2. Project #318 President Pump Station Reconstruction Bid Opening and Award of Contract
Meeting	Oct 26, 2020 - Board of Directors Regular Meeting
Access	Public
Type	Action
Fiscal Impact	Yes
Recommended Action	The Board of Directors: 1. Award a contract to the lowest responsive and responsible bidder, GCI Construction, Inc., in the amount of \$1,626,100. 2. Approve a contingency of 10% in the amount of \$162,610.
Goals	1.1 Sewer Infrastructure - Prevent Sanitary Sewer Overflows (SSOs) 1.6 Sewer Infrastructure - Rehabilitate and/or replace infrastructure before reaching the end of its life cycle

To: Board of Directors

From: Michael Benesh, Interim District Engineer

Date: September 28, 2020

Subject: Project #318 President Pump Station Reconstruction Bid Opening and Award of Contract

Summary

The President Pump Station Reconstruction Project was previously bid in 2018, however, the bids came in significantly above the engineer's estimate and exceeded the project budget. The Board rejected the bids and the project was re-designed with the intent of lowering the cost to be within the project budget.

The current project will construct a new submersible sewer pump station to replace the existing wet well-dry well pump station, convert the existing station structure into an emergency storage vault, and install a permanently mounted emergency diesel generator.

The low bid in 2018 was \$1.947 million. The engineer's estimate for the current project is \$1.570 million while the low bid is \$1.626 million, about 3.5 percent over the engineer's estimate, but within the budget for the project.

Recommendation

The Board of Directors:

1. Award a contract to the lowest responsive and responsible bidder, GCI Construction, Inc., in the amount of \$1,626,100.
2. Approve a contingency of 10% in the amount of \$162,610.

Analysis

Bids were opened on September 16, 2020 for the project. Five bids were received and the results are as follows:

GCI Construction, Inc.	\$1,626,100
Schuler Construction	\$ 1,757,073
Metro Builders	\$ 1,819,913
Pacific Hydrotech	\$ 1,865,900
GRFCO Inc	\$ 1,827,000

Staff checked the licensing requirements for the low bidder, GCI Construction, who has completed a number of projects for the District in the past, and found everything in order, therefore, a recommendation to award the contract is being made.

Legal Review

District Counsel prepared and signed the construction contract being considered.

Environmental Review

The replacement of an existing pump station with a similar pump station of the same size for the same rate of flow as shown on the plans for Project #318 is categorically exempt under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) under Section 15302 as a "Class 2" project as stated under **15302(c) "Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity"**.

Financial Review

As of June 30, 2020 Project 318 President Pump Station Reconstruction has an available budget of **\$2,105,719**. At tonight's meeting, staff will request Board approval to carryover appropriation for this project. There are sufficient funds to cover for this project.

Public Notice Process

Copies of this report are on file and will be included with the entire agenda packet for the October 26, 2020 Board of Directors study session at District Headquarters and on District's website.

Alternative Actions

1. Reject the bids.
2. Refer the matter back to staff for additional information.

File Attachments

[CMSD #318 Bid Tab 9.16.2020.pdf \(10 KB\)](#)

[#318 GCI Signed Contract.pdf \(1,493 KB\)](#)

G. TREASURER'S REPORTS

Subject **1. Approve the Investment Report for the Month of September 2020**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Action

Recommended That the Board of Directors approve the Investment Report for the month of
Action September 2020.

To: Board of Directors

From: Marc Davis, District Treasurer

Date: October 26, 2020

Subject: Approve the Investment Report for the Month of September 2020

Summary

Attached is the Investment Report for the month of September 2020. As required by the District's Statement of Investment Policy, the Investment Report delineates all investment activity during the month.

Recommendation

That the Board of Directors approve the Investment Report for the month of September 2020.

Analysis

This report lists the types of securities held in the District's portfolio, the institutions from which the securities were purchased, maturity dates and interest rates as of September 30, 2020. The District's investments are in compliance with the Statement of Investment Policy adopted by the Board at the June 22, 2020 regular meeting, as well as the California Government Code. The market values in this report were provided by our third party custodian, Pershing, LLC, except for the Local Agency Investment Fund (LAIF). The market value of LAIF was provided by the State Treasurer's Office. It does not represent the value of the underlying securities within the pool, but rather the par or cost amount, which is the amount the District is entitled to withdraw. This reporting practice is consistent with industry standard practices for similar funds.

The weighted average stated rate of return (current yield) for the District's investment portfolio as of September 30, 2020, was 0.910%. The yield to maturity of the portfolio was 0.913%. The District's weighted average interest rate was 23 basis points (0.225%) above the LAIF average monthly rate for September 2020 of 0.685%. The weighted average number of days to maturity for the District's total portfolio was 1,034 days (2.83 years). The duration of the underlying securities in LAIF as of September 30, 2020 was 169 days.

The District's investment portfolio is in compliance with its liquidity limitations, which requires that a minimum of 20.00% of the portfolio must mature within one year. The percentage of the portfolio maturing in one year or less as of September 30, 2020 was 30.10%. The District has adequate cash reserves necessary to meet its obligations for the next six months.

The rating on one of the District's investments, Wells Fargo medium term note, declined to BBB+ by Standard & Poor's. Moody's continues to rate the security as A2. The California Government Code requires that the security be rated in the top three ratings by a nationally recognized rating agency, which the security is. The security was placed on the District's watch list and the ratings will continue to be monitored. The District's Investment Policy allows for a security to continue to be held if it falls out of compliance.

A majority of the District's cash and investments is reserved or set aside for specific purposes. A description of the various classifications of the District's cash and investments are as follows:

Solid Waste Fund:

Operating Reserve - Equal to 30% of the operations budget of the Solid Waste Fund per Operations Code Section 4.030.020. The Operating Reserve can only be accessed with prior Board approval.

Designated for Revenue Dry Period - Equal to 5 months of budgeted operating expenses for the fiscal year to cover the cash deficit during the period in which the District does not receive any of its annual charges from the County of Orange. The revenue dry period is from June through October.

Undesignated - Remaining available cash, which is currently used for rate stabilization and payment of organics recycling costs.

Wastewater Fund:

Operating Reserve - Equal to 25% of the operations budget of the Wastewater Fund per Operations Code Section 4.030.020. The Operating Reserve can only be accessed with prior Board approval.

Reserved for Capital Outlay - Set aside for capital improvement projects approved and budgeted by the Board, but which have not yet been completed.

Designated for Revenue Dry Period - Equal to 5 months of budgeted operating expenses for the fiscal year to cover the cash deficit during the period in which the District does not receive any of its annual charges from the County of Orange. The revenue dry period is from June through October.

Undesignated - Remaining available cash, which is available to be appropriated by the Board.

Facilities Revolving Fund - Collection of fixture fees which is a restricted revenue source and can only be used for new sewer facilities.

Asset Replacement Fund - Accumulation of funds for replacement of vehicles, equipment and computers.

Asset Management Fund - Accumulation of funds in accordance with the asset management model for long-term replacement of sewer pipes and related infrastructure.

Legal Review

Legal review is not required.

Environmental Review

Subject activity is exempt from the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.). Section 15300.4 of CEQA allows an agency while establishing its own procedures "to list those specific activities which fall within each of the exempt classes", and the District has adopted "CEQA Guidelines and Implementing Procedures" that state on page 6, "'Projects" does not include....C. Continuing administrative or maintenance activities."

Financial Review

The portfolio was budgeted to earn an average rate of 1.392% for the year ending June 30, 2021. Through September 30, 2020, the portfolio has earned a weighted average interest rate of 0.950%.

Public Notice Process

Copies of this report are on file and will be included with the entire agenda packet for the October 26, 2020 Board of Directors regular meeting at District Headquarters (290 Paularino Avenue) and on the District's website at www.cmsdca.gov.

Alternative Actions

Refer the matter back to staff.

File Attachments
[Investment Report 9-30-20.pdf \(747 KB\)](#)

I. LOCAL MEETINGS: In accordance with AB 1234 (Gov. Code 53232.3), a report is required to be given by a Director for any meeting for which expense reimbursement of any kind is provided. Note: For meetings for which the per diem compensation is sought, the Operations Code provides that such compensation is authorized for each day's service rendered as a Director at the request of the Board (not to exceed six days in one month), and certain meetings are specified as being eligible as set forth in District Operations Code § 3.01.030. For meetings not so listed, the Board must approve the service for it to be eligible for the per day compensation.

Subject	1. Orange County Sanitation District (OCSD) - (President Ferryman)
Meeting	Oct 26, 2020 - Board of Directors Regular Meeting
Access	Public
Type	Information

I. LOCAL MEETINGS: In accordance with AB 1234 (Gov. Code 53232.3), a report is required to be given by a Director for any meeting for which expense reimbursement of any kind is provided. Note: For meetings for which the per diem compensation is sought, the Operations Code provides that such compensation is authorized for each day's service rendered as a Director at the request of the Board (not to exceed six days in one month), and certain meetings are specified as being eligible as set forth in District Operations Code § 3.01.030. For meetings not so listed, the Board must approve the service for it to be eligible for the per day compensation.

Subject **2. Santa Ana River Flood Protection Agency (SARFPA) - (Director Perry)**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Information

I. LOCAL MEETINGS: In accordance with AB 1234 (Gov. Code 53232.3), a report is required to be given by a Director for any meeting for which expense reimbursement of any kind is provided. Note: For meetings for which the per diem compensation is sought, the Operations Code provides that such compensation is authorized for each day's service rendered as a Director at the request of the Board (not to exceed six days in one month), and certain meetings are specified as being eligible as set forth in District Operations Code § 3.01.030. For meetings not so listed, the Board must approve the service for it to be eligible for the per day compensation.

Subject **3. Independent Special Districts of Orange County (ISDOC) -
(Secretary Schafer)**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Information

I. LOCAL MEETINGS: In accordance with AB 1234 (Gov. Code 53232.3), a report is required to be given by a Director for any meeting for which expense reimbursement of any kind is provided. Note: For meetings for which the per diem compensation is sought, the Operations Code provides that such compensation is authorized for each day's service rendered as a Director at the request of the Board (not to exceed six days in one month), and certain meetings are specified as being eligible as set forth in District Operations Code § 3.01.030. For meetings not so listed, the Board must approve the service for it to be eligible for the per day compensation.

Subject **4. California Special Districts Association (CSDA) - (Secretary Schafer)**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Information

I. LOCAL MEETINGS: In accordance with AB 1234 (Gov. Code 53232.3), a report is required to be given by a Director for any meeting for which expense reimbursement of any kind is provided. Note: For meetings for which the per diem compensation is sought, the Operations Code provides that such compensation is authorized for each day's service rendered as a Director at the request of the Board (not to exceed six days in one month), and certain meetings are specified as being eligible as set forth in District Operations Code § 3.01.030. For meetings not so listed, the Board must approve the service for it to be eligible for the per day compensation.

Subject **5. Special District Risk Management Authority (SDRMA) - (Director Scheafer)**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Information

I. LOCAL MEETINGS: In accordance with AB 1234 (Gov. Code 53232.3), a report is required to be given by a Director for any meeting for which expense reimbursement of any kind is provided. Note: For meetings for which the per diem compensation is sought, the Operations Code provides that such compensation is authorized for each day's service rendered as a Director at the request of the Board (not to exceed six days in one month), and certain meetings are specified as being eligible as set forth in District Operations Code § 3.01.030. For meetings not so listed, the Board must approve the service for it to be eligible for the per day compensation.

Subject **6. Other Meetings Qualifying for Reimbursement under CMSD Ordinance No. 55, Operations Code Section 3.01.030**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type Information

L. ORAL COMMUNICATIONS AND DIRECTOR COMMENTS

Subject	1. Oral Communications and Director Comments
Meeting	Oct 26, 2020 - Board of Directors Regular Meeting
Access	Public
Type	Discussion

M. ADJOURN TO CLOSED SESSION

Subject **1. Conference with Legal Counsel – Existing Litigation Paragraph (1) of subdivision (d) Section 54956.9 California River Watch v. Costa Mesa Sanitary District, USDC No.: 8:20-cv-01702**

Meeting Oct 26, 2020 - Board of Directors Regular Meeting

Access Public

Type

N. RECONVENE TO OPEN SESSION

Subject

1. Report out of Closed Session

Meeting

Oct 26, 2020 - Board of Directors Regular Meeting

Access

Public

Type

O. CLOSING ITEMS

Subject

1. Adjourn

Meeting

Oct 26, 2020 - Board of Directors Regular Meeting

Access

Public

Type

Procedural

THE NEXT REGULAR MEETING OF COSTA MESA SANITARY DISTRICT BOARD OF DIRECTORS WILL BE HELD ON MONDAY, NOVEMBER 23, 2020 AT 4:30 P.M. VIA TELECONFERENCE.