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 19, 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 19, 2017 at 5:01 P.M.

BOARD MEMBERS PRESENT:

Al P. Krippner

Margie L. Rice (absent)

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 Mark Lawrence. Resident

PLEDGE AND INVOCATION

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

PUBLIC COMMENTS

Mark Lawrence, a resident of Westminster, addressed the Board regarding his concern over Senate Bill 231, in which the term storm water is being changed to sewer water. He stated that redefining rain water into sewer water is a way to get around Prop. 13 and it negates Prop. 218. He stated that he has brought it up at City Council meetings and wanted to bring it to the Midway City Sanitary District Board because he feels it is an important issue.

APPROVAL OF THE MINUTES OF THE ADJOURNED REGULAR MEETING OF DECEMBER 1, 2017

A motion was made by Director Diep, seconded by Director Cobo, to approve the minutes of the adjourned regular meeting of December 1, 2017. The motion was approved by the following 4-0-0-1 vote:

AYES: Cobo, Diep, Krippner, and Nguyen

NAYS: ABSTAIN: ABSENT: Rice

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF DECEMBER 5, 2017

A motion was made by Director Diep, seconded by Director Cobo, to approve the minutes of the regular meeting of December 5, 2017. The motion was approved by the following 4-0-0-1 vote:

AYES: Cobo, Diep, Krippner, and Nguyen

NAYS: ABSTAIN: ABSENT: Rice

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 278,254.32

#	CK#	Date	AMOUNT VENDOR	
1	:		HANDCUT CHECKS:	
. 2 ,	9519	12/7	349.63 AT&T Mobility-Service for Nov. 2017;(KR) 714-310-2313,(NC) 714-310-8653,(DGr) 714-325-3606,	
3	· :	i	Sewer 714-310-8654, Emergency 714-310-9004.	
4	9520	12/7	844,62 Chevron & Texaco Bus. Card Svcs Gasoline Purchases for November 2017	:
5	9521	12/7	550.00 Orange County Jumpers, LLC - Holiday Porty Bounce House Rental 12/09/2017	
6	9522	12/7	3,369.56 Sweet Lou's BBQ Catering - Holiday Party Food & Entertainment 12/09/2017	1
7	9523	12/7	8,396.13 US Bank -	
8		£.	(DG) Board Meeting Refreshments for 11/07	\$7.79
9		1 .	DG Total	\$7.79
10		i	(DGr) Restock Sewer Maint, Supplies NOV-2017	\$150.30
111	· :		DGr Total	\$150.30
12			(RH) Food for CalPERS Educational Forum 10/23-10/26/2017	\$15.58
13	:	£	(RH) MWDOC WEROC Disaster Finance Training	\$160.00
14			(RH) Reminaton Monthly Svc. SEP-2017	\$64.00
15			(RH) CSMFO 2018 Membership Dues	\$110.00

16				(RH) City of Westminster - Water - Wash Rack 08/30-10/24/2017	\$101.66
17				(RH) City of Westminster - Water - Maint, Shop 08/30-10/24/2017	\$14.51
18				TOTAL O'L. (TW. Let') . IN L. O'LL' LOTT	\$125.97
19				(RH) CSMFO Annual Conference Registration 02/20-02/23/2018 (RH)	\$485.00
20				RH Total	
21				(NC) Seat Cover	\$27,18
22				(NC) Restock District Kitchen Supplies OCT-2017	\$148.90
23				(NC) Refreshments for Bowling Green Clean-Up Event 11/04/2017	
24				WOLLED	\$716.77
25			**	DIOLC-Harry David Factor Charles	\$32.60
26				(NIC) (O) 4 O2 Delledes for Deslevel, 8, N.E.	\$3.78
27				(NC) Lightweight Umbrella for NG12	
28				MONTE LE CALLES DE CALLES	\$177.02
1				(NC) Lightweight Umbrella for M64	\$177.01
29				(NC) Restock Refuse Moint. Supplies NOV-2017	\$52.92
30				(NC) Umbrella Stand for NG12	\$270.92
31 32				(NC) Umbrella Stand for M64	\$270,92 \$1,895.83
					*
33				(CE) Food for CalPERS Educational Conf. Rancho Mirage, CA 10/23-10/26/2017	\$27.27
34 35				(CE) Hotel for CoIPERS Educational Conference Rancho Mirage, CA 10/23-10/26/2017 CE Total	\$451.36 \$478.63
36				(VD) W: 14	\$490.95
37				[(C) L) - (-, C - , C -	,
1					\$943.94
38 20				(KR) Meeting with Board President 11/01	\$19,94
39				(KR) Safety Equipment for Sewer Dept.	\$1,420.58
40				(KR) 2017 Holiday Parly Cards, Refreshments, Decorations	\$270.96
41				(KR) Arrangement for Dir, Nguyen Family	\$79,99
42		·		(KR) Meeting with Board President 11/15	\$13.87
43	,			(KR) (2) Exterior Lights for District Yard	\$217.43
44				(KR) CWEA Membership & Renewal for 2018	\$270.00
45		-		(KR) {2} L.E.D. Area Lights for District Yord	\$15.81
46				(KR) CD200 Combustible Gas Leak Detector & Alarm	\$199.96
47				(KR) Sewer Office Safely Supply Closet	\$217.48
48				(KR) Wiarcom Monthly Syc. NOV-2017	\$490.95
49					\$4,651.86
		12/13		DirecTV - Service for December 2017	
51	9525	12/13	4,202.63	Chevron & Texaco Bus. Card Svcs Gasoline Purchases for November 2017;	
52				District Office, Mointenance Shop, & Wash Rack Usage Fees for December 2017	
	9526	12/13	1,302,41	Verizon Business - Internet Connection for December 2017	
54 55			19,136.96	HANDCUT CHECKS SUBTOTAL	

55 56	1			REGULAR CHECKS:	i
57	9527	12/13	132.80	Petty Cash - Ken Robbins	
58				(JB) Candy for Reception Area	\$19.98
59				(VP) Depute for Cat Regular (CRARICE), Marillan Avida	
60	i			(JB) Candy for Reception Area	\$19.98
61				(KR) Parcel Maps for Parcel Program	\$9.99
62	 			(KR) Parking at County for Parcel Maps	\$18.00
63	!			(KR) Agenda Meeting with Board President	\$3.00
64				(JB) Candy for Reception Area	\$8.16
65				(KR) Donuts for Clean-Up Event 08/19	\$10.07
66				(KR) Keys for Office Cleaning Staff	\$19.19
67				(KR) Parcel Maps for Parcel Program	\$9.88
68					\$1,50
69	9528	12/13		(KR) Serving Trays for Holiday Porty 12/09	\$13.05
70		12/13		Advanced Gas Products - Cylinder Rental for November 2017	
				Asbury Environmental Services - (250) Gallons Used/Mixed Oil Pick-up	
71 72		12/13 12/13		Atlas Radiator - Labor & Parts to Replace Crone Carrier Core for NG5, NG8, NG10	
	7001	12/13	i	Bodyworks Equipment - Restock (1) Packer Paddle & Actuator Kit, (6) Hydraulic Filter Kits,	
73		10710		(2) Packer Cylinder, (3) Check & Relief Valves, (4) Oil Level Sight/Temp Gauges.	
74		12/13		CR Transfer - Tonnage from 11/16/2017 through 11/30/2017	
	9533			Daniels Tire Service - (13) Recaps & (2) New Tires for Restock	
76		12/13	1	G & K Services - Uniform Services for November & December 2017	
77	·	12/13		Hillco Fastener - Restock (1,100) Socket Screws; (3) Push-In Union Connectors for NG3	
78	·	12/13		Hose-Man - (2) Hoses for NG3; (9) Support Clamps for Restock	
79	9537	12/13	3,336.08	los Alamitos Napa Auto Parts - Restock (6) Grip Kits, (6) HD Plus, (10) Broke Drums;	
80			1	(1) Battery for M5; (2) Dash Valves for M63 & M64.	
81	9538	12/13	524.94	Merchants Building Maintenance - District Offices Janitorial Services for December 2017	
82	9539	12/13		NVB Equipment - A/C Inspection & Service for NG6	
83	9540	12/13	10,870.85	Orange County Sanitation District - Permit Fees for November 2017 (MCSD 5% = \$572.15)	
84	9541	12/13	7,449.00	PumpMan - 2nd Quarter Pump System Planned Maintenance for FY 2017-18	
85	9542	12/13	1,426.00	Rutan & Tucker - Legal Services for November 2017	
86	9543	12/13		RWC Group - (1) T-Beam Assembly for NG7	
87	9544	12/13	11,195,00	State Water Resources Control Board - Annual Permit Dues for 07/01/2017-06/30/2018	
88	9545	12/13	2,540,41	TEC of California - Restock (1) Air Disc Caliper, (3) Level Coolant Sensors, (6) Brake Pads	
89	9546	12/13	340.00	TM Services Company - Annual Fire Extinguisher Maintenance Service for Fleet	
90	9547	12/13	21.55	Underground Service Alert - (7) New Tickets for November 2017	:
91	9548	12/13	559.50	Wespac Security Services-Burglar, Fire, & Gas Alarm Services for Oct. through Dec. 2017	
92 93	;	:	135,973.56	REGULAR CHECKS SUBTOTAL	
94				PAYROLL	
95	ļ	12/5	108,580.55	Payroll - Staff Checks Taxes & Direct Deposits	
96		12/6	715.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)	
97		12/6	1,145.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)	
98 99		:	110,440.55	PAYROLL SUBTOTAL	

99				
100			ACH TRANSFERS	
101	12/7	965.48	ACH Retirement Poyment to ColPERS for December 2017	
102	12/7	1,113.08	ACH Retirement Payment to CalPERS for December 2017	
103	12/7	10,624.69	ACH Retirement Payment to CalPERS for December 2017	
104 105		12,703.25	ACH TRANSFERS SUBTOTAL	
106 107		278,254.32	TOTAL EXPENDITURES (HANDOUT, REGULAR, PAYROLL, ACH TRANSFERS)	
108			BANK TRANSFERS	
109	12/1	780,000,00	Transfer Funds from Money Market to Checking Account	:

A motion was made by Director Cobo, seconded by Director Diep, to approve the expenditures in the amount of \$ 278,254.32. The motion was approved by the following 4-0-0-1 vote:

AYES: Cobo, Diep, Krippner, and Nguyen

NAYS: ABSTAIN: ABSENT: Rice

REPORTS

Report of President

President Nguyen reported that he met with the General Manager to go over the agenda and that they also discussed the importance of educating the public about recycling. He proposed an Ad Hoc Committee for each of the three diverse cultural areas within the District and asked that it be on the next agenda for further discussion.

Report of General Manager

GM Robbins reminded the Board that the District would not be scheduling or picking up bulky items during the first 2 weeks in January because we will be picking up Christmas trees during that time.

GM Robbins reported that the City is starting to fine residents for abandoned items. The District informs people who call that they can claim certain items such as furniture and appliances and schedule for pickup through the bulky item service, and that otherwise they should call the police department. The District does not pick up construction, nor give fines and will be posting a message on the District's website that it is illegal to dump and who to report it to.

GM Robbins stated that staff would like to replace the signs on the sides of the solid waste trucks to include information about organic recycling, which will be introduced in 2018.

GM Robbins stated that ISDOC would like to spotlight the District at the January 25, 2018 meeting and asked who the Board would like to speak on the District's behalf.

The Board asked GM Robbins to speak for the District at the ISDOC meeting in January.

Report from Orange County Sanitation District (OCSD) Meetings on December 6 and December 13, 2017

Director Krippner provided copies of the most recent minutes.

Director Diep stated that OCSD will be raising their fees soon and asked the Directors representing the District to keep an eye out and report back.

Report from the 80th Anniversary Ad Hoc Committee Meeting on Dec. 12, 2017

Director Diep stated that he met with GM Robbins and Director Cobo at the office of the graphic designer to go over logos for the District's 80th anniversary and that it would be on the next agenda for Board approval. He stated that they would like to brand the District with the logo in anticipation of the 80th anniversary by having it on the calendar, letterhead, business cards, signs on the trucks, etc.

Director Cobo stated that they want to educate the public about the upcoming organics program and the three cart system.

Director Krippner stated that he will have something to propose for discussion in January that may affect the logo.

CONSENT ' ENDAR

- A. Approve and file the Treasurer's Investment Report for November 2017
- B. Approve Annual Vacation Pay in Lieu of Time off Requests for Represented Employees
- C, Approve Annual Vacation Pay in Lieu of Time off Requests for Management, Salaried and Unrepresented Employees

A motion was made by Director Diep, seconded by Director Cobo, to approve the Consent Calendar. The motion was approved by the following 4-0-0-1 vote:

AYES: Cobo, Diep, Krippner, and Nguyen

NAYS: ABSTAIN: ABSENT: Rice

OLD BUSINESS

None

NEW BUSINESS

A. Authorize Staff to Make the Necessary Payroll Deductions for Enrollment in Legal Shield's Prepaid Legal and Identity Theft Program and Authorize the Finance/Human Resources Director to Execute the Necessary Documents to Implement and Administer the Program

Finance/HR Director Housley stated that there was a good turnout and interest at the lunch and learn provided by Legal Shield. It is a benefit that is completely voluntary and paid for by the employee. The District will do the payroll deductions and there will be minimal administration enrolling in the system and collecting the payment.

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director Diep, seconded by Director Cobo, to approve as recommended by staff and authorize staff to make the necessary payroll deductions for enrollment in Legal Shield's Prepaid Legal and Identity Theft Program and authorize the Finance/Human Resources Director to execute the necessary documents to implement and administer the program. The motion was approved by the following 4-0-0-1 vote:

AYES: Cobo, Diep, Krippner, and Nguyen

NAYS: ABSTAIN: ABSENT: Rice

B. Approval of Memorandum of Understanding (MOU) with American Federation of State, County and Municipal Employees, AFL-CIO Local 1734-01 ("AFSCME Local 1734")

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director Nguyen, seconded by Director Cobo, to approve the Memorandum of Understanding (MOU) with American Federation of State, County and Municipal Employees, AFL-CIO Local 1734-01 ("AFSCME Local 1734"). The motion was approved by the following 4-0-0-1 vote:

AYES: Cobo, Diep, Krippner, and Nguyen

NAYS: ABSTAIN: ABSENT: Rice

C. RESOLUTION NO. 2017-14

(Roll Call Vote)

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA EXTENDING CERTAIN EMPLOYMENT BENEFITS TO NON-REPRESENTED EMPLOYEES

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director Diep, seconded by Director Cobo, to approve and adopt Resolution No. 2017-14. The motion was approved by the following 4-0-0-1 roll call vote:

AYES: Cobo, Diep, Krippner, and Nguyen

NAYS: ABSTAIN: ABSENT: Rice

D. RESOLUTION NO. 2017-15

(Roll Call Vote)

A RESOLUTION NO. 2017-15 FIXING THE EMPLOYER CONTRIBUTION RATE AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT (CalPERS All Employees)

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 Diep, to approve and adopt Resolution No. 2017-15. The motion was approved by the following 4-0-0-1 roll call vote:

AYES: Cobo, Diep, Krippner, and Nguyen

NAYS: ABSTAIN: ABSENT: Rice

E. RESOLUTION NO. 2017-16

(Roll Call Vote)

A RESOLUTION NO. 2017-16 FIXING THE EMPLOYER CONTRIBUTION RATE AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT (Non-PERS Board of Directors)

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 and adopt Resolution No. 2017-16. The motion was approved by the following 3-0-1-1 roll call vote:

AYES: Cobo, Krippner, and Nguyen

NAYS:

ABSTAIN: Diep ABSENT: Rice

F. RESOLUTION NO. 2017-17

(Roll Call Vote)

A RESOLUTION NO. 2017-17 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ADOPTING THE 2018-2019 SALARY SCHEDULE

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director Diep, seconded by Director Cobo, to approve and adopt Resolution No. 2017-17. The motion was approved by the following 4-0-0-1 roll call vote:

AYES: Cobo, Diep, Krippner, and Nguyen

NAYS: ABSTAIN: ABSENT: Rice

INFORMATIONAL ITEMS

A. OC LAFCO End of Nomination Period for Redevelopment Agency Oversight Board Appointment

B. IRS Newswire - Standard Mileage Rates for 2018 Up from Rates for 2017

Receive and file.

BOARD CONCERNS/COMMENTS

Director Diep thanked President Nguyen for his leadership and stated that he is looking forward to 2018 and helping to educate the District's constituents on recycling.

Director Cobo wished the Board and Staff a Merry Christmas and Happy New Year.

President Nguyen thanked Director Diep for clarifying the distinct areas of the District. He reported that the Harvey hurricane relief he was involved in received over \$108,000, and after deducting expenses, a check for \$96,078.53 was presented to Calvary Chapel in Garden Grove last week.

President Nguyen stated that he will be attending City Council meetings to inform them of what the District is doing, specifically the clean up events.

President Nguyen stated that the TET Parade is scheduled for February 17, 2018 and would like it on the next agenda for consideration.

GM/STAFF CONCERNS/COMMENTS

GM Robbins wished everyone a Merry Christmas and Happy New Year and thanked everyone for their gifts.

Finance/HR Director Housley wished everyone a Merry Christmas and stated that the District is starting to receive tax fees.

GENERAL COUNSEL CONCERNS/COMMENT

General Counsel Eggart wished everyone a happy holiday and thanked everyone for the gifts.

General Counsel Eggart provided additional clarification regarding Senate Bill 231 which has been passed into law and will take effect in January 2018. It relates to Proposition 218 which is a constitutional provision in the constitution limiting and imposing procedural requirements when public agencies such as the District or the City adopt fees or charges. He stated that it should not pertain to the District but may pertain to City storm water sewers.

CLOSED EXECUTIVE SESSION

<u>CLOSED SESSION:</u> 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.

ADJOURNMENT

President Nguyen adjourned the meeting to Tuesday, January 2, 2018 at 5:00 P.M. at the District office at approximately 5:46 P.M.

Margie L/Rice, Sécretary