

**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**

January 2, 2018

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, January 2, 2018 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

PLEDGE AND INVOCATION

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

PUBLIC COMMENTS

None .

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF DECEMBER 19, 2017

A motion was made by Director Diep, seconded by Director Cobo, to approve the minutes of the regular meeting of December 19, 2017. The motion was approved by the following 4-0-1 vote:

AYES: Cobo, Diep, Krippner, and Nguyen

NAYS:

ABSTAIN: Rice

ABSENT:

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 317,813.60

#	CK #	Date	AMOUNT	VENDOR
1				HANDCUT CHECKS:
2	9549	12/26	111.46	Costco Wholesale - Annual Membership for 2018
3	9550	12/26	309.15	Pitney Bowes - Lease Payment for Postage Machine January 2018 through April 2018
4	9551	12/26	150.00	Pitney Bowes/Purchase Power - Postage for December 2017
5	9552	12/27	1,060.16	Frontier California-District Office Phones & Lift Stations for Dec. 2017;\$572.66 District Office,
6				\$162.50 Willow Lift, \$162.50 Westminster Lift, \$162.50 Hammon Lift.
7	9553	12/27	3,042.68	SDRMA Delta Dental - Dental Insurance Premium for January 2018
8	9554	12/27	4,644.39	Southern California Edison-District Office \$3,650.17,Brookhurst Lift Station \$84.07,Westminster Lift
9				Station \$378.59, Willow Lift Station \$136.97, Hammon Lift Station \$394.59.
10	9555	12/27	1,094.48	The Standard Life Insurance - Life Insurance & AD&D Premium Coverage for January 2018
11	9556	12/27	414.31	Vision Service Plan - Monthly Premium for January 2018
12			10,826.63	HANDCUT CHECKS SUBTOTAL
13				
14				REGULAR CHECKS:
15	9557	1/2	70.00	Asbury Environmental Services - (200) Gallons Used/Mixed Oil Pick-up
16	9558	1/2	869.01	Bodyworks Equipment - Restock (4) Coils and (20) Rocker Switches
17	9559	1/2	746.00	CRC Cloud - Maintenance & Support for January 2018
18	9560	1/2	67,703.03	CR Transfer - Tonnage from 12/01/2017 through 12/15/2017
19	9561	1/2	1,301.59	Daniels Tire Service - (6) Recaps for Restock
20	9562	1/2	254.42	G & K Services - Uniform Services for December 2017
21	9563	1/2	62.15	Hose-Man, Inc. - Restock (2) Adapters and (54) O-Rings
22	9564	1/2	568.75	McNellus Truck & Mfg. Co. - Labor to Repair Harness for NG1
23	9565	1/2	1,121.87	Orange County Sanitation District - First Quarter FOG Inspections 2017-2018
24	9566	1/2	490.56	Plumber's Depot - (1) Cleaning Nozzle and (2) High-Pressure Ball Valves for M64
25	9567	1/2	880.00	RMS - Scheduled Service Calibration and Testing of District CNG Station for December 2017

26	9568	1/2	2,508.62	RWC Group - Restock (1) T-Beam and (2) Air Springs
27	9569	1/2	97,391.15	Sancon Engineering, Inc. - 2017 Rehab/Repair District Sewer Lining Project
28	9570	1/2	215.00	TM Services Company - Rebuild/Refurbish 5lb ABC Dry Chemical Fire Extinguisher
29	9571	1/2	4,365.00	Woodruff, Spradlin & Smart - Legal Services for November 2017
30			178,547.15	REGULAR CHECKS SUBTOTAL
31				
32				PAYROLL
33		12/19	62,091.77	Payroll - Staff Checks Taxes & Direct Deposits
34		12/19	1,145.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
35		12/19	715.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
36		12/29	5,638.08	Board of Director's Payroll for the Month of December 2017
37		12/29	444.99	Board of Director's Nationwide Deferred Compensation for Dec. 2017 (100% Paid By Directors)
38			70,034.84	PAYROLL SUBTOTAL
39				
40				ACH TRANSFERS
41		12/26	965.48	ACH Retirement Payment to CalPERS for December 2017
42		12/26	1,113.08	ACH Retirement Payment to CalPERS for December 2017
43		12/26	10,624.69	ACH Retirement Payment to CalPERS for December 2017
44		1/2	42,795.70	ACH Employee Health Insurance Payment to CalPERS for January 2018
45		1/2	2,906.03	ACH Board Health Insurance Payment to CalPERS for January 2018
46			58,404.98	ACH TRANSFERS SUBTOTAL
47				
48			317,813.60	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)
49				
50				BANK TRANSFERS
51		12/27	2,700,000.00	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 \$ 317,813.60. 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 Nguyen reported that he met with the General Manager to go over the agenda and that they, along with Director Diep, met at VNCR to do a 10 minute reminder to recycle properly during the holidays.

Report of General Manager

GM Robbins reminded the Board that no bulky items were being picked up during the first two weeks of January 2018 due to Christmas tree pick up.

GM Robbins reported that District staff has added helpful information to the District's website in order for residents to report abandoned items or to order a dumpster.

GM Robbins stated that he provided each Director with a 2017 snapshot of the District. The District picked up over 9,000 large bulky items during the year, for a total of 378 tons. In addition, there were three clean-up events filling a total of 18 dumpsters.

GM Robbins reported that there were two recent accidents – one on Saturday, December 30, 2017 and another one on January 2, 2018. He provided photographs of one and stated that no formal claims have been received yet but that the District is at fault and will pay to repair the damages.

Report from Orange County Sanitation District (OCSD) Meetings on Dec. 20, 2017

Director Krippner asked Director Nguyen what he thought of his first meeting as the District's representative for 2018.

President Nguyen stated that he found the meeting very interesting and that he was given a tour.

Report from VNRC Radio Meeting for Recycling Outreach on Dec. 21, 2017

Director Diep reported that he and President Nguyen, along with GM Robbins went on VNCR to promote recycling by reminding residents specifically what is recyclable, and the financial savings that would indirectly affect them because the District is not charged for tonnage in the blue container. They also shared the Christmas tree pick up schedule which is during the first two weeks of January, instead of bulky item pickups for those two weeks only.

GM Robbins reported that they also reminded residents that the District is on a delayed schedule due to the Christmas and New Year's Day holiday closures two weeks in a row.

President Nguyen asked Director Krippner if he would like to go to VNCR to promote the District's recycling program.

Director Krippner declined the offer.

President Nguyen suggested that Directors Rice and Cobo should plan to go on VNCR to promote the District's recycling program as well.

CONSENT CALENDAR

None

OLD BUSINESS

None

NEW BUSINESS

A. Consider Approval of Bolsa Chica Park Area Clean Up Event on Saturday, March 24, 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 staff's recommendation to have a clean-up event at Bolsa Chica Park on Saturday, March 24, 2018. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

B. Discussion and Appointment of Ad Hoc Committees to Promote Recycling in Three Areas within the District – East, West, and Central

President Nguyen stated that the District needs to increase its recycling numbers and that by dividing up the District into specific areas, could reach a larger number of residents. For instance, he stated that the Vietnamese community listens to the radio, so going on VNCR is a good way to capture that group. For the central and western areas of the District, it may be different.

Director Rice stated that she was against individual Ad Hoc Committees and preferred a study session with the whole Board. She suggested there be a separate, fourth area for the unincorporated area of Midway City.

Directors Rice and Cobo suggested using the schools as platforms.

Director Diep stated that if the Board formed Ad Hoc Committees, they could brainstorm and decide how to most effectively promote and communicate to each area individually and then bring that idea back to the entire Board for approval.

GM Robbins stated that, however the message is delivered to each of these areas, the content needs to be the same so there is no confusion.

Discussion ensued.

Director Diep stated that he and Director Cobo could continue, as last year, and create an Ad Hoc Committee to continue to work toward better recycling within the District. General Counsel Eggart asked if the scope of the Committees was to meet and formulate recommendations to bring back to the full Board regarding outreach for the individual communities, for clarification for the minutes.

The Board confirmed that it was.

There was discussion whether there should be 2 or 3 people on each committee.

General Counsel Eggart clarified that the Brown Act was amended a few years ago and that it states that whether a decision is made or not, if the majority of the Board meets to discuss an issue that is within the jurisdiction of the Board, it does constitute a Brown Act meeting so for an Ad Hoc Committee, it needs to be no more than 2 people. He also recommended that the Board not make staff a formal member of any of the committees because it would trigger the Brown Act, but that staff could provide support to the committees.

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 move to appoint four separate Ad Hoc committees – Directors Rice and Cobo on both the West and Midway City committees, Directors Krippner and Nguyen on the Central committee, and Directors Nguyen and Diep for the East committee. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

C. Discuss and Consider the District's Participation in the City of Westminster's Annual TET Parade Scheduled for Saturday, February 17, 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 the District's participation in the TET parade, to donate \$1,000, to provide cardboard trash receptacles, request a bin donation from the District's franchisee, and to hire a mariachi band for the event. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

D. Consider Claim against the Midway City Sanitary District from Resident at 13551 Wynant Drive, Westminster

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 Rice, to follow staff's recommendation and deny the claim against the District from resident at 13551 Wynant Drive, Westminster. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

E. Discussion of Director Krippner's Proposal to Change the Midway City Sanitary District's Official Name

General Counsel Eggart stated that it would not be difficult to legally change the name of the District and would only require the adoption of a resolution, to be filed with the California Secretary of State and recorded in the County Recorder's office.

Directors Cobo and Rice stated that they were not in favor of changing the District's name.

Director Krippner stated that the number of people in Westminster is 20 times that of Midway City, and that their name should be somewhere.

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 take no action. The motion was approved by the following 4-1 vote:

AYES: Cobo, Diep, Nguyen and Rice

NAYS: Krippner

ABSTAIN:

ABSENT:

F. Discussion and Approval of Midway City Sanitary District 80th Anniversary Logo for 2019

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 move to select logo #4 for the District's 80th anniversary in 2019. The motion was approved by the following 4-0-1 vote:

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

INFORMATIONAL ITEMS

- A. Special District Risk Management Authority (SDRMA) 2016-17 Annual Report
- B. Independent Special Districts of Orange County (ISDOC) Quarterly Meeting on January 25, 2018 – Spotlighting Midway City Sanitary District

Receive and file.

BOARD CONCERNS/COMMENTS

Director Rice thanked everyone for the holiday gifts and cards.

Director Cobo stated that the District is being recognized more now and that in the past, residents confused the District with Rainbow Environmental, who was one of the District's franchisees for commercial properties and dumpster rentals. He stated that to change the District's name now would be confusing.

Director Krippner stated that nobody knows where Midway City is.

GM/STAFF CONCERNS/COMMENTS

GM Robbins stated that the 2018 Waste Expo would be Monday April 23 through Thursday April 26, 2018 and asked that the Directors let staff know if they are planning to attend so that hotel reservations can be made as soon as possible.

GM Robbins wished Director Rice a happy birthday.

GENERAL COUNSEL CONCERNS/COMMENT

None

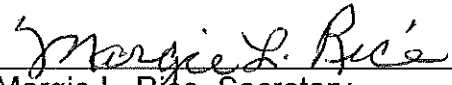
CLOSED EXECUTIVE SESSION

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.

ADJOURNMENT

President Nguyen adjourned the meeting to Tuesday, January 16, 2018 at 5:00 P.M. at the District office at approximately 6:09 P.M.


Margie L. Rice, Secretary