

**MINUTES OF THE REGULAR MEETING/PUBLIC HEARING OF THE  
BOARD OF DIRECTORS OF THE MIDWAY CITY  
SANITARY DISTRICT OF ORANGE COUNTY  
14451 CEDARWOOD AVENUE  
WESTMINSTER, CA 92683**

**June 19, 2018**

**CALL TO ORDER**

President Nguyen called the regular meeting/public hearing of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminister, California on Tuesday, June 19, 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 Cobo led the Pledge of Allegiance. Director Rice gave the Invocation.

**PUBLIC COMMENTS**

None

## APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JUNE 5, 2018

A motion was made by Director Rice, seconded by Director Cobo, to approve the minutes of the regular meeting of June 5, 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 \$ 200,880.60

#	CK #	Date	AMOUNT	VENDOR
1				<b>HANDCUT CHECKS:</b>
2	9922	6/4	750.00	<b>Anne Fouquette</b> - Replaced Damaged Check #15976
3	9923	6/5	340.53	<b>Robert Mayfield</b> - Overtime Owed from 06/05/2018 Pay date
4	9924	6/5	1,476.43	<b>Chevron &amp; Texaco Bus. Card Svcs.</b> - Gasoline Purchases for May 2018
5	9925	6/5	316.74	<b>AT&amp;T Mobility</b> - Service for May 2018: (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606
6				Sewer 714-310-8654, Emergency 714-310-9004.
7	9926	6/5	129.98	<b>DirectTV</b> - Service for June 2018
8	9927	6/13	3,511.81	<b>The Gas Company</b> - CNG Fuel for May 2018; District Office, Maintenance Shop, & Wash
9				Rack Usage Fees for June 2018.
10	9928	6/13	1,299.57	<b>Verizon Business</b> - Internet Connection for June 2018
11			<b>7,825.06</b>	<b>HANDCUT CHECKS SUBTOTAL</b>
12				
13				<b>REGULAR CHECKS:</b>
14	9929	6/13	62.00	<b>Advanced Gas Products</b> - Cylinder Rental for May 2018
15	9930	6/13	116.20	<b>Advanced Workplace Strategies</b> - DOT Drug Test Collection & Mileage Fees
16	9931	6/13	180.00	<b>Asbury Environmental Services</b> - (300) Gallons Used/Mixed Oil Pick-up; (2) Crushed Metal
17				Oil Filters Service.
18	9932	6/13	686.20	<b>Bodyworks Equipment</b> - (6) Tube Valves for NG4
19	9933	6/13	137.54	<b>Cintas</b> - Uniform Services for June 2018
20	9934	6/13	74,151.04	<b>CR Transfer</b> - Tonnage from 05/16/2018 through 05/31/2018
21	9935	6/13	679.96	<b>Daniels Tire Service</b> - (3) Recaps for Restock
22	9936	6/13	285.32	<b>Franklin Truck Parts</b> - (20) Cap Nuts and (20) Studs for Restock
23	9937	6/13	207.47	<b>Hillco Fastener Warehouse</b> - (135) Bolts & Locknuts for Restock
24	9938	6/13	714.64	<b>Los Alamitos Napa Auto Parts</b> - Restock (3) Liquid Metal Polish, (3) Fuel Filters, (3) Oil Filters,
25				(4) Air Filters, (12) Qts. 5W20 Oil, (24) 14oz. Brakleen, (1) Tire Lube Paste.

26	9939	6/13	1,034.90	<b>Velocity Truck Centers</b> - (1) Pin, (1) Tilt Stop Top, (1) Tilt Stop Bottom, (1) Hydraulic Cylinder,
27				(1) Flat Washer, (1) Clevis Pin for NG1.
28	9940	6/13	550.14	<b>Merchants Building Maintenance</b> - District Offices Janitorial Services for June 2018
29	9941	6/13	1,486.83	<b>NVB Equipment</b> - A/C Service for NG10
30	9942	6/13	24,223.82	<b>Orange County Sanitation District</b> - Permit Fees for May 2018 (MCSD 5% = \$1,274.94)
31	9943	6/13	368.00	<b>Rutan &amp; Tucker</b> - Legal Services for April & May 2018
32	9944	6/13	555.00	<b>Theresa Kaszyk</b> - District Website Services from January 2018 through March 2018
33	9945	6/13	338.99	<b>Top Mobile Vision</b> - (1) Replacement Side View Camera for NG2 Parts & Labor
34	9946	6/13	13.30	<b>Underground Service Alert</b> - (2) New Tickets for May 2018
35	9947	6/13	9,241.00	<b>Woodruff, Spradlin &amp; Smart</b> - Legal Services for May 2018
36			<b>115,032.35</b>	<b>REGULAR CHECKS SUBTOTAL</b>
37				
38				<b>PAYROLL</b>
39		6/5	62,541.11	Payroll - Staff Checks Taxes & Direct Deposits
40		6/5	590.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
41		6/5	2,145.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
42			<b>65,276.11</b>	<b>PAYROLL SUBTOTAL</b>
43				
44				<b>ACH TRANSFERS</b>
45		6/13	981.02	ACH Retirement Payment to CalPERS for PEPR 05/21/2018-06/03/2018
46		6/13	1,115.48	ACH Retirement Payment to CalPERS for Classic 8584 05/21/2018-06/03/2018
47		6/13	10,650.58	ACH Retirement Payment to CalPERS for Classic 8583 05/21/2018-06/03/2018
48			<b>12,747.08</b>	<b>ACH TRANSFERS SUBTOTAL</b>
49				
50			<b>200,880.60</b>	<b>TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)</b>
51				
52				<b>BANK TRANSFERS</b>
53		6/1	800,000.00	Transfer Funds from Checking Account to LAIF
54		6/1	900,000.00	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 \$ 200,880.60. The motion was approved by the following 4-0 vote:

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

## **REPORTS**

### **Report of President**

None

### **Report of General Manager**

GM Robbins reminded the Board of the ISDOC quarterly meeting on Thursday, June 28, 2018 and asked that they be at the District office by 11 A.M. if they wished to carpool.

GM Robbins stated that staff would be holding interviews for new drivers on Wednesday, June 20, 2018, and that there were a number of qualified applicants.

GM Robbins reported that Sewer Lead Maintenance Worker, Darrell Grimes would be retiring from the District effective July 9, 2018. He has been at the District for 30 years.

GM Robbins reported that the District's two new refuse trucks were coming off the assembly line at Mack and will be shipped to Heil in order to finish being built. District staff will fly out overnight to do an inspection before delivery.

### **Report from Orange County Sanitation District (OCSD) Meeting on June 6, 2018**

Director Krippner reported that he attended the meeting and that there was a tour of the facilities to show the new filtration and chemical systems that were recently installed. There was also discussion regarding alternate plans for the various real estate parcels across Ellis Avenue that OCSD is anticipating acquiring, which will require a bridge.

### **Report from the Liberty Park Cleanup Event on June 9, 2018**

Directors Rice, Cobo, Krippner and Nguyen attended the cleanup event and felt that it was very worthwhile and good for the neighborhood.

Director Krippner suggested putting a magnetic sign with the District's name and logo on the bins at the cleanup events in order for the public to be aware that it is a joint effort.

### **Report from the Calendar Committee Meeting on June 13, 2018**

President Nguyen stated that he and Director Diep met with GM Robbins to discuss the District's 2019 calendar, which will focus on organics and the District's 80<sup>th</sup> anniversary. A draft of the calendar will be brought to the Board for review and final approval prior to printing.

## CONSENT CALENDAR

- A. Approve and file the Treasurer's Investment Report for May 2018
- B. Approve the Midway City Sanitary District's Reserves and Approve Transferring and Reallocating Funds into the District's Reserve Account
- C. Approve Attendance of Director of Finance/Human Resources, Robert Housley to the CalPERS Educational Forum – October 22-24, 2018
- D. Approval of Employee 10 Year Driving Safety Award for Fleet Maintenance Lead Worker, Juan Salce
- E. Approval of Emergency On-Call Agreement with the Charles King Company
- F. Approval of Emergency On-Call Agreement with Paulus Engineering

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

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

## OLD BUSINESS

None

## NEW BUSINESS

A. RESOLUTION NO. 2018-07

*(Roll Call Vote)*

PUBLIC HEARING AND ADOPTION OF RESOLUTION NO. 2018-07 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ADOPTING THE SPECIAL DISTRICT GENERAL FUND BUDGET FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019

President Nguyen read the title of the Resolution and opened the public hearing.

There were no public comments.

President Nguyen closed the public hearing.

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 adopt Resolution No. 2018-07, adopting the special district general fund budget for the fiscal year July 1, 2018 through June 30, 2019. The motion was approved by the following 4-0 roll call vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

B. RESOLUTION NO. 2018-08

*(Roll Call Vote)*

PUBLIC HEARING AND ADOPTION OF RESOLUTION NO. 2018-08 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, APPROVING A REPORT ON SANITATION AND SEWER USER FEES PURSUANT TO SPECIAL USAGE PERMIT AGREEMENT AND COVENANT DOCUMENTS AND DIRECTING THE COUNTY AUDITOR TO ADD SUCH USAGE FEES TO THE JULY 1, 2018 THROUGH JUNE 30, 2019 SECURED TAX ROLL PURSUANT TO ORDINANCE NO. 26 AND ORDINANCE NO. 67

President Nguyen read the title of the Resolution and opened the public hearing.

There were no public comments.

President Nguyen closed the public hearing.

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 President Nguyen, to adopt Resolution No. 2018-08, approving a report on sanitation and sewer user fees pursuant to special usage permit agreement and covenant documents and directing the county auditor to add such usage fees to the July 1, 2018 through June 30, 2019 secured tax roll pursuant to Ordinance No. 26 and Ordinance No. 67. The motion was approved by the following 4-0 roll call vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

C. RESOLUTION NO. 2018-09

*(Roll Call Vote)*

PUBLIC HEARING AND ADOPTION OF RESOLUTION NO. 2018-09 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, APPROVING A REPORT ON SANITATION AND SEWER USER FEES AND DIRECTING THE COUNTY AUDITOR TO ADD SUCH USER CHARGES TO THE JULY 1, 2018 THROUGH JUNE 30, 2019 SECURED TAX ROLL PURSUANT TO ORDINANCE NO. 64 AND ORDINANCE NO. 67

President Nguyen read the title of the Resolution and opened the public hearing.

There were no public comments.

President Nguyen closed the public hearing.

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director Krippner, seconded by Director Rice, to adopt Resolution No. 2018-09, approving a report on sanitation and sewer user fees and directing the county auditor to add such user charges to the July 1, 2018 through June 30, 2019 secured tax roll pursuant to Ordinance No. 64 and Ordinance No. 67. The motion was approved by the following 4-0 roll call vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

D. RESOLUTION NO. 2018-10

*(Roll Call Vote)*

A RESOLUTION NO. 2018-10 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 Rice, to adopt Resolution No. 2018-10, 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). The motion was approved by the following 4-0 roll call vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

E. RESOLUTION NO. 2018-11

*(Roll Call Vote)*

A RESOLUTION NO. 2018-11 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 Rice, seconded by Director Cobo, to adopt Resolution No. 2018-11, 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). The motion was approved by the following 4-0 roll call vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

F. Review of Responses to Request for Proposals for the Purchase and Distribution of 65-Gallon Green Containers for Curbside Organics Recycling Program and Selection of Preferred Vendor

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director Krippner, seconded by Director Rice, to approve staff recommendation that the Board authorize the General Manager to negotiate an agreement with Otto Environmental Systems North America, Inc. for the purchase of approximately 18,720 green 65-gallon organics carts and distribution of the carts to each residential address pursuant to the RFP and to bring back an agreement for the Board's consideration at the July 3, 2017 meeting. The motion was approved by the following 4-0 vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

There was discussion regarding who would sign the agreement since President Nguyen would be absent from the next meeting, and if President Pro Tem Diep was also absent, to authorize the Board Treasurer, Director Cobo to sign the agreement, since the carts need to be started promptly in order to receive them on time.



## **INFORMATIONAL ITEMS**

A. Independent Special Districts of Orange County (ISDOC) Quarterly Luncheon  
– June 28, 2018

B. City of Westminster Annual Safety Day, Sigler Park, 7200 Plaza St.,  
Westminster – Wednesday, July 18, 2018 11:30 A.M. – 1:30 P.M.

President Nguyen stated that he would not be able to attend the ISDOC meeting.

Receive and file.

## **BOARD CONCERNS/COMMENTS**

Director Rice thanked staff for all their work.

## **GM/STAFF CONCERNS/COMMENTS**

GM Robbins reminded the Board that there were documents that needed to be signed at the end of the meeting due to Board action taken tonight.

GM Robbins stated that the City of Westminster did not ask for the District's help with cooking and sponsorship at Safety Day this year, but that the District would still be participating.

Finance/HR Director Housley thanked the Board for passing the budget and adopting the resolutions.

## **GENERAL COUNSEL CONCERNS/COMMENT**

None

General Counsel James Eggart convened the meeting to executive closed session to conduct a public employee evaluation of the General Manager pursuant to Government Code Section 54957(b) at 5:40 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code Section 54957(b)) Title: General Manager

President Nguyen reconvened the meeting at 6:06 P.M.

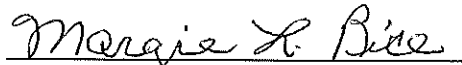
General Counsel Eggart stated that the Board did meet in closed session per agenda item 14A and as a result of that closed session, there was no reportable action taken.

Director Rice asked if she was still the District's representative at the Chamber of Commerce.

It was confirmed that during the annual reorganization for 2018, it was decided that all of the Directors, or the full Board, would represent the District at the Westminster Chamber of Commerce.

## ADJOURNMENT

President Nguyen adjourned the meeting to Tuesday, July 3, 2018 at 5:00 P.M. at the District office at approximately 6:07 P.M.

  
Margie L. Bice, Secretary