

**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**

December 5, 2017

CALL TO ORDER

President Nguyen called the regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Tuesday, December 5, 2017 at 5:00 P.M.

BOARD MEMBERS PRESENT:

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

OTHERS AT MEETING:

Ken Robbins, General Manager
Robert Housley, HR/Finance Director
James Eggart, General Counsel
Danielle Gerardo, Board Secretary
Adam Acosta, AFSCME Union Rep.
Anita Rice, Resident

PLEDGE AND INVOCATION

Director Cobo led the Pledge of Allegiance. Director Rice gave the Invocation.

PUBLIC COMMENTS

Adam Acosta, AFSCME Union Representative for District represented employees. He stated that the negotiations had been wrapped up, and the language issues had been clarified. He thanked Directors as well as staff for their help during the process.

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

A motion was made by Director Diep, seconded by Director Krippner, to approve the minutes of the regular meeting of November 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 \$ 234,018.54

#	CK #	Date	AMOUNT	VENDOR
1				HANDCUT CHECKS:
2	9499	12/1	13.95	City of Westminster - Water Usage for Hammon Lift Station 09/20/2017 through 11/14/2017
3	9500	12/1	1,063.25	Frontier California-District Office Phones & Lift Stations for Nov. 2017;\$575.75 District Office,
4				\$162.50 Willow Lift, \$162.50 Westminster Lift, \$162.50 Hammon Lift.
5	9501	12/1	3,121.00	SDRMA Delta Dental - Dental Insurance Premium for December 2017
6	9502	12/1	4,696.46	Southern California Edison-District Office \$3,709.53,Brookh on \$106.96,Westminster Lif
7				Station \$355.54, Willow Lift Station \$147.16, Hammon Lift Station \$377.27.
8	9503	12/1	1,094.48	The Standard Life Insurance - Life Insurance & AD&D Premium Coverage for December 2017
9	9504	12/1	464.33	Staples Business Advantage - Restock District Office Supplies for November 2017
10	9505	12/1	394.42	Vision Service Plan - Monthly Premium for December 2017
11			10,847.89	HANDCUT CHECKS SUBTOTAL
12				
13				REGULAR CHECKS:
14	9506	12/1	21.55	Advanced Gas Products - (4,4 Gallons) Liquefied Propane for Restock
15	9507	12/1	746.00	CRC Cloud - Maintenance & Support for December 2017
16	9508	12/1	73,023.78	CR Transfer - Tonnage from 11/01/2017 through 11/15/2017
17	9509	12/1	6,842.00	CSDA - 2018 Annual Membership Dues
18	9510	12/1	4,123.23	Daniels Tire Service - (5) New Tires & (8) Recaps for Restock
19	9511	12/1	254.42	G & K Services - Uniform Services for November 2017
20	9512	12/1	955.99	Los Alamitos Napa Auto Parts - Restock (2) Relay Valves, (3) Oil Filters, (3) Fuel Filters, (6) Air
21				Filters, and (8) Fittings.
22	9513	12/1	312.00	Memorial Care Medical Group - DOT DMV Exams for October 2017
23	9514	12/1	1,621.62	Merchants Building Maintenance - District Offices Janitorial Services for October 2017
24	9515	12/1	506.00	Rutan & Tucker - Legal Services for October 2017
25	9516	12/1	1,651.35	TEC of California - Restock (6) Brake Pads and (1) Rotor

26	9517	12/1	261.00	Westminster Chamber of Commerce - Annual Dues for 12/01/2017 through 12/01/2018
27	9518	12/1	4,320.00	Woodruff, Spradlin & Smart - Legal Services for October 2017
28			94,638.94	REGULAR CHECKS SUBTOTAL
29				
30				PAYROLL
31		11/21	63,453.19	Payroll - Staff Checks Taxes & Direct Deposits
32		11/21	715.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
33		11/21	1,145.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
34		12/1	6,137.58	Board of Director's Payroll for the Month of November 2017
35		12/1	485.44	Board of Director's Nationwide Deferred Compensation for Nov. 2017(100% Paid By Directors)
36			71,936.21	PAYROLL SUBTOTAL
37				
38				ACH TRANSFERS
39		11/29	965.48	ACH Retirement Payment to CalPERS for November 2017
40		11/29	1,113.08	ACH Retirement Payment to CalPERS for November 2017
41		11/29	10,624.69	ACH Retirement Payment to CalPERS for November 2017
42		12/1	40,696.57	ACH Employee Health Insurance Payment to CalPERS for December 2017
43		12/1	3,195.68	ACH Board Health Insurance Payment to CalPERS for December 2017
44			56,595.50	ACH TRANSFERS SUBTOTAL
45				
46			234,018.54	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)
47				

A motion was made by Director Cobo, seconded by Director Rice, to approve the expenditure in the amount of \$ 234,018.54. 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 reported that after the employees' MOU is ratified staff would be bringing back resolutions for represented and unrepresented employees for Board approval.

GM Robbins stated that the parking complaint from 7801 16th Street is becoming a more frequent problem within the District and will continue due to the number of multi-unit developments and vehicles increasing.

GM Robbins reported that he contacted the City of Westminster regarding a District sponsored March 2018 Spring Cleanup event at Bolsa Chica Park. No date has been set yet as he is still waiting for a response.

Report from Orange County Sanitation District (OCSD) Meeting on Nov. 15, 2017

Director Krippner provided copies of written minutes from the meeting.

CONSENT CALENDAR

None

OLD BUSINESS

None

NEW BUSINESS

A. Consider Claim from 5601 Placer Avenue, Westminster – Resident Backed into Blue Recycling Cart with Vehicle

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 Diep, to deny the claim from Joanne Paull who resides at 5601 Placer Avenue, Westminster. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

B. Consider Attendance at 2018 Waste Expo held at the Las Vegas Convention Center in Las Vegas, Nevada April 23-26, 2018

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 attendance for Board members and staff to the 2018 Waste Expo in Las Vegas, Nevada April 23-26, 2018. The motion was approved by the following 4-0-1 vote:

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

INFORMATIONAL ITEMS

A. California Special Districts Association (CSDA) Special District Leadership Academy (SDLA) Conferences in 2018

B. CalPERS – Critics Pick Their Facts but Ignore the Truth

C. CalPERS – Strong Public Equity Performance Contributes to Solid 2016-17 Returns

A motion was made by Director Cobo, seconded by Director Rice, to receive and file. The motion was approved by the following 5-0 vote:

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

BOARD CONCERNS/COMMENTS

Director Cobo asked GM Robbins to speak to the drivers about more careful placement of cans after emptying them.

Director Nguyen thanked everyone for their patience at the meeting.

GM/STAFF CONCERNS/COMMENTS

GM Robbins stated that each Director was provided with an approximate itinerary for Saturday's luncheon at the District.

GENERAL COUNSEL CONCERNS/COMMENT

None

General Counsel James Eggart convened the meeting into closed session for the Board to confer with its labor negotiators identified on agenda item 14A (pursuant to Government Code Section 54957.6) regarding ongoing negotiations with the Employee Organization: American Federation of State, County, and Municipal Employees, LOCAL 1734-01 at 5:24 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.

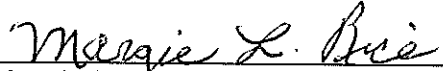
A. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6) Agency Designated Representatives: General Manager Robbins, Finance/HR Director Housley
Employee Organization: American Federation of State, County, and Municipal Employees, LOCAL 1734-01

The Board reconvened in open session at 5:36 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 item 14A. Mr. Eggart reported that the Board reviewed the proposed Memorandum Of Understanding (MOU) between the Midway City Sanitary District and the American Federation of State, County and Municipal Employees' (AFSCME) Union Local 1734-01 in the form approved via email from Adam Acosta dated November 28, 2017, with the further revision to subsection F on page 10 that was communicated to Mr. Acosta on December 5, 2017, and unanimously directed staff to place such amended version of the MOU on the next regular meeting agenda for Board consideration of approval during open session.

ADJOURNMENT

President Nguyen adjourned the meeting to Tuesday, December 19, 2017 at 5:00 P.M. at the District office at approximately 5:37 P.M.


Margie L. Rice, Secretary