



**Monday, February 22, 2021  
Board of Directors Regular Meeting**

**Time: 4:30 P.M.**

**IMPORTANT NOTICE REGARDING FEBRUARY 22, 2021 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.**

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**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](http://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.**

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**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."**

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**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)**
- 2. Open the Zoom app. Select "Join a Meeting."**
- 3. Enter Zoom Meeting ID. Select "Join Meeting."**

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**To join the meeting by phone:**

- 1. Call 1-669-900-6833.**
- 2. You will be asked to enter the Meeting ID number. Dial 832 0989 2356#**
- 3. Lastly, you will be asked to enter your Participant ID. Press the # symbol again to bypass this step.**

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**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](mailto:nmiddenway@cmsdca.gov). Those comments will be made part of the official public record of the meeting.**

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**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.**

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**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**

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1. Call to Order - President Ooten
2. Invocation - Vice President Scheafer
3. 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.)

4. 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.

5. Ceremonial Matters and Presentations

6. Pledge of Allegiance - President Ooten

**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.**

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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.**

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1. Approve Consent Calendar

2. Approve the Board of Directors Study Session Minutes of January 12, 2021

3. Approve the City/Districts Liaison Committee Meeting Minutes of January 15, 2021

4. Approve the Board of Directors Regular Meeting Minutes of January 25, 2021

5. Adopt Warrant Resolution No. CMSD 2021-08 Approving District Warrant Registers

6. Approve the Directors' Compensation and Reimbursement of Expenses

7. Accept the occupancy count as presented as 23,003 and direct staff to prepare a warrant to CR&R Environmental Services for \$238,391.59 for January 2021 collection

8. Approve the preparation of a warrant to CR Transfer in the amount of \$203,798.60 for January 2021 recycling and disposal services in the February 2021 warrant register

9. Receive and File the January 2021 Organics Tonnage Report

10. Receive and File the January 2021 Solid Waste Diversion Report

11. Approve Payroll Transparency Disclosure for January 2021

12. Approve the Investment Report for the Month of January 2021

13. Receive and File 2020 Annual Health Benefits Broker Fees Report

14. Receive and File Contracts Signed by the General Manager - January 2021

#### **D. PUBLIC HEARINGS**

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#### **E. GENERAL MANAGER'S REPORTS**

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1. Award Brian Prenger, Wastewater Maintenance Worker I, \$150.00 for his Rewarding Idea to Improve Safety Conditions

2. Consider Amending Administrative Policy No. 70.00 Naming District Facilities and Naming a District Facility after Long Time and Former Board Member, James Ferryman

#### **F. ENGINEER'S REPORTS**

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

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**G. TREASURER'S REPORTS**

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**H. ATTORNEY'S REPORTS**

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**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 &nbsp;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.&nbsp;&nbsp; For meetings not so listed, the Board must approve the service for it to be eligible for the per day compensation.**

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1. Orange County Sanitation District (OCSD) - (President Ooten)
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) - (Vice President Scheafer)
6. Other Meetings Qualifying for Reimbursement under CMSD Ordinance No. 55, Operations Code Section 3.01.030

**J. OLD BUSINESS**

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**K. NEW BUSINESS**

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1. Adopt Resolution No. 2021-937 Nominating Vice President Scheafer as a Candidate for Election to the Special District Risk Management Authority (SDRMA) Board of Directors

**L. ORAL COMMUNICATIONS AND DIRECTOR COMMENTS**

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1. Oral Communications and Director Comments

**M. ADJOURN TO CLOSED SESSION**

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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
2. Discuss annual performance evaluation of General Manager pursuant to Government Code Section 54957
3. Provide President, as negotiator, with authority to negotiate with General Manager for compensation and benefits pursuant to Government Code Section 54957.6

**N. RECONVENE TO OPEN SESSION**

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1. Announce Any Action Taken in Closed Session

**O. CLOSING ITEMS**

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1. Adjourn