

**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**

**August 1, 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, August 1, 2017 at 5:00 P.M.

**BOARD MEMBERS PRESENT:**

Al P. Krippner (arrived at 5:09 P.M.)  
Margie L. Rice  
Chi 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  
Thanh Tran, CR&R  
Craig Dibley, CR&R

**PLEDGE AND INVOCATION**

President Diep led the Pledge of Allegiance. GM Robbins gave the Invocation.

**PUBLIC COMMENTS**

None

## APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JULY 18, 2017

A motion was made by Director Rice, seconded by Director Nguyen, to approve the minutes of the regular meeting of July 18, 2017. The motion was approved by the following 4-0 vote:

AYES: Cobo, Diep, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT: Krippner

## APPROVAL OF EXPENDITURES

### A. Demands in the amount of \$ 208,208.53

#	CK #	Date	AMOUNT	VENDOR
1				HANDCUT CHECKS:
2	9262	7/25	229.99	AT&T - Brookhurst Lift Station Service for July 2017
3	9263	7/25	1,076.17	Frontier California - District Office Phones & Lift Stations for July 2017; \$589.30 District Office,
4				\$162.29 Willow Lift, \$162.29 Westminster Lift, \$162.29 Hammon Lift.
5	9264	7/25	4,899.80	The Gas Company - District Office, Maintenance Shop, & Wash Rack Usage Fees for July 2017
6				CNG Fuel for June 2017
7	9265	7/25	150.00	Pitney Bowes/Purchase Power - Postage for Postage Machine June 2017
8	9266	7/25	3,067.00	SDRMA Delta Dental - Dental Insurance Premium for August 2017
9			9,422.96	HANDCUT CHECKS SUBTOTAL
10				
11				REGULAR CHECKS:
12	9267	8/1	125.80	Advanced Gas Products - (15.8) Gallons of Liquefied Propane for Restock
13	9268	8/1	208.20	Advanced Workplace Strategies - DOT Drug Test; On-Site & Collection Fees
14	9269	8/1	2,159.15	Atlas Radiator - Recore Labor & Parts for NG7
15	9270	8/1	2,234.29	Bodyworks Equipment-Restock(20)Springs,(1)Grip Cylinder,(2)Pivot Hose Kits,(2)Hose Tray Kits
16	9271	8/1	95.00	CRC Cloud - Adding two modules to Payroll software
17	9272	8/1	68,886.46	CR Transfer - Tonnage from 07/01/2017 through 07/14/2017
18	9273	8/1	508.34	Cummins Cal Pacific - Check Engine Light Call-Out and Service for NG1
19	9274	8/1	254.42	G & K Services - Uniform Services for July 2017
20	9275	8/1	133.11	Hillco Fastener Warehouse - (15) Locknuts, (20) Washers, (190) Nuts & Bolts for Restock
21	9276	8/1	404.92	Hose Man - (2) Hoses for NG7; (1) Hydraulic Hose Assembly for NG11 Lift gate
22	9277	8/1	1,542.03	Los Alamitos Napa Auto Parts - Restock (8) Brake Drums, (4) HD Kits
23	9278	8/1	7,680.00	Orange County Pump Corporation - Check & Replace Valve Sensor at Westminster Lift;
24				3rd Quarter Lift Station Maintenance
25	9279	8/1	31,886.33	Otto Environmental Systems - Restock (720) 65-Gallon Black Containers
26	9280	8/1	3,682.00	Paulus Engineering - Water Service Repair at District Offices

27	9281	8/1	7,449.00 PumpMan - 1st Quarter Pump System Planned Maintenance for FY 2017-18
28	9282	8/1	194.70 Rutan & Tucker - Legal Services for June 2017
29	9283	8/1	1,400.63 RWC Group - Restock (3) Valves & (1) Modulator
30	9284	8/1	325.00 Scott Harrison Plumbing - District A/C Diagnostic & Repair
31	9285	8/1	750.00 White Nelson Diehl Evans - First Interim Billing of Audit for Fiscal Year Ending June 30, 2017
32	9286	8/1	4,073.10 Woodruff, Spradlin & Smart - Legal Services for June 2017
33			<b>133,992.48 REGULAR CHECKS SUBTOTAL</b>
34			
35			<b>PAYROLL</b>
36		7/18	62,733.09 Payroll - Staff Checks Taxes & Direct Deposits
37		7/18	1,345.00 Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
38		7/18	715.00 Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
39			<b>64,793.09 PAYROLL SUBTOTAL</b>
40			
41			<b>208,208.53 TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL)</b>
42			
43			<b>BANK TRANSFERS</b>
44		7/19	125,000.00 Transfer Funds from Money Market to Checking Account
45		8/1	3,195.68 ACH Board Health Insurance Payment to CalPERS for August 2017
46		8/1	42,328.58 ACH Employee Health Insurance Payment to CalPERS for August 2017
47		7/25	954.23 ACH Retirement Payment to CalPERS for July 2017
48		7/25	1,113.08 ACH Retirement Payment to CalPERS for July 2017
49		7/25	10,736.78 ACH Retirement Payment to CalPERS for July 2017
50		7/25	916.17 ACH Retirement Payment to CalPERS for July 2017
51		7/25	10,306.44 ACH Retirement Payment to CalPERS for July 2017
52		7/25	1,069.26 ACH Retirement Payment to CalPERS for July 2017
53		7/25	1,066.50 ACH Retirement Payment to CalPERS for June 2017
54		7/25	10,286.00 ACH Retirement Payment to CalPERS for June 2017
55		7/25	917.76 ACH Retirement Payment to CalPERS for June 2017

A motion was made by Director Cobo, seconded by Director Rice, to approve the expenditures in the amount of \$ 208,208.53. The motion was approved by the following 4-0 vote:

AYES: Cobo, Diep, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT: Krippner

## **REPORTS**

### **Report of President**

President Diep reported that he met with GM Robbins on July 28, 2017 to go over tonight's agenda, and on July 19 he met with Adam Acosta, the District's AFSCME union representative to discuss next year's upcoming negotiations.

### **Report of General Manager**

GM Robbins reported that the District is still waiting for the State of California to release the three new CNG F-250 trucks that were ordered in November of 2016. He is waiting until September 2017, and if they are still not released, will ask the Board to cancel the order and rebid them out as regular unleaded or diesel trucks.

Director Rice suggested that the District contact legislators urging them to change the current law and stated that she would contact California State Senator, Janet Nguyen.

President Diep suggested having Staff write letters to legislators from the Board and signed by the Board President, urging them to change the current law.

GM Robbins reported that the field audit on the District would begin on Monday, August 7, 2017.

GM Robbins reported that the District has three trucks out of service – NG1 needs a custom harness for the dual drive and foot pedals and NG7 and NG9 both have electrical issues.

GM Robbins reported that the District would be spending approximately \$3,600 to treat 150 manholes for roach infestation on August 21, 2017 in the area south of Garden Grove Blvd. between Edwards and Goldenwest Streets.

Director Krippner arrived at the meeting at 5:09 P.M.

### **Report from Safety Day on July 20, 2017**

Director Rice reported that it was a great day and that the District ran out of everything they were handing out.

Director Cobo reported that there was a good turnout and that the kids loved seeing the District's new sewer vector truck.

**Report from the Orange County Sanitation (OCSD) Meeting on July 27, 2017**

Director Krippner reported that OCSD is currently in negotiations to purchase the property across the street, north of Ellis, for use as laboratories, with a walkway to connect them.

**Report from the 1<sup>st</sup> and 2<sup>nd</sup> of 4 Concerts in the Park on July 20 and July 27, 2017**

Director Cobo reported that both concerts were good events, with good turnout.

Director Rice reported that she attended the July 20 concert and that there was a dinner for senior citizens that coincided with the concert.

Director Nguyen reported that he attended the July 27 concert and enjoyed it very much.

Director Rice stated that Midway City Sanitary District is their only sponsor this year and that maybe the District should ask CR&R to help sponsor the event next year.

**Report from CR&R – 2<sup>nd</sup> Quarter Tonnage**

Thanh Tran from CR&R reviewed the 2<sup>nd</sup> quarter tonnage report which shows the District's solid waste and recycling tons summary table at 38.22%, an increase of about 13% from the 1<sup>st</sup> quarter, and with growth anticipated in upcoming quarters. Thanh Tran stated that he met with Directors Rice and Cobo, who make up the franchise committee, to talk about plans to implement actions to encourage recycling. He has been meeting with business owners within the District to speak with them about organics recycling and food carts and he expects the District to reach the 50% diversion goal by years' end.

**CONSENT CALENDAR**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

- A. Review the Midway City Sanitary District's Reserves and Consider Transferring and Reallocating Funds into the District's Reserve Accounts

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director Cobo, seconded by Director Nguyen, to approve Staff's recommendation to approve the proposed transfers of funds into the District's reserve accounts as presented. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

B. Consider Approval of Staff to Engage with Legal Counsel, Joseph Larsen of Rutan and Tucker, LLP, to Create a Draft Employee Handbook for Unrepresented and Management Employees of the District

Directors Cobo and Nguyen both stated that they support an employee handbook for the District.

Director Krippner stated that he would not support an employee handbook for represented and management employees of the District because it will just create problems.

Director Rice stated that the handbook needs to be written very carefully and clearly.

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director Cobo, seconded by Director Rice, to approve Staff's recommendation to authorize staff to engage legal counsel, Joseph Larsen of Rutan and Tucker, LLP, to draft an employee handbook for represented and management employees of the District and to bring it back to the Board for approval. The motion was approved by the following 4-1 vote:

AYES: Cobo, Diep, Nguyen and Rice

NAYS: Krippner

ABSTAIN:

ABSENT:

C. Consider to Approve Removal of 5,906 Fully Depreciated Refuse Containers/Carts from the District's Assets List in the Amount of \$307,750.29

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 Nguyen, to approve as recommended by staff to remove 5,906 fully depreciated refuse containers from the District's assets list in the amount of \$307,750.29. The motion was approved by the following 4-0-1 vote:

AYES: Cobo, Diep, Nguyen and Rice  
NAYS:  
ABSTAIN: Krippner  
ABSENT:

### **INFORMATIONAL ITEMS**

None

### **BOARD CONCERNS/COMMENTS**

Director Nguyen stated that he missed a few events such as Safety Day and the first Concert in the Park.

Director Cobo stated that he went with GM Robbins to check out the District's new sewer vacor truck and was impressed with it and feels that it was a good investment.

Director Rice stated that the District needs to do more to encourage recycling within the District.

### **GM/STAFF CONCERNS/COMMENTS**

GM Robbins wished Director Nguyen a happy birthday.

GM Robbins stated that the Board was provided with a flyer with information regarding a candlelight vigil and a memorial service for Amanda Jensen, and confirmed that the District sent flowers for the memorial from the Board of Directors and staff.

### **GENERAL COUNSEL CONCERNS/COMMENT**

None

## CLOSED EXECUTIVE SESSION

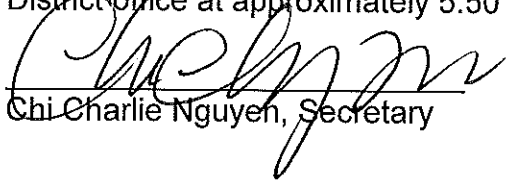
CLOSED SESSION: During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government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

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

None

## ADJOURNMENT

President Diep adjourned the meeting to Tuesday, August 15, 2017 at 5:00 P.M. at the District office at approximately 5:50 P.M.

  
Chi Charlie Nguyen, Secretary