

**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**

**April 17, 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, April 17, 2018 at 5:00 P.M.

**BOARD MEMBERS PRESENT:**

Al P. Krippner  
Margie L. Rice  
Tyler Diep (arrived at 5:01 P.M.)  
Frank A. Cobo  
Chi Charlie Nguyen

**OTHERS AT MEETING:**

Ken Robbins, General Manager  
Robert Housley, Finance/HR Director  
James Eggart, General Counsel  
Danielle Gerardo, Board Secretary  
Fred Adjarian, El Toro Water District  
Nathan Nguyen, Student CSUF

**PLEDGE AND INVOCATION**

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

**PUBLIC COMMENTS**

Mr. Fred Adjarian, a Director at El Toro Water District, introduced himself and stated that he is running for the LAFCO Regular Special District seat. He stated that he has over 43 years experience, 34 of which were in local government service, 27 spent managing 5 different waste water agencies, of which two were special districts and two were municipal water departments. He has worked with LAFCO in six different counties allowing him to get hands on experience in the proceedings that LAFCO is involved in

including an annexation, a detachment, a consolidation, a dissolution, sphere of influence studies and municipal service reviews. He is involved in the five year MSR (Municipal Service Review) that LAFCO is embarking on and he attended their annual strategic workshop. One of his duties as Director at El Toro Water District is to attend every LAFCO meeting since 2014 so he has become familiar with their issues, work plan, budget, and strategic planning efforts. He stated that he brings experience and institutional knowledge to the position, supports local government and asked for the Board's support.

California State University of Fullerton student Nathan Nguyen stated that he was attending the Board meeting for a school assignment.

### APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF APRIL 3, 2018

A motion was made by Director Krippner, seconded by Director Diep, to approve the minutes of the regular meeting of April 3, 2018. 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 \$ 240,451.08

#	CK #	Date	AMOUNT	VENDOR	
1				HANDCUT CHECKS:	
2	9763	4/5	1,274.38	Chevron & Texaco Bus. Card Svcs. - Gasoline Purchases for March 2018	
3	9764	4/5	338.74	Union Bank (NC) - (1) Replacement Microwave for Fleet Kitchen, (6) SD Cards for Fleet,	
4				Restock District Kitchen Supplies for March 2018.	
5	9765	4/9	313.86	AT&T Mobility - Service for March 2018; (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606,	
6				Sewer 714-310-8654, Emergency 714-310-9004,	
7	9766	4/9	129.98	DirectTV - Service for April 2018	
8	9767	4/9	815.16	Staples Business - Restock District Office Supplies for March 2018; [4] Replacement Boardroom	
9				Chairs for District Offices,	
10	9768	4/9	6,833.21	US Bank -	
11				(DGe) Board Meeting Refreshments for 03/06 & 03/20	\$18.38
12					<b>DGe Total \$18.38</b>
13				(DGr) Sewer Maint. Supplies for MAR-2018	\$67.38
14					<b>DGr Total \$67.38</b>

15			(RH) Food & Refreshments for CSMFO Conference Riverside 02/21-02/23/2018	\$17.40
16			(RH) Hotel for CSMFO Conference Riverside 02/21-02/23/2018	\$255.60
17			(RH) Staff Meeting Donuts 03/02/2018	\$11.99
18			(RH) City of Westminster - Water - Maint. Shop 12/20/2017-02/13/2018	\$14.72
19			(RH) City of Westminster - Water - Wash Rack 12/20/2017-02/13/2018	\$129.42
20			(RH) City of Westminster - Water - District Offices 12/20/2017-02/13/2018	\$104.10
21			(RH) City of Westminster - Hydrant Meter Water Usage JAN-FEB-2018	\$56.23
22			(RH) City of Westminster - Water - Westminster Lift Station 01/10-03/06/2018	\$14.72
23			(RH) Flight Ticket for SDRMA HR&Safety Conference 03/19-03/20/2018	\$287.96
24			(RH) Remington Monthly Water Svc. MAR-2018	\$64.00
25			(RH) Food & Refreshments for SDRMA HR&Safety Conference 03/19-03/20/2018	\$121.41
26			(RH) Flight Ticket for SDRMA HR&Safety Conference 03/19-03/20/2018	\$109.07
27			<b>RH Total</b>	<b>\$1,186.62</b>
28			(KR) [4] 29"x93" Truck Signs for Restock/Replacement	\$905.10
29			(KR) Waste Expo Las Vegas, NV Conf. Registration for 04/23-04/26/2018 (MR)	\$490.00
30			(KR) Waste Expo Las Vegas, NV Conf. Registration for 04/23-04/26/2018 (FC)	\$490.00
31			(KR) Waste Expo Las Vegas, NV Conf. Registration for 04/23-04/26/2018 (CN)	\$490.00
32			(KR) [6] Restock/Replacement Sign Frames for Fleet	\$1,721.25
33			(KR) Lunch after Bolsa Chica Clean-Up Event 03/17/2018 (MR)	\$8.27
34			(KR) Lunch after Bolsa Chica Clean-Up Event 03/17/2018 (FC)	\$8.27
35			(KR) Lunch after Bolsa Chica Clean-Up Event 03/17/2018 (KR, NC, DH, DG, ML)	\$41.32
36			(KR) Wiarcom Monthly Svc. MAR-2018	\$490.95
37			(KR) ISDOC Quarterly Luncheon 03/29/2018 (KR)	\$17.00
38			(KR) ISDOC Quarterly Luncheon 03/29/2018 (TD)	\$17.00
39			(KR) ISDOC Quarterly Luncheon 03/29/2018 (AK)	\$17.00
40			(KR) ISDOC Quarterly Luncheon 03/29/2018 (CN)	\$17.00
41			(KR) ISDOC Quarterly Luncheon 03/29/2018 (MR)	\$17.00
42			(KR) ISDOC Quarterly Luncheon 03/29/2018 (FC)	\$17.00
43			(KR) ISDOC Quarterly Luncheon 03/29/2018 (DGe)	\$17.00
44			<b>KR Total</b>	<b>\$4,764.16</b>
45			(NC) Flight Ticket for SDRMA HR&Safety Conference 03/19-03/20/2018	\$137.98
46			(NC) Taxi for SDRMA HR&Safety Conference 03/19-03/20/2018	\$13.76
47			(NC) Hotel for SDRMA HR&Safety Conference 03/19-03/20/2018	\$143.51
48			(NC) Food for SDRMA HR&Safety Conference 03/19-03/20/2018	\$12.80
49			(NC) Home Depot & Air Filters	\$488.62
50			<b>NC Total</b>	<b>\$796.67</b>
51	9769	4/11	45.00 Darrell Grimes - Reimbursement for DMV Renewal	
52	9770	4/11	3,771.26 The Gas Company - CNG Fuel for March 2018	
53	9771	4/11	1,299.57 Verizon Business - Internet Connection for April 2018	
54			<b>14,821.16 HANDCUT CHECKS SUBTOTAL</b>	
55				
56			<b>REGULAR CHECKS:</b>	
57	9772	4/11	200.00 Frank Cobo - Per Diem 2018 Waste Expo Las Vegas, NV 04/23-04/26/2018	
58	9773	4/11	200.00 Nick Castro - Per Diem 2018 Waste Expo Las Vegas, NV 04/23-04/26/2018	
59	9774	4/11	200.00 Margle Rice - Per Diem 2018 Waste Expo Las Vegas, NV 04/23-04/26/2018	

60	9775	4/11	1,800.00	M. Joan Fincher - Residential Sewer Lateral & Cleanout Financial Assistance Program
61	9776	4/11	62.00	Advanced Gas Products - Cylinder Rental for March 2018
62	9777	4/11	116.20	Advanced Workplace Strategies - DOT Drug Test Collection & Mileage Fees
63	9778	4/11	1,840.46	Bodyworks Equipment - (1) Monoblock Valve for NG6
64	9779	4/11	247.58	Clintas - Uniform Services for March & April 2018
65	9780	4/11	69,329.25	CR Transfer - Tonnage from 03/16/2018 through 03/31/2018
66	9781	4/11	1,924.21	Dante's Tire Service - (9) Recops & (3) Repairs for Restock
67	9782	4/11	4,310.00	DINtech - (1,000) [500-Medium, 500-Large] Organics Program Promotional Youth T-Shirts
68	9783	4/11	8,700.00	ECIS- FOG Inspections for March 2018
69	9784	4/11	525.00	Frog Environmental - 2017-2018 Storm Water Payment #4
70	9785	4/11	347.50	Konecranes - 2018 Quarterly PM Service of Shop Crane
71	9786	4/11	550.14	Merchants Building Maintenance - District Offices Janitorial Services for April 2018
72	9787	4/11	1,225.00	Odyssey Power Corporation - Quarterly Generator Maintenance for March 2018
73	9788	4/11	12,367.10	Orange County Sanitation District - Permit Fees for March 2018 (MCSD 5% = \$650.90)
74	9789	4/11	427.72	Orange County Sanitation District - Second Quarter FOG Inspections 2017-2018
75	9790	4/11	22,213.75	Oflo Environmental Systems - Restock (456) 95-Gallon Blue Containers
76	9791	4/11	3,694.00	Rutan & Tucker - Legal Services for March 2018
77	9792	4/11	1,984.28	RWC Group - Electrical Repairs, Parts & Labor, for NG1
78	9793	4/11	229.60	SDRMA - Property/Liability Added 2018 Chevy C1500 S2 & S3
79	9794	4/11	1,011.48	South Coast AQMD - AQMD Fee for FY 2017-2018 for District Diesel Generators;
80				AQMD Fee for FY 2017-2018.
81	9795	4/11	1,766.49	TEC of California - Restock (12) Hydraulic Steering Filters; (1) Turbo Charger, (1) Clamp,
82				(4) Nuts, (4) Studs for NG8.
83	9796	4/11	21.33	TrucPar Company - (2) Air Fittings for Vector Trucks
84	9797	4/11	34.75	Underground Service Alert - (15) New Tickets for March 2018
85	9798	4/11	4,657.50	Woodruff, Spradlin & Smart - Legal Services for March 2018
86			139,985.34	REGULAR CHECKS SUBTOTAL
87				
88				PAYROLL
89	4/6		6,476.47	Board of Director's Payroll for the Month of March 2018
90	4/6		505.67	Board of Director's Nationwide Deferred Compensation for March 2018 (100% Paid By Directors)
91	4/10		63,806.69	Payroll - Staff Checks Taxes & Direct Deposits
92	4/10		2,025.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
93	4/10		590.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
94			73,403.83	PAYROLL SUBTOTAL
95				
96				ACH TRANSFERS
97	4/11		981.02	ACH Retirement Payment to CalPERS for PEPRA 03/26/2018-04/08/2018
98	4/11		1,113.08	ACH Retirement Payment to CalPERS for Classic 8584 03/26/2018-04/08/2018
99	4/11		10,146.65	ACH Retirement Payment to CalPERS for Classic 8583 03/26/2018-04/08/2018
100			12,240.75	ACH TRANSFERS SUBTOTAL
101				
102			240,451.08	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)
103				

A motion was made by Director Cobo, seconded by Director Rice, to approve the expenditures in the amount of \$ 240,451.08. 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 the District received an application for and approved the payment of \$1,800 for sewer lateral assistance for the resident at 13381 Edinburg Avenue, Westminster.

GM Robbins reported that the District has contracted with Statewide Traffic Safety Control for the development of plans for Beach Blvd. that can be turned into Caltrans so that the District will have an ongoing permit for maintenance. The cost was \$4,800 and includes seven sets of plans, six for Caltrans, and one of which will stay with the District.

GM Robbins stated that the District will need to adopt a new solid waste ordinance to address the misuse of carts. He stated that inflation is coming and the District will eventually need to raise its rates.

GM Robbins reported that the District received information from CalRecycle and Air Resources Board regarding SB1383 - mandatory curbside recycling and its enforcement by 2022.

GM Robbins stated that the Board is due to take sexual harassment training. Orange County Sanitation District is offering the training to the District's Board members on Wednesday, May 16 at 2 P.M. and he asked that they RSVP in advance.

GM Robbins stated that he would like to have an open house at the District in July in order to promote recycling and explain the organics recycling program.

### **Report from Orange County Sanitation District (OCSD) Meeting on April 11, 2018**

Director Krippner attended the meetings on April 11, 2018 and stated that he would provide a report at the next regular Board meeting.

## **Report from the Employee Luncheon on April 11, 2018**

All of the Directors attended the luncheon and agreed that it was a nice event.

### **CONSENT CALENDAR**

A. Approve and file the Treasurer's Investment Report for March 2018

A motion was made by Director Diep, seconded by Director Rice, 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. Review and Discuss Appeal of Sewer Charges at 14042 Olive Street, Westminster, CA 92683

GM Robbins stated that the issue had been resolved with the property owner and that there was no need for the Board to take any action.

Finance/HR Director Housley stated that the property owner is happy that his sewer charges have been resolved. He stated that there are three addresses at that location but only two businesses operating and that the District charges per unit.

B. Consider Sponsorship of the City of Westminster's 2018 Summer Concerts in the Park Series

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 the District's sponsorship of the City of Westminster's 2018 Summer Concerts in the Park Series in the amount of \$1,400. The motion was approved by the following 5-0 vote:

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

C. Consider a Construction Agreement with the Orange County Transportation Authority ("OCTA") to extend the encasement of Midway City Sanitary District's Utility Facilities on Bolsa Avenue South of the 405 Freeway

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 construction agreement with the Orange County Transportation Authority ("OCTA") to extend the encasement of Midway City Sanitary District's utility facilities on Bolsa Avenue south of the 405 freeway. The motion was approved by the following 5-0 vote:

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

D. RESOLUTION NO. 2018-02

*(Roll Call Vote)*

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, DETERMINING THERE IS NO LONGER A NEED FOR THE IMMEDIATE EXPENDITURE OF FUNDS FOR THE EMERGENCY EVALUATION AND/OR REPAIR OF A SEWER LINE IN WESTMINSTER BOULEVARD EAST OF THE 405 FREEWAY AND PROCLAIMING THE TERMINATION OF THE EMERGENCY ACTION

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 and adopt Resolution No. 2018-02, determining there is no longer a need for the immediate expenditure of funds for the emergency evaluation and/or repair of a sewer line in Westminster Boulevard east of the 405 freeway and proclaiming the termination of the emergency action. The motion was approved by the following 5-0 roll call vote:

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

#### **INFORMATIONAL ITEMS**

A. Web Site Activity for the Month of March 2018 (131,776 Successful Hits)

Receive and file.

## BOARD CONCERNS/COMMENTS

Director Rice thanked Finance/HR Director Housley for the good investment report and making it so easy to read.

## GM/STAFF CONCERNS/COMMENTS

None

## 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 Nguyen adjourned the meeting to Wednesday, April 18, 2018 at 5:00 P.M. at the District office at approximately 5:35 P.M.

  
Margie L. Rice, Secretary