

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

March 7, 2017

CALL TO ORDER

President Diep called the regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Tuesday, March 7, 2017 at 5:01 P.M.

BOARD MEMBERS PRESENT:

Al P. Krippner
Margie L. Rice
Charlie Nguyen
Frank A. Cobo
Tyler Diep

OTHERS AT MEETING:

Ken Robbins, General Manager
Robert Housley, Finance/HR Director
James Eggart, General Counsel
Danielle Gerardo, Board Secretary

PLEDGE AND INVOCATION

Director Krippner led the Pledge of Allegiance. GM Robbins gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 21, 2017

A motion was made by Director Rice, seconded by Director Cobo, to approve the minutes of the regular meeting of February 21, 2017. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 235,523.18

#	CK #	Date	AMOUNT	VENDOR
1				HANDCUT CHECKS:
2	8960	2/20	1,816.48	Los Alamitos NAPA Auto Parts - (12) Quarts Motor Oil, (4) Boxes Shammies, (10) Air Filters, (6) Fuel Filters,
3				(6) Oil Filters, (8) Cable Ties, (50ft) Heat Hosing, (24) 14oz Brakleen for Restock
4	8961	2/23	42,935.97	CalPERS Health Premium - Healthcare Premium for March 2017
5	8962	2/23	40.00	City of Westminster - Hydroni Meter Water Usage for January 2017
6	8963	2/23	150.00	Pitney Bowes/ Purchase Power - Postage for Postage Machine for January 2017
7	8964	2/23	883.01	The Standard Life Insurance - Life Insurance & AD&D Premium Coverage for March 2017
8	8965	3/1	211.70	AT&T - Brookhurst Lift Station Service for February 2017
9	8966	3/1	12,056.47	CalPERS Retirement - Retirement Contributions for February 2017
10	8967	3/1	1,057.08	Frontier California - District Office Phones & Lift Stations for February 2017; \$576.96 District Office,
11				\$160.04 Willow Lift, \$160.04 Westminster Lift, \$160.04 Hammon Lift.
12	8968	3/1	2,912.00	SDRMA Delta Dental - Dental Insurance Premium for March 2017
13	8969	3/1	7,032.67	Southern California Edison - District Office \$5,632.42, Brookhurst Lift Station \$121.73, Westminster Lift
14				Station \$682.84, Willow Lift Station \$168.58, Hammon Lift Station \$427.10.
15	8970	3/1	80.63	Unlon Bank - Restock Refuse Supplies for January 2017
16	8971	3/1	385.60	Vision Service Plan - Monthly Premium for March 2017
17	8972	3/1	1,234.15	The Gas Company - CNG Fuel for February 2017
18			70,795.76	HANDCUT CHECKS SUBTOTAL
19				
20				REGULAR CHECKS:
21	8973	3/1	254.04	Advanced Gas Products - (10) Nozzles, (3) Boxes of Gloves for Restock
22	8974	3/1	641.65	Bodyworks - Restock (4) Arm Tubes, (4) Yoke
23	8975	3/1	860.00	CRC Cloud - Maintenance & Support for March 2017; Replace Sewer Hard drive & Upgrade Memory
24	8976	3/1	71,246.09	CR Transfer - Tonnage from 02/01/2017 through 02/15/2017
25	8977	3/1	1,238.97	Cummins Cal Pacific - E.L.C Repairs & Parts to NG9
26	8978	3/1	2,121.17	Dantel's Tire Service - (10) Recaps & (3) Repairs for Restock
27	8979	3/1	5.54	Fastenal Industrial - (1) Stainless Steel Teflon Tape for CNG Station

28	8980	3/1	245.60	G & K Services - Uniform Services for February 2017
29	8981	3/1	79.42	Hillco Fastener Warehouse - Restock (10) Bolts; (1) Brass Adapter for Pump
30	8982	3/1	1,335.97	Jaycox Construction CNG - Training on Oil Change Procedures & Needle Valves for CNG Station;
31				Restock (4) Needle Valves for CNG Station
32	8983	3/1	1,653.07	Los Alamitos NAPA Auto Parts - Restock (4) L.E.D Light Kits, (4) Brake Drums, (2) Brake Shoes,
33				(2) Brake Kits, (2) Bonnets, (24) Brakeleen, (2) Plastic Body Creepers.
34	8984	3/1	1,381.61	NVB Equipment - A/C Service & Repair for NG2 & NG9
35	8985	3/1	9,600.00	Orange County Pump Corporation - Wet-Well Cleaning for All (4) Lift Stations; 2nd Quarter Quarterly
36				Maintenance for all (4) Lift Stations.
37	8986	3/1	961.92	Orange County Sanitation District - Second Quarter FOG Inspections 2016-2017
38	8987	3/1	792.16	Plumber's Depot - (2) Leader Hoses, (2) Tiger Tails, (2) Camlock Ends for Vactor Trucks (M63 & M64)
39	8988	3/1	1,187.60	TEC of California - Restock (6) Brake Pad Kits
40	8989	3/1	3,715.44	TESCO Controls - Motor Control Programming & Adjustment due to Failed Switch at Westminster
41				Lift Station; Restock (4) Back-Up Switches for Lift Stations.
42	8990	3/1	1,100.00	VNCR -(4)Talk show Public Outreach Recycling Promotions at (10)Minutes every First Mon in Feb 2017
43			98,420.25	REGULAR CHECKS SUBTOTAL
44				
45				PAYROLL
46		2/28	57,007.35	Payroll - Staff Checks Taxes & Direct Deposits
47		2/28	1,420.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
48		2/28	715.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
49		3/3	6,638.93	Board of Director's Payroll for the Month of February 2017 Check # 15902 - 15903
50		3/3	525.89	Board of Director's Nationwide Deferred Compensation for February 2017 (100% Paid By Directors)
51			66,307.17	PAYROLL SUBTOTAL
52				
53			235,523.18	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL)
54				

A motion was made by Director Cobo seconded by Director Rice, to approve the expenditures in the amount of \$ 235,523.18. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

REPORTS

Report of President

President Diep reported that he and Director Nguyen attended a Calendar Committee meeting on March 3, 2017 in order to approve pictures, content and certain holidays that the District observes, to give to the graphic designer for editing and for the initial draft of the District's 2018 calendar.

Report of General Manager

GM Robbins reported that he is still going back and forth working with the City of Westminster regarding the potential abandoned items program. The biggest issues are alleyways and the homeless population and he recommended that the City hire a biohazard company to take care of it. The City is still not able to provide numbers for the amounts of abandoned items that they are picking up so GM Robbins stated that he is not able to provide a solution to the problem at this time. He recommended to the Board that the District put off making a decision at this time, especially since CR&R is now accepting e-waste from the District. He stated that the District is picking up more bulky items each year, and that during the next budget cycle, staff may recommend hiring an additional full time employee to aid with the District's bulky item program.

GM Robbins reported that staff will set up a staff luncheon for Sergio Gonzalez, who was nominated for the Spirit Award as MCSD's Employee of the Year, as well as the annual Professionals Day luncheon on Wednesday, April 26th.

GM Robbins reported that Director Nguyen suggested live media to showcase the District and is hoping to schedule that for sometime in the spring.

GM Robbins reported that he met with OpTerra Energy Services and would be putting a study session date on the next agenda for the Board to have them to present their findings to the Board and to review the solar program development study that they have done for the District. The Board will be presented with several different options at different prices. After a decision is made, it will need to be posted in the newspaper two weeks prior to the meeting in order for the Board to vote on the subject.

Director Krippner asked whether the solar panels were being mounted on the roof or in the parking lot.

GM Robbins stated that the District roofs were ruled out due to the cost of engineering the structure of the buildings and that it would also be more cost-effective to build the solar panels in the employee's parking lot along Hazard Avenue.

Report from the Orange County Sanitation (OCSD) Meeting on February 22, 2017

None

Report from Special District Leadership Academy Conference February 26-March 1, 2017

Director Cobo reported that he enjoyed the conference and that he received a certificate for attending. He liked the classes and meetings and felt that they were very beneficial.

Director Nguyen stated that he had received similar training in the past but that he felt it was good to have a refresher course since this program applied directly to Special Districts.

Director Rice stated that she was sorry that she had to leave and hoped that the District was able to recoup some of the cost for her.

CONSENT CALENDAR

None

OLD BUSINESS

A. Consider Request to Vacate a 10-Foot Easement from Nevada Street to Wyoming Street by the Huntington Westminster Senior Apartment Homes (continued from February 21, 2017)

GM Robbins stated that, after doing further research, he found that the District does not have an easement. He stated that the City was also not able to find an easement from when Nevada Street went all the way through and that the District's easement is to the right and was mislabeled. The District does not have sewer lines in the area where the request to vacate is. The District's laterals on Wyoming Street are to the north and on California Street, to the south.

No action was taken. Receive and file.

NEW BUSINESS

A. California Special Districts Association (CSDA) Board of Directors Call for Nominations, Seat C

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director Rice, seconded by Director Cobo, to nominate Arlene Schafer from Costa Mesa Sanitary District for the CSDA Board of Directors Seat C. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

B. Consider Setting a Date and Time for a Study Session to Evaluate Options for the District to Sell Greenhouse Gas Credits for Compressed Natural Gas Fueling Station

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director Rice, seconded by Director Cobo, to schedule a study session to evaluate options for the District to sell greenhouse gas credits from its CNG fueling station on Tuesday, March 14, 2017 at 5PM at the District office. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

INFORMATIONAL ITEMS

A. Web Site Activity for the Month of February 2017 (97,581 Successful Hits)

B. Special District Risk Management Authority (SDRMA) Workers' Compensation Longevity Distribution and Property/Liability Longevity Distribution

C. California Special Districts Association (CSDA) e-News – Commissioner Suggests Sunset Date for Special Districts

D. Supreme Court Ruling on March 2, 2017 Deciding that Messages on Personal Accounts Discussing Public Business are Subject to the Public Records Act

No action taken. Receive and file.

BOARD CONCERNS/COMMENTS

All Board members gave their condolences to Director Rice for the passing of her son, John Rice.

Director Rice thanked everyone.

GM/STAFF CONCERNS/COMMENTS

GM Robbins also gave his condolences to Director Rice.

GENERAL COUNSEL CONCERNS/COMMENT

General Counsel Eggart stated that, at the last Board meeting, he was asked by the Board to look into whether the General Manager could be nominated for the SDRMA Board, or if it was a conflict. After a discussion with the General Manager, he did not spend time researching the matter because the General Manager was not interested in the position.

General Counsel Eggart pointed out one of the informational items on the agenda noting that there was just recently a Supreme Court ruling on the Public Records Act that states that communications on private devices of Board members and employees may be public records. He stated that this could have lots of ramifications and implications that had not been previously considered. He stated that a lot of agencies will be developing policies for protocols and he stated that he will continue to share any updates in the future.

General Counsel Eggart convened the meeting to executive session at 5:31 P.M. pursuant to Government Code Section 54957.6.

CLOSED EXECUTIVE SESSION

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

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

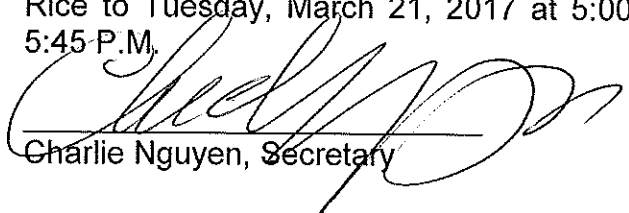
A. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)
Agency Designated Representatives: General Manager Robbins, Finance Director Housley and Labor Counsel Joseph Larsen, Employee Organization: American Federation of State, County, and Municipal Employees, LOCAL 1734-01

President Diep reconvened the meeting at 5:44 P.M.

General Counsel James Eggart stated that the Board met in executive session to confer with its designated labor negotiators pursuant to Government Code 54957.6 in reference to the employee organizations noted on 14A of the agenda, and that the Board took no reportable action due to the executive session.

ADJOURNMENT

President Diep adjourned the meeting in memoriam of Director Margie Rice's son, John Rice to Tuesday, March 21, 2017 at 5:00 P.M. at the District office at approximately 5:45 P.M.



Charlie Nguyen, Secretary