

**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 4, 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, December 4, 2018 at 5:00 P.M.

BOARD MEMBERS PRESENT:

Al P. Krippner
Margie L. Rice
Tyler Diep (not present-resigned as of 12-03-2018)
Frank A. Cobo
Chi Charlie Nguyen

OTHERS AT MEETING:

Kenneth Robbins, General Manager
Robert Housley, Finance/HR Director
James Eggart, General Counsel
Danielle Gerardo, Board Secretary
Jeff Snow, CR&R
Ashton Kauwe, Resident

PLEDGE AND INVOCATION

Director Cobo led the Pledge of Allegiance. Director Rice gave the Invocation.

PUBLIC COMMENTS

Jeff Snow of CR&R stated that he was happy to be at CR&R and working with the District again. He thanked the Board for the invitation to the holiday luncheon and stated that he was at the meeting to speak to New Business Item 9A – Consideration of Adoption of Ordinance No. 69 establishing Consolidated and Updated Solid Waste Regulations. He stated that he wished to recognize the District, specifically GM Robbins and General Counsel Eggart, who were proactive in the process to develop the new ordinance.

Mr. Ashton Kauwe, resident of Westminster, stated that he was attending to observe the meeting.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF NOV, 20, 2018

A motion was made by Director Cobo, seconded by Director Rice, to approve the minutes of the regular meeting of Nov. 20, 2018. The motion was approved by the following 4-0 vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 322,171.27

#	CK #	Date	AMOUNT	VENDOR
1				HANDCUT CHECKS:
2	10246	11/27	\$1,260.00	City of Westminster - (70) 1-Pound See's Candy Gift Certificates
3	10247	11/28	\$192.38	AT&T - Brookhurst Lift Station Service for November 2018
4	10248	11/28	\$368.64	Cintas - Uniform Services for November 2018
5	10249	11/28	\$1,110.46	Frontier Communications-District Office Phones&Lift Stations for Nov 2018;
6			\$615.16	District Office,\$165.10 Willow Lift, \$165.10 Westminster Lift, \$165.10 Hammon Lift
7	10250	11/28	\$68.77	The Gas Company-District Office,Maintenance Shop&Wash Rack Usage Fees for Nov 2018
8	10251	11/28	\$2,275.20	HB Staffing - Administrative Assistant Services for 11/11/2018 &11/18/2018
9	10252	11/28	\$135.60	LegalShield - Member Paid Services for November 2018
10	10253	11/28	\$150.00	Pitney Bowes/Purchase Power - Postage for Postage Machine NOV-2018
11	10254	11/28	\$3,264.32	SDRMA Delta Dental - Dental Insurance Premium for December 2018
12	10255	11/28	\$4,729.45	Southern California Edison-District Office \$3,192.96, Brookhurst Lift Station \$92.54,
13				Westminster Lift Station \$927.58,Willow Lift Station \$139.18,Hammon Lift Station \$377.19
14	10256	11/28	\$1,160.16	The Standard Life Insurance - Life Insurance & AD&D Premium Coverage for Dec 2018
15	10257	11/28	\$18.43	Union Bank - (NC) (1) Adapter Cable for Connection to Laptop & ABS Brake System
16	10258	11/28	\$467.08	Vision Service Plan - Monthly Premium for December 2018
17			\$15,200.49	HANDCUT CHECKS SUBTOTAL
18				REGULAR CHECKS:
19				
20	10259	12/1	\$62.00	Advanced Gas Products - Cylinder Rentals for October 2018
21	10260	12/1	\$8,500.92	Bodyworks Equipment - Restock (1) Track Weldment, (5) Sourcing Switches, (4) Oil Gauges,
22				(1) Arm Raise Cylinder, (2) Air Cylinder, (4) Yokes, (2) Latch Hooks, (1) Grip Cylinder,
23	10261	12/1	\$30.00	City of Westminster FARP - 2019 FARP Permit Dues
24	10262	12/1	\$746.00	CRC Cloud - Maintenance & Support for December 2018
25	10263	12/1	\$91,273.40	CR Transfer - Tonnage from 11/01/2018 through 11/15/2018

26	10264	12/1	\$73.27 DJ Printing - Restock (1,000) Window #10 Envelopes with District Return Address & Logo	
27	10265	12/1	\$3,842.97 Daniels Tire Service - Restock (9) Recaps and (4) New Tires	
28	10266	12/1	\$64.65 DINTech - (4) Name Plates & Name Tags for (2) New Board Members	
29	10267	12/1	\$85.18 Hillco Fastener - Restock (30) Washers & (25) Locknuts	
30	10268	12/1	\$276.10 Los Alamitos Napa Auto Parts - Restock (2) Strobe Light Beacons	
31	10269	12/1	\$247.10 Velocity Truck Centers - Labor to Troubleshoot Engine Issues for NG5	
32	10270	12/1	\$26,601.20 Otto Environmental Systems - (504) 95-Gallon Blue Containers for Restock	
33	10271	12/1	\$117.11 Petty Cash - Ken Robbins -	
34			(KR) Photos for Organics Open-House Signed Poster	\$3.86
35			(KR) Sink Drain Cleaner for District	\$3.26
36			(RH) Parcel Maps [5] & [2] Screen-prints	\$9.00
37			(KR) Donuts for Darrell Grimes Last Day 07/06/2018	\$18.00
38			(JB) Candy for Reception Area	\$29.32
39			(RH) Socket Tool for Mechanics	\$25.67
40			(KR) Sewer Cleaning Map Books [4]	\$28.00
41	10272	12/1	\$1,073.28 Mobile Relay Associates - Install (1) Radio Labor & Parts for NG13; Install (1) New Two-Way	
42			Radio Labor & Parts for NG14.	
43	10273	12/1	\$4,092.73 Rehrg Pacific Company - (112) 65-Gallon Blue Containers for Restock	
44	10274	12/1	\$880.00 RMS - Calibration & Testing of Gas Detection System for District	
45	10275	12/1	\$541.90 Rosemead Oil Products - (1) 55-Gallon Drum of Coolant for Restock	
46	10276	12/1	\$736.00 Rutan & Tucker - Legal Services for October 2018	
47	10277	12/1	\$3,159.58 TEC of California - Restock (3) Brake Pads, (4) Alternators, (1) Housing Radio, (1) Disc Brake	
48	10278	12/1	\$2,698.95 Top Mobile Vision - Install a New Monitor, Camera, HDMI Cable for NG14.	
49	10279	12/1	\$750.00 Viet-Nam California Radio - (2) 15-Minute Talk shows on 08/09 & 08/16 for Public Outreach	
50	10280	12/1	\$12,154.56 Woodruff, Spradlin & Smart - Legal Services for October 2018	
51			\$158,006.90 REGULAR CHECKS SUBTOTAL	
52				
53			PAYROLL	
54	11/20		\$66,278.16 Payroll - Staff Checks Taxes & Direct Deposits	
55	11/20		\$3,593.33 Payroll - Nationwide Deferred Compensation (100% Paid By Employees)	
56	11/20		\$1,135.00 Payroll - Nationwide Deferred Compensation (100% Paid By Employees)	
57			\$71,006.49 PAYROLL SUBTOTAL	
58				
59			ACH TRANSFERS	
60	12/3		\$2,903.13 ACH Board Health Insurance Payment to CalPERS for December 2018	
61	12/3		\$47,976.84 ACH Employee Health Insurance Payment to CalPERS for December 2018	
62	11/28		\$1,752.85 ACH Retirement Payment to CalPERS for PEPRA 10/22/2018-11/04/2018	
63	11/28		\$1,214.13 ACH Retirement Payment to CalPERS for Classic 8584 10/22/2018-11/04/2018	
64	11/28		\$10,709.98 ACH Retirement Payment to CalPERS for Classic 8583 10/22/2018-11/04/2018	
65	11/28		\$1,476.35 ACH Retirement Payment to CalPERS for PEPRA 11/05/2018-11/18/2018	
66	11/28		\$1,214.13 ACH Retirement Payment to CalPERS for Classic 8584 11/05/2018-11/18/2018	
67	11/28		\$10,709.98 ACH Retirement Payment to CalPERS for Classic 8583 11/05/2018-11/18/2018	
68			\$77,957.39 ACH TRANSFERS SUBTOTAL	
69				

69		
70		\$322,171.27 TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)
71		
72		BANK TRANSFERS
73	11/14	\$750,000.00 Transfer Funds from Money Market to Checking Account

A motion was made by Director Cobo, seconded by Director Krippner, to approve the expenditures in the amount of \$ 322,171.27. The motion was approved by the following 4-0 vote:

AYES: Cobo, Krippner Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

REPORTS

Report of President

President Nguyen stated that he would be sworn in to the Westminster City Council on December 12, 2018 and he extended an invitation for everyone to attend.

Report of General Manager

GM Robbins stated that the District's swearing in and reorganization meeting would be on Friday, December 7, 2018 at 5 P.M.

GM Robbins reminded the Board to RSVP to the District's holiday event taking place on Saturday, December 15, 2018.

Report from the Orange County Sanitation District (OCSD) Meeting on Nov. 28, 2018

President Nguyen reported that Greg Seaborne was retiring from OCSD and that David Shawver would take over temporarily as President. He stated that there was also a closed session regarding employee litigation which he could not discuss.

Report from Vietnamese Radio Outreach on Nov. 21, 2018

Director Cobo reported that he and Director Diep went to the Vietnamese Radio station on Wednesday, November 21, 2018 and spoke to the Vietnamese community regarding their accomplishments during their time at the District.

GM Robbins reported that he went to the Vietnamese Radio station with Directors Diep and Cobo and that they let the community know that there was now someone working at the District that speaks Vietnamese.

President Nguyen stated that he felt it was a good investment and he thanked GM Robbins and Directors Diep and Cobo.

CONSENT CALENDAR

None

OLD BUSINESS

None

NEW BUSINESS

A. Consideration of Adoption of Ordinance No. 69 – An Ordinance of the Board of Directors of the Midway City Sanitary District establishing Consolidated and Updated Solid Waste Regulations

Jeff Snow from CR&R stated that he wanted to give recognition of the process to adopt Ordinance No. 69 to General Counsel James Eggart and GM Robbins who had been working on it over the past year.

GM Robbins stated that there will be no change to the contract with CR&R, the District's franchisee, but that this ordinance will bring the District up to date and in compliance with all the new laws that the State of California has put into effect.

General Counsel, James Eggart, stated that GM Robbins mentioned that he wished to update the District's regulations for solid waste and the franchisee because they were separate and spread out, and he was hoping to compile them while bringing them up to date, while also including the new organics program. The plan was to put all the solid waste ordinances into one document without changing the substance. He assured the Board that he and GM Robbins developed the new ordinance and that CR&R only reviewed it and that the agreement with CR&R was not changed.

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 adopt Ordinance No. 69 – An Ordinance of the Board of Directors of the Midway City Sanitary District establishing consolidated and updated solid waste regulations and direct the General Manager to publish and/or post the attached summary of Ordinance 69 in accordance with Health and Safety Code section 6490. The motion was approved by the following 4-0 vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

B. Consideration of an Agreement with SFG Retirement Plan Consulting, LLC for investment advisory consulting services pertaining to the District's 457(b) and OBRA Retirement Plans; and Adopt Resolution No. 2018-12 authorizing the General Manager and/or Director of Finance and Human Resources to administer, and adopting an Investment Policy Statement for the District's 457(b) and OBRA Retirement Plans

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 an agreement with SFG Retirement Plan Consulting, LLC for investment advisory consulting services pertaining to the District's 457(b) and OBRA Retirement Plans and adopt Resolution No. 2018-12, authorizing the General Manager and/or Director of Finance and Human Resources to administer, and adopting an Investment Policy Statement for the District's 457(b) and OBRA Retirement Plans. The motion was approved by the following 4-0 roll call vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

C. Consider Claim from 9851 Bolsa Avenue, Space 38, Westminster, CA 92683 for Damage to Awning

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 deny the claim from 9851 Bolsa Avenue, Space 38, Westminster, CA 92683. The motion was approved by the following 4-0 vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

INFORMATIONAL ITEMS

None

BOARD CONCERNS/COMMENTS

Director Rice stated that she asked General Counsel James Eggart to swear her in at the meeting on Friday, December 7, 2018, and that she would miss Director Cobo.

Director Cobo stated that he enjoyed serving on the Board and felt that a lot was accomplished during his time. He said that he would be at the swearing in meeting and he gave his thanks and appreciation to everyone for all their help during his time at the District.

President Nguyen thanked Director Cobo for his service at the District and said that he appreciated his help when he was new to the Board.

GM/STAFF CONCERNS/COMMENTS

GM Robbins thanked Director Cobo for all his work and eight years of solid service at the District.

Director of Finance and Human Resources Housley also thanked Director Cobo for his service, that it was great working with him and that he will be missed.

GENERAL COUNSEL CONCERNS/COMMENT

General Counsel Eggart wished Director Cobo best of luck.

CLOSED EXECUTIVE SESSION

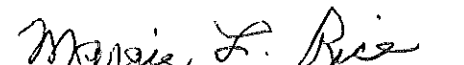
CLOSED SESSION: During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government 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 Friday, December 7, 2018 at 5:00 P.M. at the District office at approximately 5:45 P.M.


Margie L Rice, Secretary