

**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**

October 17, 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, October 17, 2017 at 5:00 P.M.

BOARD MEMBERS PRESENT:

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

OTHERS AT MEETING:

Ken Robbins, General Manager
Robert Housley, HR/Finance Director
James Eggart, General Counsel
Julia Book, Board Secretary
Ruth Jacobs, Legal Shield

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 OCT.3, 2017

A motion was made by Director Nguyen, seconded by Director Rice, to approve the minutes of the regular meeting of October 3, 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 \$ 209,960.10

#	CK #	Date	AMOUNT	VENDOR	
1				HANDCUT CHECKS:	
2	9404	10/6	349.07	AT&T Mobility - Service for September 2017: (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606,	
3				Sewer 714-310-8654, Emergency 714-310-9004.	
				City of Westminster -	
4	9405	10/6	13.95	Water Usage for Hammon Liff Station 07/26/2017 through 09/19/2017	
5	9406	10/6	30.00	County of Orange Auditor-Controller - Parcel Fee Assessments	
6	9407	10/6	121.98	DirectTV - Service for October 2017	
7	9408	10/6	272.34	Staples Business Advantage - Restock District Office Supplies for September 2017	
8	9409	10/6	5,994.05	US Bank	
9				(DGe) Board Meeting Refreshments for 9/05 & 9/19	\$24.45
10					Dge Total \$24.45
11				(DGr) CWEA Association Membership 2017	\$172.00
12				(DGr) CWEA CSM-1 Renewal 2017	\$85.00
13				(DGr) Restock Sewer Maintenance Supplies SEP-2017	\$27.67
14					DGr Total \$284.67
15				(RH) Parking for California HR Conference 08/28-08/30/2017	\$45.00
16				(RH) Remington Monthly Svc SEP-2017	\$64.00
17				(RH) CalPERS Educational Forum Registration 2017 10/23-10/25/2017	\$399.00
18				(RH) City of Westminster - Water - Maint. Shop 7/05-8/29/2017	\$14.51
19				(RH) City of Westminster - Water - Wash Rack 7/05-8/29/2017	\$85.75
20				(RH) City of Westminster - Water - District Hydrant Meter Water Usage AUG-2017	\$56.23
21				(RH) City of Westminster - Water - District Offices 7/05-8/29/2017	\$176.35
22				(RH) Binding & Printing Covers for 2017-2018 Budget	\$122.67
23					RH Total \$963.51
24				(NC) Restock (3) Circuit Breakers for NG Trucks	\$19.54
25				(NC) Mulch for Yard, Silicone & Gasket for South Entrance Light	\$46.53
26				(NC) Restock	\$172.38
27				(NC) (4) Mop Heads	\$6.41
28				(NC) Tracker Replacement for M64	\$167.95
29				(NC) Fire Extinguisher Luncheon 9/13/2017	\$317.71
30					NC Total \$730.52
31				(CE) CalPERS Educational Forum Registration 2017 10/23-10/25/2017	\$399.00
32					CE Total \$399.00
33				(KR) Wiarcom Monthly Svc. AUG-2017	\$490.95
34				(KR) Meeting with Board President 8/30	\$10.00
35				(KR) Wiarcom Monthly Svc. SEP-2017	\$490.95
36				(KR) Westminster Chamber of Commerce	\$280.00
37				(KR) 2017 Annual Conf. Monterey, CA 9/25-9/28/2017 (CN)	\$580.00
38				(KR) 2017 Annual Conf. Monterey, CA 9/25-9/28/2017 (MR)	\$580.00
39				(KR) 2017 Annual Conf. Monterey, CA 9/25-9/28/2017 (FC)	\$580.00
40				(KR) 2017 Annual Conf. Monterey, CA 9/25-9/28/2017 (KR)	\$580.00
41					KR Total \$3,591.90
				White Nelson Diehl Evans -	
42	9410	10/6	790.00	2017 Government Tax Seminar Registration 11/30/2017 (RH, CE)	
43	9411	10/6	191.32	Chevron & Texaco Bus. Card Svcs. - Gasoline Purchases for September 2017	
44	9412	10/10	988.15	Minh Nguyen - Claim Expense Dated 10/10/2017	
45	9413	10/11	30.00	County of Orange Auditor-Controller - Parcel Fee Assessments	
46	9414	10/11	4,452.32	The Gas Company - CNG Fuel for September 2017;	
47				District Office, Maintenance Shop,	
48	9415	10/11	89.00	& Wash Rack Usage Fees for September 2017	
				MemorialCare Medical Group - Office Outpatient Visit DMV	

49	9416	10/11	1,302.41	Verizon Business - Internet Connection for October 2017
50			14,624.59	HANDCUT CHECKS SUBTOTAL
51				
52				REGULAR CHECKS:
53	9417	10/11	60.00	Advanced Gas Products - Cylinder Rental for September 2017
54	9418	10/11	85.00	Asbury Environmental - (300) Gallons of Used/Mixed Oils Pick-Up
55	9419	10/11	2,904.15	Alias Radiator - Parts & Labor to Repair Radiator for NG4
56	9420	10/11	162.64	Clean Energy - Service to District CNG Station 08/14/2017
57	9421	10/11	63,587.09	CR Transfer - Tonnage from 09/16/2017 through 09/29/2017
58	9422	10/11	2,281.07	Cummins Cal Pacific - Restock (36) Spark Plug Kits, (6) Seal Covers, (6) Housing Breather
59	9423	10/11	157.90	DJ Printing - (2,000) #10 Envelopes with District Return Address for Restock
60	9424	10/11	2,115.04	Daniels Tire Service - (2) New Tires and (5) Recaps for Restock
61	9425	10/11	37,682.94	DTNtech - 2018 District Calendar (35,000) Design, Printing, Mailing
62	9426	10/11	525.00	Frog Environmental - 2017-2018 Storm Water Payment #2
63	9427	10/11	760.80	Hose-Man - (5) Hoses for NG4
64	9428	10/11	1,022.08	Los Alamitos Napa Auto Parts - Restock (2) Grip Kits, (2) Brake Drums, (11) Fittings,
65				(1) Emergency Kit, (3) Oil Filters, (3) Fuel Filters, (4) Air Filters; (3) Brushes for Shop
66	9429	10/11	1,557.88	NVB Equipment - Labor & Parts for A/C Repair of M63
67	9430	10/11	2,588.73	Orange County Sanitation District - Permit Fees for September 2017 (MCSD 5% = \$136.25)
68	9431	10/11	407.78	Robbins, Kenneth - Reimbursement for CSDA Conference Monterey, CA 9/25-9/28/2017
69	9432	10/11	339.33	RWC Group - Electrical Repairs & Parts for District Crane
70	9433	10/11	916.17	TEC of California - Restock (4) Brake Pads; (1) Light & (1) Relay for NG2
71	9434	10/11	VOID	Correction to Invoice Dollar Amount
72	9435	10/11	1,450.00	VNA-TV, Inc. - (3) 30 minute Talk Show on MCSD 9/2/17, 9/3/17, 9/13/17
73	9436	10/11	18.25	Underground Service Alert - (5) New Tickets for September 2017
74			118,621.85	REGULAR CHECKS SUBTOTAL
75				
76				PAYROLL
77	10/6		6,641.77	Board of Director's Payroll for the Month of September 2017
78	10/6		465.21	Board of Director's Nationwide Deferred Compensation for September 2017 (100% Paid By Directors)
79	10/10		67,746.68	Payroll - Staff Checks Taxes & Direct Deposits
80	10/11		1,145.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
81	10/11		715.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
82			76,713.66	PAYROLL SUBTOTAL
83				
84			209,960.10	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL)
85				

A motion was made by Director Cobo, seconded by Director Nguyen, to approve the expenditures in the amount of \$ 209,960.10. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

REPORTS

Report of President

None

Report of General Manager

GM Robbins reminded the Board that this year the Veteran's Day holiday will be observed on Saturday, November 11, 2017 so the solid waste crew will work on Friday, November 10, 2017 but the office will be closed.

GM Robbins reported that Clean Energy has not yet responded to the questions the District asked, and even though the \$9,700 carbon credit is not a significant amount, Clean Energy needs to provide answers before the District moves forward.

GM Robbins reported that two of the three District employees have already received their class B licenses and the third employee is scheduled for his class B driving test on Wednesday, October 18, 2017.

Report from Orange County Sanitation District (OCSD) Meeting on Oct. 11, 2017

None

Report from the State of the City Luncheon on October 4, 2017

President Diep reported that the State of the City luncheon was better than in previous years, possibly because of the voter approved measure SS and a new outlook from the community, as well as more economic activity.

CONSENT CALENDAR

A. Approve and file the Treasurer's Investment Report for September 2017

A motion was made by Director Rice, seconded by Director Cobo, to approve the Consent Calendar. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

OLD BUSINESS

None

NEW BUSINESS

A. Discussion and Approval of Twice Weekly, After Hours Janitorial Service for Front and Back Offices, and Including Outside Bathroom at 14451 Cedarwood Avenue, Westminster

GM Ken Robbins stated that the District received three bids for janitorial services, with Merchants Building Maintenance coming in the lowest.

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 approve Merchants Building Maintenance as the District's janitorial services provider. The motion was approved by the following 4-0-1 vote:

AYES: Cobo, Diep, Nguyen and Rice

NAYS:

ABSTAIN: Krippner

ABSENT:

B. Consider Request of Fleet Maintenance Worker, Raul Martinez, to Receive 120 hours of Vacation Pay in Lieu of Time Off

There was discussion of the employees' MOU for paid vacation in lieu of time off.

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 grant 80 hours of vacation pay in lieu of time off to Fleet Maintenance Worker, Raul Martinez. The motion was approved by the following 3-1-1 vote:

AYES: Cobo, Diep, and Nguyen

NAYS: Rice

ABSTAIN: Krippner

ABSENT:

C. Consider Approval for a Lunch and Learn Presentation by Legal Shield to Provide Information on their Prepaid Legal and Identity Theft Benefits

The Board and Staff discussed this elective service, confirming that any participation will be paid wholly by the employee, and the District would only be the oversight to the benefits and assist with the payroll deductions.

Judy Jacobs, from Legal Shield confirmed that nothing can be used against the employer, and any contract with Legal Shield would be directly with the employee.

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 Krippner, to approve the November, 1, 2017 lunch and learn presentation by Legal Shield. 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 September 2017 (120,872 Successful Hits)

Receive and file.

BOARD CONCERNS/COMMENTS

Director Nguyen thanked MCSD for supporting the Hurricane Relief Walk-A-Thon at the Westminster Civic Center. The event was very successful, raising over \$85,000 and is expected to increase to over a \$100,000 before the end of October.

President Diep commended GM Robbins for taking responsibility and assisting over the weekend with abating a public nuisance problem and stated that the District worked with the City of Westminster.

GM/STAFF CONCERNS/COMMENTS

None

GENERAL COUNSEL CONCERNS/COMMENT

General Counsel James Eggart convened the meeting into closed session for the Board to confer with its labor negotiators identified on agenda items 14A and 14B (Pursuant to Government Code Section 54957.6) at 5:19 P.M.

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/HR Director Housley
Employee Organization: American Federation of State, County, and Municipal Employees, LOCAL 1734-01

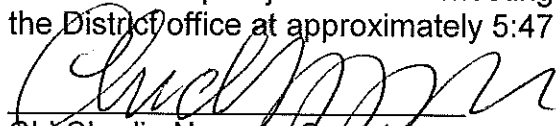
B. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6) Agency Designated Representative: James H. Eggart
Unrepresented Employee: General Manager

The Board reconvened in open session at 5:46 P.M.

General Counsel James Eggart stated that the Board met in closed session to confer and give direction to its designated labor negotiators pursuant to Government Code 54957.6 as stated in agenda items 14A and 14B, and that there was no reportable action as a result of the closed session.

ADJOURNMENT

President Diep adjourned the meeting to Tuesday, November 7, 2017 at 5:00 P.M. at the District office at approximately 5:47 P.M.


Chi Charlie Nguyen, Secretary