

**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**

**February 19, 2013**

**CALL TO ORDER**

President Cobo called the regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Tuesday, February 19, 2013 at 4:00 P.M.

**BOARD MEMBERS PRESENT:**

Al P. Krippner  
Joy L. Neugebauer  
Frank Cobo  
Margie L. Rice (absent)  
Tyler Diep (arrived at 4:16 P.M.)

**OTHERS AT MEETING:**

Ken Robbins, General Manager  
Robert Housley, Finance/HR Director  
Tom Nixon, District Counsel  
Danielle Gerardo, Board Secretary  
Sue Gordon, V.P. Public Affairs, Rainbow Environmental  
Peter Richards, CFO, Rainbow Environmental

**PLEDGE AND INVOCATION**

Director Krippner led the Pledge of Allegiance. Director Neugebauer gave the Invocation.

**APPROVAL OF THE MINUTES OF THE MEETING OF FEBRUARY 5, 2013**

A motion was made by Director Neugebauer, seconded by President Cobo to approve the minutes of the meeting of February 5, 2013, as presented. The motion was approved by a 3-0 vote.

**PUBLIC COMMENTS**

None

## APPROVAL OF EXPENDITURES

### A. Demands in the amount of \$351,758.77

#	CK #	Date	AMOUNT	VENDOR
1	5881	2/12	200.00	<b>Cobo, Frank</b> - Per Diem CASA Conference Washington D.C. 02/24-02/27/2013
2	5882	2/12	200.00	<b>Neugebauer, Joy</b> - Per Diem CASA Conference Washington D.C. 02/24-02/27/2013
3	5883	2/12	VOID	<b>Void check due to trip cancellation (M.Rice)</b>
4	5884	2/12	200.00	<b>Robbins, Ken</b> - Per Diem CASA Conference Washington D.C. 02/24-02/27/2013
5	5885	2/12	62.00	<b>Advanced Gas Products</b> - Cylinder Rental for January 2013
6	5886	2/12	57.00	<b>Advanced Workplace Strategies</b> - Random Drug Test (DH)
7	5887	2/12	737.00	<b>Computer Research Center</b> - Maintenance & Support for March 2013
8	5888	2/12	175.00	<b>Country City Towing</b> - Tow for T56 to District on 02/08/2013
9	5889	2/12	20,435.26	<b>CR Transfer</b> - Tonnage Fees for January 2013
10	5890	2/12	500.00	<b>Crystal Rose Catering</b> - Deposit for District Holiday Party 12/08/2013
11	5891	2/12	1,855.79	<b>Cummins Cal Pacific</b> - Exhaust Manifold Gaskets for T62; Water Pump and Gasket Carrier for T59
12	5892	2/12	2,445.04	<b>Daniel's Tire Service</b> - (13) Recaps and (3) Nail Repairs
13	5893	2/12	5,317.25	<b>Flo-Systems, Inc.</b> - Preventative Maintenance for Lift Stations through January 2013
14	5894	2/12	301.72	<b>G&amp;K Services</b> - Uniform Services for January & February 2013
15	5895	2/12	292.90	<b>HB Auto &amp; A/C</b> - Clean Air Cooler for T62
16	5896	2/12	347.19	<b>Hose Man, Inc.</b> - (6) Air Hoses for T61
17	5897	2/12	8.53	<b>Huntington Beach Ford</b> - (2) Bushings for T9
18	5898	2/12	270.00	<b>Konecranes, Inc.</b> - Annual Inspection & Preventative Maintenance for 5-Ton Crane in Shop
19	5899	2/12	1,602.20	<b>Los Alamitos Napa Auto Parts</b> - Restock (50) Feet Heat Hose, (100) Feet Hydro Hose, (6) Hose ends,
20				(2) Air Dryers.
21	5900	2/12	18,181.10	<b>Orange County Sanitation District</b> - Permit Fees for January 2013 (MCSD 5% = \$956.90)
22	5901	2/12	98,372.96	<b>Rainbow Transfer Recycling</b> - Tonnage for January 2013
23	5902	2/12	69.12	<b>Sign Design</b> - Print & Cut Website Detail for District Banner
24	5903	2/12	13.50	<b>Underground Service Alert</b> - (9) New Tickets for January 2013
25	5904	2/12	3,620.00	<b>Woodruff, Spradlin &amp; Smart</b> - Legal Services for December 2012
26	5905	2/13	12,425.99	<b>CalPERS Retirement</b> - Retirement Contributions for January 2013
27	5906	2/13	118,863.90	<b>Citiwide Engineering, Inc.</b> - First Partial Payment for District 2013 Facility Improvement
28				
29			<b>286,553.45</b>	<b>SUBTOTAL</b>
30				
31				<b>ADD HANDCUT CHECKS:</b>
32	5877	2/6	677.02	<b>AT&amp;T Mobility</b> - Service for January 2013: (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606,
33				Sewer 714-310-8654, Emergency 714-310-9004.
34	5878	2/6	89.99	<b>DirectTV</b> - Service for February 2013
35	5879	2/6	10,226.00	<b>Zenith Insurance Company</b> - Worker's Compensation Progressive Monthly Payment February 2013
36	5880	2/6	500.00	<b>Ruano, Ron</b> - Balance for Mariachi Band to Perform at TET Parade 2013 for District
37				

38			<b>298,046.46</b>	<b>SUBTOTAL PLUS HANDCUTS</b>
39				
40				<b>PAYROLL</b>
41	2/5	52,499.31		Payroll - Staff Check # 15435 - 15439 Taxes & Direct Deposits
42	2/5	1,213.00		Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
43			<b>351,758.77</b>	<b>TOTAL EXPENDITURES W/PAYROLL</b>
44				
45				<b>BANK TRANSFERS</b>
46				None to Report

A motion was made by Director Neugebauer, seconded by President Cobo to approve the expenditures in the amount of \$351,758.77, as revised. The motion was approved by a 3-0 vote.

## REPORTS

### Report of President

President Cobo reported that he was impressed with the TET Parade and that it had a good turnout despite the bad weather and was surprised to hear that it was televised.

Director Neugebauer stated that she did not attend due to the weather, but heard that the mariachi band was a success as usual, and that she hoped to see some pictures from the event.

### Report of General Manager

GM Robbins reported that the District would be purchasing new signs to replace some of the old and damaged ones for the District yard due to the facility improvement project.

Orange County Sanitation District (OCSD) will be giving a 30-minute presentation to the Board at the March 5, 2013 regular meeting in order to provide information on the proposed rate increase.

The District will host its annual holiday dinner on Sunday, December 8, 2013 at 6 P.M. and a deposit has been made to the Crystal Rose Center for that event.

GM Robbins reported that approximately \$1,100 worth of hazardous oils have been removed from the District yard.

The District will also be receiving more per gallon for the oil that is recycled and picked up by Asbury. The total revenue for last year for the recycled used oil is approximately \$960.

GM Robbins reported that the District has received an Operations Budget Excellence Award from CSMFO.

Finance/HR Director Housley will be attending the California Society of Municipal Finance Officers (CSMFO) Conference in Oakland, CA, February 20-22, 2013.

### **Report from Orange County Sanitation District Meeting (OCSD)**

The Board unanimously agreed to defer the OCSD report until Director Diep arrived to the meeting.

### **Report from the Rainbow Environmental – Quarterly Tonnage and Financial Report**

Sue Gordon reported on the quarterly tonnage for Midway City and Westminster for both Rainbow Environmental and CR&R per the Board's request. She also reported that there was a 3% decrease in the recycling percentages due to CR&R tonnage that was added because they landfill everything.

Director Diep arrived at 4:16 P.M.

Sue Gordon reported that this was the first year that Rainbow Environmental attended the TET Parade. Rainbow has a Vietnamese community public outreach program in place and they had staff attend all 3 days of the TET festival in order to teach the Vietnamese community about recycling and its benefits. Rainbow has also just hired a bilingual student from the Recycling and Resource Management program at Golden West College to work in that area.

Peter Richards, CFO of Rainbow Environmental gave a brief financial report.

GM Robbins stated that as plan checks and reviews on any construction within the District come through for approval and permits, they are informed that the District does have an exclusive hauler (Rainbow Environmental) for bins and they are asked to comply or they could be towed and/or fined.

GM Robbins stated to the Board that the District is currently hauling all waste to Rainbow because CR&R does not separate or recycle, sends everything to the landfill, and the facility has potential liability issues for the District. The only time the District uses CR&R is when Rainbow Environmental is backed up and/or closed.

### **Report from Orange County Sanitation District Meeting (OCSD)**

Director Diep stated that there had been no meetings, so he had nothing to report.

## **Report from California Association of Sanitation Agencies (CASA) Conference Call**

Director Rice had a conference call at the District with the CASA Executive Board on Monday, February 11, 2013. The Board unanimously agreed to defer this report until Director Rice was in attendance.

## **CONSENT CALENDAR**

### **A. Investment Report for January 2013**

A motion was made by Director Diep, seconded by Director Krippner to approve the consent calendar. The motion was approved by a 4-0 vote.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **A. RESOLUTION NO. 2013-01**

*(Roll Call Vote)*

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA ADOPTING A POLICY REGARDING THE USE OF CELL PHONES OR ELECTRONIC DEVICES IN VEHICLES

A motion was made by Director Neugebauer, seconded by Director Krippner to adopt Resolution No. 2013-01, as amended. The motion was approved by a 4-0 roll call vote.

### **B. Consider and Discuss Setting Date and Time for a Workshop to Discuss Midway City Sanitary District Board Policies and Procedures**

A motion was made by Director Neugebauer, seconded by Director Diep to defer this item until a full Board is present. The motion was approved by a 4-0 vote.

### **C. RESOLUTION NO. 2013-03**

*(Roll Call Vote)*

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY CALIFORNIA COMMENDING EMPLOYEE AND 2012 PUBLIC SERVICE AWARD RECIPIENT, JULIA SALES

A motion was made by President Cobo, seconded by Director Neugebauer to adopt Resolution No. 2013-03. The motion was approved by a 4-0 roll call vote.

D. RESOLUTION NO. 2013-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY CALIFORNIA COMMENDING EMPLOYEE AND 2012 PUBLIC SERVICE AWARD RECIPIENT, DANIELLE GERARDO

A motion was made by President Cobo, seconded by Director Neugebauer to adopt Resolution No. 2013-04. The motion was approved by a 4-0 roll call vote.

E. Consider and Approve Budget Calendar for Fiscal Year 2013-2014 (July 1, 2013 through June 30, 2014)

A motion was made by Director Neugebauer, seconded by Director Krippner to approve the budget calendar. The motion was approved by a 4-0 vote.

**BOARD CONCERNS/COMMENTS**

Director Neugebauer suggested that Director Rice and herself, as members of the committee to plan the 75th anniversary of the District, prepare press releases for the Board's review, with the first to possibly be the Operations Budget Excellence Award from CSMFO.

President Cobo stated that he received two pieces of correspondence that he would like to share. One from a satisfied District resident and the other was an invitation from Mesa Water to their event celebrating 100% local water reliability.

Director Diep asked that the Mesa Water invitation be agendaized for the next meeting.

**GM/STAFF CONCERNS/COMMENTS**

GM Robbins stated that he would be picking up President Cobo and Director Neugebauer at approximately 10:30 A.M. on Sunday, February 24, 2013 in order to arrive at LAX in time for the flight to Washington D.C. for the CASA conference.

**GENERAL COUNSEL CONCERNS/COMMENTS**

None

## **CLOSED 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.

## **INFORMATIONAL ITEMS**

### A. Web Site Activity for the Month of January 2013 (42,652 Successful Hits)

A motion was made by Director Neugebauer, seconded by Director Krippner to receive and file the informational item. The motion was approved by a 4-0 vote.

## **ADJOURNMENT**

President Cobo adjourned the meeting at approximately 4:50 P.M.

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Al P. Krippner, Secretary Pro Tem