

**MINUTES OF THE ADJOURNED REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE MIDWAY CITY
SANITARY DISTRICT OF ORANGE COUNTY
14451 CEDARWOOD AVENUE
WESTMINSTER, CA 92683**

June 1, 2016

CALL TO ORDER

President Rice called the adjourned regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Wednesday, June 1, 2016 at 10:00 A.M.

BOARD MEMBERS PRESENT:

Al P. Krippner
Joy L. Neugebauer (received certificate at OCSD)
Tyler Diep (absent)
Frank A. Cobo
Margie L. Rice

OTHERS AT MEETING:

Robert Housley, Acting General Manager
Danielle Gerardo, Board Secretary
Crystal Enciso, Admin. Secretary/Accountant
Juan Salce, Lead Fleet Maintenance Mechanic

PLEDGE AND INVOCATION

Finance/HR Director and Acting GM Housley led the Pledge of Allegiance. President Rice gave the Invocation.

PUBLIC COMMENTS

None

NEW BUSINESS

A. Webinar – Required AB 1825 Sexual Harassment/Discrimination Prevention for Staff and Elected Officials

Dennis Timoney, SDRMA's Chief Risk Officer, presented the webinar for California Special Districts Association (CSDA). He reviewed the Fair Employment and Housing Act (FEHA), gave the definition of sexual harassment, gave examples of unlawful harassing behavior, reviewed the employer's liability, the different forms of sexual harassment, abuse and hostile work environments, and reviewed the employer's requirements, duties and liabilities which include:

- Employers must do their due diligence and offer regular training
- Update their personnel policy and if more than 10% of the employees speak another language, have it translated into their first language
- Create a complaint process to make sure that the employer who receives the allegations conducts a fair, timely and thorough investigation
- Ensure that appropriate remedial measures are taken
- Ensure that there is no retaliation on the employee due to the complaint.

As of April 1, 2016 California employers must have a harassment, discrimination, and retaliation prevention policy that:

- Is in writing
- Lists all current protected categories under the Fair Employment and Housing Act
- Specifies that employees are protected from illegal conduct from any workplace source, including third parties who are in the workplace
- Creates a confidential complaint process that ensures a timely response, impartial investigation by qualified personnel, documentation and tracking, appropriate remedial actions and resolutions, and timely closure
- Informs employees about several avenues of complaint other than to a direct supervisor
- Requires supervisors to report any complaints of misconduct to a designated company representative
- Makes clear that employees will not be exposed to retaliation as a result of making a complaint or participating in any workplace investigation

INFORMATIONAL ITEMS

None

BOARD CONCERNS/COMMENTS

Director Krippner stated that the webinar would have been more effective if there were several people talking instead of one person for two hours.

Director Cobo stated that the District needs to review and update its current personnel policy and ensure that the District's employees are aware of their rights.

President Rice stated that once the whole MCSD Board has taken the AB 1825 course, there should be a closed session discussion regarding past remarks made in Board meetings.

GM/STAFF CONCERNS/COMMENTS

Finance/HR Director and Acting GM Housley stated that the water pipe that was leaking on Hazard had been repaired and water to the District office was back on.

Finance/HR Director and Acting GM Housley reminded the Board that there was a regular adjourned Board meeting tomorrow – Thursday, June 2, 2016 at 5 P.M. that was rescheduled from the regular meeting date of Tuesday, June 7, 2016.

GENERAL COUNSEL CONCERNS/COMMENTS

None

CLOSED SESSION

CLOSED SESSION: During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government Code Sections 54956.8, 54956.9, 54957 or 54957.6, as noted.

Reports relating to (a) purchase and sale of property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time as the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

None

ADJOURNMENT

President Rice adjourned the meeting to Thursday, June 2, 2016 at 5 P.M. at the District office at 10:00 A.M. at approximately 11:57 A.M.


Frank Cobo, Secretary