

**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**

November 19, 2019

CALL TO ORDER

President C. 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, November 19, 2019 at 5:00 P.M.

BOARD MEMBERS PRESENT:

Al P. Krippner (absent)
Margie L. Rice
Andrew Nguyen
Sergio Contreras
Chi Charlie Nguyen

OTHERS AT MEETING:

Kenneth Robbins, General Manager
Robert Housley, Finance/HR Director
Barbara Raileanu, Acting General Counsel
Joseph Larsen, Personnel Legal Counsel
Danielle Gerardo, Board Secretary
Crystal Enciso, Administrative Secretary/Accountant

PLEDGE AND INVOCATION

Director M. Rice led the Pledge of Allegiance. Director S. Contreras gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 5, 2019

A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve the minutes of the regular meeting of November 5, 2019. The motion was approved by the following 4-0 vote:

AYES: S. Contreras, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT: A. Krippner

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 645,429.90

#	CK #	Date	AMOUNT	VENDOR	
1				HANDCUT CHECKS:	
2	10965	11/4	\$ 385.00	Ayala's Car Wash - Fleet Truck Washes on 10/29/2019 & 10/30/2019	
3	10966	11/4	\$ 1,162.66	Frontier Communications - District Office Phones & Lift Stations for October 2019;	
4				\$645.08 District Office, \$172.47 Willow Lift, \$172.64 Westminster Lift, \$172.47 Hammon Lift.	
5	10967	11/4	\$ 4,136.56	Southern California Edison-District Office \$2,783.57, Brookhurst Lift Station \$87.15,	
6				Westminster Lift Station \$623.19, Willow Lift Station \$192.91, Hammon Lift Station \$449.74.	
7	10968	11/4	\$ 1,187.76	The Standard Life Insurance - Life Insurance & AD&D Premium Coverage for November 2019	
8	10969	11/4	\$ 307.48	Union Bank (NC CC)-Service Call for District Gate;Work Area Traffic Control Handbook 2019	
9	10970	11/4	\$ 5,740.52	US Bank (District Credit Cards)-	
10				(RH) New Water Filter Back Offices	\$ 74.88
11				(RH) Parking for CSDA Annual Conference Anaheim, CA 09/26/19-09/27/19	\$ 36.00
12				(RH) CSMFO OC Chapter Meeting Dave & Bustlers Orange, CA 10/17/2019	\$ 25.00
13				(RH) CSMFO 2020 Annual Conference Registration Anaheim, CA 01/28/20-01/31/20	\$ 425.00
14				(RH) City of Westminster - Water - Hydrant Meter Usage 08/16/19-09/16/19	\$ 56.23
15				(RH) City of Westminster - Water - Hammon Lift 07/24/19-09/17/19	\$ 15.03
16				(RH) City of Westminster - Water - Westminster Lift 07/24/19-09/17/19	\$ 15.63
17				(RH) BBQ Luncheon for Employee Training Day 10/19/19	\$ 839.55
18				(RH) City of Westminster - Water - Hydrant Meter Usage 09/17/19-10/15/19	\$ 56.23
19				RH Total	\$ 1,543.55
20				(NC) Restock District Kitchen Supplies SEP-2019	\$ 208.96
21				(NC) #12 Screws for Shop; Dust Pan & Broom for NG14	\$ 37.99
22				(NC) 24-Stackable Bins & Labels for Shop	\$ 250.70
23				(NC) Used Oil Drop Off Signs for District	\$ 141.61
24				(NC) Leaf Spring for Stock	\$ 588.47
25				NC Total	\$ 1,227.73
26				(RG) Restock Sewer Safety Supplies OCT-2019	\$ 141.48
27				(RG) Window Tint NG16	\$ 82.40
28				RG Total	\$ 223.88

29				(RM) (4) High Nuts, (4) Washers, (2) SR Tops for NG3	\$	67.78
30				(RM) Hub Tap-Out Studs for NG10	\$	231.00
31					RM Total	\$ 298.78
32				(KR) 10/1 Agenda Meeting	\$	22.55
33				(KR) Parking for CSDA Annual Conference Anaheim, CA 09/26/19-09/27/19	\$	36.00
34				(KR) Front Office Toaster Oven	\$	48.93
35				(KR) Flowers 10/09/2019	\$	80.83
36				(KR) Christmas Lunch Invites & Cards for 2019	\$	56.50
37				(KR) 10x10 Public Event Canopy & 6' Table Cover	\$	1,196.03
38				(KR) ISDOC Qtrly. Luncheon 10/24/2019 (KR)	\$	17.00
39				(KR) ISDOC Qtrly. Luncheon 10/24/2019 (RH)	\$	17.00
40				(KR) ISDOC Qtrly. Luncheon 10/24/2019 (CN)	\$	17.00
41				(KR) ISDOC Qtrly. Luncheon 10/24/2019 (AN)	\$	17.00
42				(KR) ISDOC Qtrly. Luncheon 10/24/2019 (SC)	\$	17.00
43				(KR) ISDOC Qtrly. Luncheon 10/24/2019 (MR)	\$	17.00
44				(KR) Primer & Undercoat for S4 EZ Dump Mounts	\$	37.50
45				(KR) Lunch & Learn Nationwide & October Birthday Cake	\$	100.95
46				(KR) Stainless Steel Utility Sink for Mechanic Shop	\$	215.49
47				(KR) Wiarcom OCT-2019	\$	549.80
48					KR Total	\$ 2,446.58
49	10971	11/4	\$	467.08	Vislon Service Plan - Monthly Premium for November 2019	
50	10972	11/4	\$	273.71	DirecTV - Service for October & November 2019	
51	10973	11/7	\$	295.00	Ayala's Car Wash - Fleet Truck Washes on 10/31/2019 & 11/05/2019	
52	10974	11/7	\$	262.63	Cintas - Uniform Services for October 2019	
53	10975	11/7	\$	1,332.00	City of Westminster Senior Center-(72)See's Candy Gift Certificates for 2019 Holiday Party	
54	10976	11/7	\$	641.83	Staples Business - Restock District Office Supplies for October 2019	
55	10977	11/7	\$	3,168.00	Stater Bros Market #27 - (33) \$100 Gift Cards (with 4% Discount) for 2019 Holiday Party	
56	10978	11/7	\$	329,752.14	TEC of California - 2020 Mack CNG Refuse Truck NG15	
57	10979	11/8	\$	567.18	County of Orange Auditor-Controller - Corrections to FY 2019-2020 Special Assessments	
58	10980	11/12	\$	69.41	Nguyen,Andrew-Reimb CSDA Annual Conference Anaheim,CA 09/25/2019-09/27/2019	
59	10981	11/12	\$	262.63	Cintas - Uniform Services for November 2019	
60	10982	11/12	\$	13,749.00	DTNtech - (19,200) 11"x14" Postcards Design, Postage, & Mailing	
61	10983	11/12	\$	5,944.66	SoCal Gas - CNG Fuel for November 2019	
62	10984	11/12	\$	1,000.00	SDRMA - Deductible for Incident on 10/23/2019	
63			\$	370,705.25	HANDCUT CHECKS SUBTOTAL	
64						
65					REGULAR CHECKS:	
66	10985	11/12	\$	205.79	Advanced Gas Products - Restock Compressed Oxygen & Dissolved Acetylene for Shop	
67	10986	11/12	\$	576.20	Advanced Workplace Strategies-Annual Renewal Fee for FMCSA Consortium Membership;	
68					On-Site & Mileage Collector's Fees for 10/08/2019.	
69	10987	11/12	\$	6,218.00	Bodyworks - Restock (1) Relief Valve, (8) Tubes, (2) Wire Harnesses, (1) Track Weldment,	
70					(3) Pressure Switches.	
71	10988	11/12	\$	122,821.47	CR Transfer - Tonnage from 10/01/2019 through 10/31/2019	
72	10989	11/12	\$	816.00	CRC Cloud - Maintenance & Support for November 2019	
73	10990	11/12	\$	8,950.00	ECIS- FOG Inspections for September 2019	

74	10991	11/12	\$	67.80	Hillco Fastener Warehouse - Restock (50) Washers & (29) Locknuts
75	10992	11/12	\$	287.95	Hose-Man Inc. - (1) 90-Towel Canister for Shop & (2) Bags of Nylon Ties for Restock
76	10993	11/12	\$	812.10	Los Alamitos Napa Auto Parts - Restock (1) Wax Cleaners, (1) Protectant Spray,
77					(10) Electrical Tape, (2) Brake Pads, (10) Hose Clamps, (20) Fittings, (20) Hose Ends.
78	10994	11/12	\$	959.51	Merchants Building Maintenance - District Offices Janitorial Services for November 2019;
79					Detail Cleaning of Mechanic Shop Restroom 09/26/2019.
80	10995	11/12	\$	938.65	NVB Equipment - A/C Service & Repair for NG2
81	10996	11/12	\$	22,818.05	Orange County Sanitation District - Permit Fees for October 2019 (MCSD 5% = \$1,200.95)
82	10997	11/12	\$	26,501.54	Ofco Environmental Systems - Restock (504) 95-Gallon Blue Containers
83	10998	11/12	\$	380.04	Plumber's Depot - (1) Toggle Switch for M64; (2) 6" Aluminum Crowns for M64 & NG16
84	10999	11/12	\$	552.69	Pro-Vision - (2) Cameras, (2) Cables, (2) Camera Control Devices for NG12 & NG16
85	11000	11/12	\$	574.42	Safety-Kleen Systems - Restock Red Anti-Freeze
86	11001	11/12	\$	2,175.00	Safety Research Consultants - 4-Hour Training Class on 10/19/2019
87	11002	11/12	\$	536.14	TEC of California-(2)Governor's for M64;(2)Shock Absorbers for NG3;Restock(4)Secondary
88	11003	11/12	\$	570.42	Tell Steel - (10) Sheets of Steel for Inside Hopper Floor of Heil Body
89	11004	11/12	\$	26.50	Underground Service Alert - (10) New Tickets for October 2019
90			\$	196,788.27	REGULAR CHECKS SUBTOTAL
91					
92					PAYROLL
93		11/5	\$	69,753.59	Payroll - Staff Checks Taxes & Direct Deposits
94		11/5	\$	660.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
95		11/5	\$	2,346.94	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
96		11/1	\$	4,803.49	Board of Director's Payroll for the Month of October 2019
97		11/1	\$	372.36	Board of Director's Nationwide Deferred Compensation for Oct 2019(100% Paid By Directors)
98			\$	77,936.38	PAYROLL SUBTOTAL
99					
100					ACH TRANSFERS
101					No ACH Transfers for This Period
102			\$	-	ACH TRANSFERS SUBTOTAL
103					
104			\$	645,429.90	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)
105					
106					BANK TRANSFERS
107		11/1	\$	250,000.00	Transfer Funds from LAIF to Checking Account
108		11/7	\$	600,000.00	Transfer Funds from Money Market to Checking Account

A motion was made by Director M. Rice, seconded by Director A. Nguyen, to approve the expenditures in the amount of \$ 645,429.90. The motion was approved by the following 4-0 vote:

AYES: S. Contreras, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT: A. Krippner

REPORTS

Report of President

None

Report of General Manager

GM K. Robbins reported that Orange County Sanitation District (OCSD) opened bids for a force main that will go from Seal Beach Blvd. to Rancho Road on Westminster Blvd. The \$27-\$33 million cost for the project will be financed 100% by OCSD via the agreement between OCSD and MCSD. It will affect the District's Westminster lift station so when they do the tie in from the existing force main to the new, MCSD will need to have a crew there to shut down the station in order to avoid any problems.

GM K. Robbins stated that staff has found a local cart manufacturer in Gardena who produces thicker and more durable carts like the ones the District used many years ago. The price for the carts is \$17 higher so he and Director of Operations/Safety N. Castro will be going to see them to determine if it would be worth the extra cost to the District.

GM K. Robbins stated that he would be bringing an item before the Board for consideration on the next agenda. Streamline is a company that assists government agencies and special districts to insure that their websites are ADA (Americans with Disabilities Act) compliant. There are new laws going into effect as of January 2020, and the District needs professional assistance in order to be and remain compliant going forward.

Report from the Orange County Sanitation District (OCSD) Meeting on November 13, 2019

Director A. Nguyen stated that Orange County Sanitation District had an outside audit done and that everything was found to be in order. He stated that there was discussion regarding climate change - the sea levels rising, flood channels, tsunamis, and wild fires and that they discussed one of their buildings being built even higher for flood protection.

CONSENT CALENDAR

A. Approve and file the Treasurer's Investment Report for October 2019

B. Approve the October 2019 Financial Reports and Budget Review for the Period of July 1, 2019 through October 31, 2019

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

AYES: S. Contreras, A. Nguyen, C. Nguyen and M. Rice
NAYS:
ABSTAIN:
ABSENT: A. Krippner

OLD BUSINESS

None

NEW BUSINESS

A. Consider Authorizing Management and Personnel Legal Counsel to Engage in the Meet and Confer Process to Discuss the Employee's Vision Benefit Plan

Finance/HR Director R. Housley stated that the District approved vision benefits for its employees in 2013, and has been with the Rule Group since that time. SDRMA now offers vision insurance at a lower rate and with better benefits. He stated that anytime a change is made to an employee benefit plan, the District must go through the meet and confer process, and working with personnel legal counsel Joseph Larsen, the Board's approval was needed in order to meet with the union to start that process in order to make the switch to the new broker (SDRMA). He stated that there would be minor changes to the plan, with better benefits and at a lower cost to the District. Vision benefits are for District employees only, with employees paying 100% for dependents, and the Board is not included in the plan.

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director S. Contreras, seconded by President C. Nguyen, to approve authorizing management and personnel legal counsel to engage in the meet and confer process to discuss the District's employee's vision benefit plan. The motion was approved by the following 4-0 vote:

AYES: S. Contreras, A. Nguyen, C. Nguyen and M. Rice
NAYS:
ABSTAIN:
ABSENT: A. Krippner

B. Consider Approving a New Job Description of Administrative Secretary/Human Resources Coordinator and Reclassification of Employee Sang (Leanne) Luu to the Proposed Position and Salary Schedule

GM K. Robbins stated that the Board approved of the District hiring a third employee for the front office to aid in answering the phones, and that the classification for the employee at that time was Administrative Secretary/Accountant. Since being hired the

employee has been working with Director of Operations N. Castro and doing more Human Resource tasks.

Finance/HR Director R. Housley stated that there are more regulations regarding employee benefits and that, as the District continues to grow, additional help in this area is needed and this position has become necessary. The new employee has a strong background in this area with several years of education, experience and training. He stated that this is an entry level HR position and that this is the first time the District has had this new position.

Director M. Rice asked what step she was hired at and what step she was going to.

Finance/HR Director R. Housley stated that he believed she was at step two and that she would remain at that step.

Director M. Rice stated that due to her background and experience, and the importance of this position, she would like this brought back to the Board for consideration in six months time.

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve a new job description of Administrative Secretary/Human Resources Coordinator and reclassification of employee Sang (Leanne) Luu to the proposed position and salary schedule. The motion was approved by the following 4-0 vote:

AYES: S. Contreras, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT: A. Krippner

C. Discuss and Consider the District's Participation and Sponsorship in the Annual TET Parade Scheduled for Saturday, January 25, 2020

Director M. Rice stated that if the District is going to participate and sponsor the TET parade, the Board should be put at the front of the parade lineup with the other elected officials.

Director A. Nguyen stated that he was going to rent a convertible to drive in the parade and he invited anyone, including staff to join him.

Director M. Rice stated that the Board usually goes in a District truck.

Director A. Nguyen stated that he did not want to go in a District truck.

President C. Nguyen stated that the Board needed to decide first whether the District would sponsor the TET parade and then discuss and decide on the details.

Director M. Rice stated that she did not want to approve sponsorship of the parade unless the Board is treated like other elected officials and placed near the front of the parade.

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director A. Nguyen, seconded by Director M. Rice, to approve participation and sponsorship, at the same level as last year, in the annual TET parade on Saturday, January 25, 2020, on the condition that the District is treated as elected officials and not put at the end of the parade line. The motion was approved by the following 4-0 vote:

AYES: S. Contreras, A. Nguyen, C. Nguyen and M. Rice

NAYS:

ABSTAIN:

ABSENT: A. Krippner

Discussion ensued regarding which vehicles would be used for the parade.

President C. Nguyen stated that he understood that Directors can either drive their own cars or go in District vehicles.

Director A. Nguyen stated that he would be renting a convertible to drive in the parade.

GM K. Robbins suggested having a few District trucks there and specifically one to pick up Directors M. Rice and A. Krippner since they did not want to walk.

President C. Nguyen stated that he and Director S. Contreras would probably be going in their own cars.

GM K. Robbins asked whether he should get magnetic signs for the vehicles instead of a banner.

The Board responded with a unanimous yes.

Director A. Nguyen asked if the District truck could be decorated for the event.

GM K. Robbins stated that he would get help from staff decorating the District trucks.

President C. Nguyen asked Director M. Rice if she would rather ride in the rented convertible with Director A. Nguyen, which the District would pay for.

Director M. Rice stated that she might get a rental of her own for free.

INFORMATIONAL ITEMS

A. Web Site Activity for the Month of October 2019 (141,974 Successful Hits)

B. Nationwide Deferred Compensation 457 Quarterly Plan Report for 3rd Quarter 2019

Receive and file.

BOARD CONCERNS/COMMENTS

None

GM/STAFF CONCERNS/COMMENTS

Finance/HR Director R. Housley stated that he spoke with Director A. Krippner and that he is recovering at home and sounded good. He asked that he convey to the Board that he is doing well, misses everyone and hopes that he will be returning in a few weeks.

GENERAL COUNSEL CONCERNS/COMMENTS

None

President C. Nguyen convened the meeting to executive closed session to discuss and conduct public employee discipline pursuant to Government Code Section 54957 at 5:32 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.

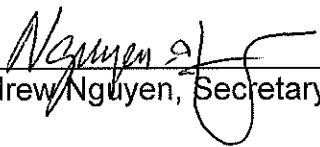
A. PUBLIC EMPLOYEE DISCIPLINE (Government Code Section 54957)

President C. Nguyen reconvened the meeting at 7:47 P.M.

Acting General Counsel Barbara Raileanu reported that, having met in closed session pursuant to Government Code Section 54957, the Board made a decision to uphold the decision of the General Manager regarding the employee discipline matter. She stated that the findings of the Board would be prepared and provided to the employee at the next Board meeting on December 3, 2019.

ADJOURNMENT

President C. Nguyen adjourned the meeting to Tuesday, December 3, 2019 at 5:00 P.M. at the District office at approximately 7:48 P.M.



Andrew Nguyen, Secretary