

**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**

**June 5, 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, June 5, 2018 at 5:00 P.M.

**BOARD MEMBERS PRESENT:**

Al P. Krippner  
Margie L. Rice  
Tyler Diep (absent)  
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

**PLEDGE AND INVOCATION**

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

**PUBLIC COMMENTS**

None

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MAY 15, 2018**

A motion was made by Director Rice, seconded by Director Krippner, to approve the minutes of the regular meeting of May 15, 2018. The motion was approved by the following 4-0 vote:

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

**APPROVAL OF THE MINUTES OF THE ADJOURNED REGULAR BUDGET MEETING/WORKSHOP OF MAY 22, 2018**

A motion was made by Director Cobo, seconded by Director Rice, to approve the minutes of the adjourned regular budget meeting/workshop meeting of May 22, 2018. The motion was approved by the following 4-0 vote:

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

**APPROVAL OF EXPENDITURES**

**A. Demands in the amount of \$ 311,576.18**

#	CK #	Date	AMOUNT	VENDOR
1				HANDCUT CHECKS:
2	9874	5/15	2,364.44	Duy D. Tran - Claim 04/30/2018
3	9875	5/15	510.77	Margie L. Rice - Reimbursement for '18 Las Vegas Waste Expo 04/23-04/26/2018
4	9876	5/16	1,400.00	City of Westminster - 2018 Sponsorship of Concerts in the Park for District
5	9877	5/16	15.00	County of Orange Auditor Controller - Parcel Fee Assessment
6	9878	5/16	6,842.59	DTNtech - (17,500) Mailers for Open House Event
7	9879	5/16	68.05	The Gas Company - District Office, Maintenance Shop, & Wash Rack Usage Fees for May 2018
8	9880	5/16	170.66	AT&T - Brookhurst Lift Station Service for May 2018
9	9881	5/24	14.15	City of Westminster - Water Usage for Hammon Lift Station 03/07-05/01/2018
10	9882	5/24	214.35	LegalShield - Member Paid Services for April 2018
11	9883	5/24	237.17	Pitney Bowes/Purchase Power - Ink Cartridge Refill for Postage Machine MAY-2018
12	9884	5/24	3,042.68	SDRMA Delta Dental - Dental Insurance Premium for June 2018
13	9885 9886-	5/30	950.00	ASAP Garage Door & Gate, Inc. - Repairs, Labor, & Parts to District Entry Gate
14	9891	6/1		VOID Printing Error

15	9892	6/1	1,077.97	<b>Frontier Communications</b> -District Office Phones&Lift Stations for May 2018;\$589.81 District Office,		
16				\$162.72 Willow Lift, \$162.72 Westminster Lift, \$162.72 Hammon Lift.		
17	9893	6/1	4,054.65	<b>Southern California Edison</b> -District Office \$3,069.92, Brookhurst Lift Station\$96.59,Westminster Lift		
18				Station \$359.28, Willow Lift Station \$150.45, Hammon Lift Station \$378.41.		
19	9894	6/1	1,212.48	<b>Union Bank (NC)</b> - Travel Costs for '18 Las Vegas Waste Expo 04/23-04/26/2018; Restock District		
20				Kitchen Supplies; Drivers Training Luncheon 04/28/2018.		
21	9895	6/1	12,380.88	<b>US Bank</b>		
22				(DGe) Board Meeting Refreshments for 05/01 & 05/15		\$20.38
23					<b>DGe Total</b>	<b>\$20.38</b>
24				(DGr) Restock Sewer Maint. Supplies MAY-2018		\$45.04
25					<b>DGr Total</b>	<b>\$45.04</b>
26				(RH) City of Westminster - Water - Hydrant Meter Water Usage MAR-APR 2018		\$56.23
27				(RH) City of Westminster - Water - Maint. Shop 02/14-04/10/2018		\$14.72
28				(RH) City of Westminster - Water - Dist. Offices 02/14-04/10/2018		\$97.70
29				(RH) City of Westminster - Water - Wash Rack 02/14-04/10/2018		\$129.42
30				(RH) Admin. Prof. Day Front Office Refreshments		\$13.35
31				(RH) Remington Monthly Svc. MAY-2018		\$64.00
32				(RH) City of Westminster - Water - Westminster Lift Station 03/07-05/01/2018		\$14.72
33				(RH) CSMFO OC Chapter Meeting 06/21/2018		\$30.00
34					<b>RH Total</b>	<b>\$420.14</b>
35				(NC) Restock District Kitchen Supplies MAY-2018		\$151.40
36				(NC) (5) Socket Wrenches for Shop		\$364.04
37					<b>NC Total</b>	<b>\$515.44</b>
38				(KR) Wiarcom Monthly Svcs. APR-2018		\$490.95
39				(KR) Front Office Candy & Picture Frames		\$26.92
40				(KR) Admin. Appreciation Day Luncheon		\$466.00
41				(KR) (400) Organic Program Adult T-Shirts		\$1,724.00
42				(KR) (2,000) Door Hangers for Clean-Up Events AUG&OCT2018		\$506.42
43				(KR) (6) Safety Control Plans & (4) No Parking Signs		\$4,802.66
44				(KR) Overnight SCADA Computer to Tesco for Repairs		\$398.68
45				(KR) Westgate Hotel Reservation for '18 Las Vegas Waste Expo 04/23-04/26/2018 (Nguyen)		\$625.81
46				(KR) Westgate Hotel Reservation for '18 Las Vegas Waste Expo 04/23-04/26/2018 (Robbins)		\$625.81
47				(KR) Westgate Hotel Reservation for '18 Las Vegas Waste Expo 04/23-04/26/2018 (Rice)		\$625.81
48				(KR) Westgate Hotel Reservation for '18 Las Vegas Waste Expo 04/23-04/26/2018 (Cobo)		\$625.81
49				*(KR) Amazon Prime Membership 04/23/2018		\$107.66
50				*(KR) Lightupcom 05/04/2018		\$99.90
51				(KR) Food for '18 Las Vegas Waste Expo 04/23-04/26/2018		\$291.99
52				*(KR) Credit Westgate Hotel Reservation for '18 Las Vegas Waste Expo 04/23-04/26/2018		-\$38.54
53					<b>KR Total</b>	<b>\$11,379.88</b>
54	9896	6/1	414.31	<b>Vision Service Plan</b> - Monthly Premium for June 2018		
55	9897	6/1	1,096.16	<b>The Standard Life Insurance</b> - Life Insurance & AD&D Premium Coverage for June 2018		
56			<b>36,066.31</b>	<b>HANDCUT CHECKS SUBTOTAL</b>		
57						

58			<b>REGULAR CHECKS:</b>	
59	9898	6/1	57.00 <b>Advanced Workplace Strategies</b> - DOT Drug Testing & Collection Fees	
60	9899	6/1	4,833.24 <b>Bodyworks Equipment</b> - (1) Main Relief for NG6; (1) Hydro-Pump for NG4; Restock (1) Grip Cylinder,	
61			(3) Oil Level Sight/ Temp Gauge, (3) Hydraulic Filter Kits for Restock.	
62	9900	6/1	1,235.23 <b>Chemsearch, Inc.</b> - Restock (120)LBS Max-i-Lube for Fleet	
63	9901	6/1	531.23 <b>Cintas</b> - Uniform Services for May 2018	
64	9902	6/1	746.00 <b>CRC Cloud</b> - Maintenance & Support for June 2018	
65	9903	6/1	150.00 <b>Country City Towing</b> - Towing of M7 to District Yard	
66	9904	6/1	71,224.05 <b>CR Transfer</b> - Tonnage for 05/01/2018 through 05/15/2018	
67	9905	6/1	1,718.01 <b>Daniels Tire Service</b> - (8) Recaps & (2) Repairs for Restock	
68	9906	6/1	78.02 <b>Haaker Equipment Co.</b> - (1) Bottom Cover Plate for M64	
69	9907	6/1	393.42 <b>Hose-Man, Inc.</b> - (1) 108" & 110" Hoses for NG6	
70	9908	6/1	2,364.78 <b>Hunlington Beach Ford</b> - Parts & Labor to Repair G2	
71	9909	6/1	1,250.44 <b>Los Alamitos Napa Auto Parts</b> - (100) Filings, (5) Super Duty Grease, (4) Oil Filters, (2) Fuel Filters,	
72			(5) Air Filters, (10) Male Connectors, (3) Male Swivels, (1) Brake Shoe, (1) Brake Drum,	
73			(1) HD Plus for Restock; (1) Alternator for M64.	
74	9910	6/1	172.97 <b>North American Safety</b> - (9) Green Organics Polo Shirts w/Embroider	
75	9911	6/1	32,194.95 <b>Olfo Environmental Systems</b> - (720) 65-Gallon Black Carts for Restock	
76	9912	6/1	122.07 <b>Petty Cash - Ken Robbins</b>	
77			(NC) (2) Bolts for Restock	\$7.65
78			Donuts for Staff Meeting 02/17/2018	\$13.94
79			(NC) (20) Sockets & (1) Hex Key for Restock	\$6.74
80			Donuts for Board & Staff 03/22/2018	\$9.99
81			(RH) Candy for Front Desk & Board Meetings	\$14.00
82			(RH) Donuts for Staff Meeting 04/16/2018	\$14.29
83			(KR) Parking for '17 Sewer Lining Project	\$1.00
84			(KR) Notary for Notice of Completion for '17 Sewer Lining Project	\$15.00
85			(RH) Candy for Front Desk & Board Meetings	\$26.97
86			(RH) Donuts for Staff Meeting 05/07/2018	\$12.49
87	9913	6/1	168.53 <b>Plumber's Depot</b> - (1) Fill Hose for M64	
88	9914	6/1	880.00 <b>RMS</b> - Calibration & Testing of Gas Detection System for District	
89	9915	6/1	3,663.95 <b>Rosemead Oil Products</b> - Restock (160) Gallons Hydraulic Oil, (90) CNG 15W-40 Oil, (55) Betalube ATF	
90	9916	6/1	1,950.00 <b>Safety Research Consultants</b> - Driver Safety Training 04/28/2018	
91	9917	6/1	15,791.52 <b>Sancon Engineering</b> - Retention Payment for 2017 Sewer Lining Project	
92	9918	6/1	257.22 <b>South Coast AQMD</b> - AQMD Fees for Hammon & Westminster Lift Stations July 2017 through June 2018	
93	9919	6/1	39.01 <b>TEC of California</b> - (1) Stop Light for NG2	
94	9920	6/1	4,181.40 <b>Tesco Controls</b> - (1) Hydro-Raner for Sewer Spare; Troubleshooting Power Issues 04/12/2018	
95			& 04/13/2018 for Brookhurst & Willow Lift Stations.	
96	9921	6/1	1,706.56 <b>Top Mobile Vision</b> - Labor & Parts to Install (1) Monitor for M64 & (1) Monitor for NG7	
97			<b>145,709.60 REGULAR CHECKS SUBTOTAL</b>	
98				

98		
99		<b>PAYROLL</b>
100	5/22	61,663.42 Payroll - Staff Checks Taxes & Direct Deposits
101	5/22	590.00 Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
102	5/22	2,145.00 Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
103	6/1	6,445.32 Board of Director's Payroll for the Month of May 2018
104	6/1	505.67 Board of Director's Nationwide Deferred Compensation for May 2018 (100% Paid By Directors)
105		<b>71,349.41 PAYROLL SUBTOTAL</b>
106		
107		<b>ACH TRANSFERS</b>
108	6/1	2,906.03 ACH Board Health Insurance Payment to CalPERS for June 2018
109	6/1	42,795.70 ACH Employee Health Insurance Payment to CalPERS for June 2018
110	5/24	981.02 ACH Retirement Payment to CalPERS for PEPRA 05/07/2018-05/20/2018
111	5/24	1,116.47 ACH Retirement Payment to CalPERS for Classic 8584 05/07/2018-05/20/2018
112	5/24	10,651.64 ACH Retirement Payment to CalPERS for Classic 8583 05/07/2018-05/20/2018
113		<b>58,450.86 ACH TRANSFERS SUBTOTAL</b>
114		
115		<b>311,576.18 TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)</b>
116		
117		<b>BANK TRANSFERS</b>
118	5/25	240,000.00 Transfer Funds from Money Market to Checking Account

A motion was made by Director Cobo, seconded by Director Rice, to approve the expenditures in the amount of \$ 311,576.18. The motion was approved by the following 4-0 vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

## REPORTS

### Report of President

President Nguyen reported that he helped a couple who had just recently moved to the City of Westminster by calling the District and setting up a pick-up for some large bulky items that they wanted to get rid of. They were extremely grateful and appreciative for the service.

### Report of General Manager

GM Robbins stated that the District will not be purchasing any more large 95-gallon black containers. The District will be providing each resident with a new green 65-gallon organics container in November for yard and food waste, so combined with the black container they will get 130 gallons.

GM Robbins reported that the District has applied for a \$20,000 grant from the Air Resources Control Board for the two new solid waste trucks.

GM Robbins reported that at the meeting with CalRecycle, he was informed that all new construction for strip malls, etc. will require new standards for a three bin enclosure instead of two.

GM Robbins reported that the District came up with calculations for the organics recycling because mulching is considered organics recycling. The District will get a diversion credit from CalRecycle for anything within the District's jurisdiction (parks, etc.) that leaves grass clippings after cutting it. The calculations are: 300 pounds of grass clippings for every 1000 square feet or approximately 6 ½ tons per acre per year. MCSD is one of four agencies with an organics program and food waste program and the only agency in the State of California servicing mobile home parks with an organics programs. A new State mandate will make it a requirement that all agencies have some type of program and agreement in place by next year, and by 2020 all businesses will have to reconcile how they are disposing of their food waste or risk losing their business permit.

GM Robbins reminded the Board of the Liberty Park Cleanup event on Saturday, June 9, 2018 from 10 A.M. until 1 P.M., or until bins are full.

GM Robbins stated that the District would be closed on Monday, November 12, 2018 in observance of Veteran's Day which lands on Sunday, November 11, 2018 this year.

GM Robbins stated that the Calendar Committee will meet on June 13, 2018.

### **Report from Orange County Sanitation District (OCSD) Meeting on May 23, 2018**

President Nguyen reported that OCSD awarded the Newhope/Placentia Trunk Sewer Replacement Project to the second lowest bidder. The lowest bidder challenged the decision and after lengthy discussion by the Board, the final decision was to award the bid to the second lowest bidder as previously decided.

### **Report from the Sexual Harassment Training on May 16, 2018**

Directors Rice, Cobo, Krippner and Diep attended the training offered by OCSD and agreed the instructor was very good.

### **CONSENT CALENDAR**

None

### **OLD BUSINESS**

None

## **NEW BUSINESS**

### **A. Discussion and Consideration of Emergency On-Call Agreement**

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 authorize the General Manager to proceed with procuring the services of contractors for on-call emergency repairs in the form of the agreement presented to the Board, subject to modifications to be approved by the Board when the contract is brought back. The motion was approved by the following 4-0 vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

### **B. RESOLUTION NO. 2018-06**

*(Roll Call Vote)*

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ADOPTING THE HARASSMENT, DISCRIMINATION, AND RETALIATION POLICY**

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 Resolution No. 2018-06, adopting the harassment, discrimination and retaliation policy for the District. The motion was approved by the following 4-0 roll call vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

## **INFORMATIONAL ITEMS**

A. OC LAFCO Regular and Alternate Special Member Seat Results

B. Web Site Activity for the Month of May 2018 (153,249 Successful Hits)

C. ISDOC Ad Hoc Committee call re: OC LAFCO Dues

Receive and file.

## BOARD CONCERNS/COMMENTS

Director Rice stated that she was disappointed that Bob Ooten did not get elected to the Alternate Special Member Seat on the OC LAFCO Board.

President Nguyen stated that he looked forward to seeing everyone at the Liberty Park Cleanup event on Saturday, June 9, 2018.

## GM/STAFF CONCERNS/COMMENTS

None

## GENERAL COUNSEL CONCERNS/COMMENT

General Counsel James Eggart stated that the General Manager placed his performance evaluation on the agenda for closed session because his employment agreement requires him to do so and for the Board to conduct a review annually. However, since there were only four Board members in attendance, he stated that the Board could either go into closed session or choose continue it to the next meeting when all five Board members were in attendance. He stated that it was up to the Board whether they wanted to convene the meeting to executive closed session or wait until Director Diep was at the meeting to do the General Manager's performance evaluation.

## 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.

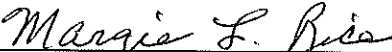
Reports relating to (a) purchase and sale of property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code Section 54957(b)) Title: General Manager

The Board unanimously agreed to postpone the closed session until the next meeting when there was a full Board and did not convene into closed session.

## ADJOURNMENT

President Nguyen adjourned the meeting to Tuesday, June 19, 2018 at 5:00 P.M. at the District office at approximately 5:29 P.M.

  
\_\_\_\_\_  
Margie L. Rice, Secretary