

**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 3, 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, December 3, 2013 at 4:00 P.M.

BOARD MEMBERS PRESENT:

Al P. Krippner
Joy L. Neugebauer
Frank Cobo
Margie L. Rice
Tyler Diep

OTHERS AT MEETING:

Ken Robbins, General Manager
Tom Nixon, District Counsel
Danielle Gerardo, Board Secretary
Jeff Snow, President Rainbow Env.
Ron Shenkman, Chairman Emeritus Rainbow Env.

PLEDGE AND INVOCATION

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

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE MEETING OF NOVEMBER 22, 2013

A motion was made by Director Rice, seconded by Director Diep to approve the minutes of the meeting of November 22, 2013. The motion was approved by a 5-0 vote.

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 71,712.03

#	CK #	Date	AMOUNT	VENDOR
1				HANDCUT CHECKS:
2	6476	11/25	124.75	AT&T - Brookhurst Lift Station Service for November 2013
3	6477	11/25	13.84	City of Westminster - Hammon Lift Station Water Usage for 09/25 - 11/19/2013
4	6478	11/25	2,217.90	Southern California Edison - Archives & Parking Garage \$50.43, District Office \$476.42,
5				Maintenance Shop \$250.60, Brookhurst Lift Station \$171.04, Westminster Lift Station \$486.53,
6				Willow Lift Station \$296.30, Hammon Lift Station \$486.58 .
7	6479	11/25	40.00	City of Westminster - Hydrant Meter Water Usage for October 2013
8				
9			2,396.49	SUBTOTAL
10				
11				REGULAR CHECKS:
12	6480	11/25	329.34	Bodyworks Equipment - (2) Loader Hatch Hooks for Restock & T57
13	6481	11/25	3,002.08	Daniels Tire Service - (4) New Tires for M64 & (7) Recaps for Restock
14	6482	11/25	139.73	G & K Services - Uniform Services for November 2013
15	6483	11/25	604.58	Los Alamitos Napa Auto Parts - (1) 3/4-Inch Air Impact Wrench for Replacement & (1) Filter for Restock
16	6484	11/25	1,940.00	Los Angeles Freightliner - (1) Gasket, (4) Locknuts (1) Clamp for M64; (2) Sensors for Restock & T57
17	6485	11/25	400.00	Maslure, Inc. - Certification Training for CPR, AED, First Aid for Drivers
18	6486	11/25	146.90	Joy L. Neugebauer - Health Insurance Reimbursement for December 2013
19	6487	11/25	249.46	Orange County Sanitation District - 2013-2014 1st Quarter OCHCA FOG/BMP Inspections
20	6488	11/25	200.00	Pitney Bowes - Add Credit to Postage Machine for District Office
21	6489	11/25	295.71	Proforma Solutions - (100) Totes Celebrating the District's 75th Anniversary
22	6490	11/25	756.00	Reyes Alternators - (2) New Alternators for Restock & T61
23	6491	11/25	922.29	Rosemead Oil Products - (95) Gallons of Motor Oil for Restock
24	6492	11/25	384.49	Tec Of California - (19) Filters & (2) Gaskets for Restock
25	6493	11/25	3,841.50	Woodruff, Spradlin & Smart - Legal Services for October 2013
26				
27			15,608.57	SUBTOTAL (BOTH HAND-CUTS & REGULAR CHECKS)
28				
29				PAYROLL
30		11/26	53,941.54	Payroll - Staff Check # 15570 - 15571 Taxes & Direct Deposits
31		11/26	1,210.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
32		11/26	951.92	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
33		11/27	4,999.33	Board of Director's Payroll for the Month of November 2013 Chk # 15573 - 15576
34		11/27	389.00	Board of Director's Nationwide Deferred Compensation for November 2013 (100% Paid By Directors)
35			71,712.03	TOTAL EXPENDITURES W/PAYROLL

A motion was made by Director Neugebauer, seconded by Director Diep to approve the expenditures in the amount of \$71,712.03. The motion was approved by a 5-0 vote.

REPORTS

Report of President

President Cobo reported that Sergeant Kingsmill from the Westminster Police Department approached him regarding a resident who was complaining about street sweeping on the same day as his solid waste service from MCSD. President Cobo forwarded the Sergeant's email to GM Robbins, who responded back to President Cobo, who then forwarded the response email on to Sergeant Kingsmill. There has been no further correspondence.

Report of General Manager

GM Robbins reported that the District will need to hire a new solid waste driver to replace the one that most recently separated.

California Special Districts Association (CSDA) approached GM Robbins at their most recent conference and asked him to sit on a few of their committees. GM Robbins responded that he would need to make the Board aware as he will need to meet with CSDA approximately twice a year in Sacramento.

GM Robbins reported that Finance/HR Director Robert Housley was at a government tax seminar all day today in Lakewood, California.

During the closed circuit television (CCTV) sewer cleaning project, calcium was found and will require further cleaning or possible replacement of sections of sewer line segment, but not until after the cleaning and CCTV project is complete.

Director Neugebauer requested that GM Robbins report on the termite tenting of the District buildings over the Thanksgiving holiday.

GM Robbins reported that everything went according to plan and that most of the termites were found in the front office building.

Report from Orange County Sanitation District Meeting (OCSD)

Director Diep reported that there was no meeting at OCSD since the last Board meeting so he had nothing to report.

Director Rice reported that during her California Association of Sanitation Agencies (CASA) Executive Board retreat there was backup work done on the strategic plan and three groups were formed – energy, communication and planning and research. A monthly newsletter will soon be sent out with updates for members, and Legislative Days is scheduled for April of 2014.

CONSENT CALENDAR

A. Approve Attendance to the California Association of Sanitation Agencies (CASA) Conference in Washington D.C. February 24-26, 2014

B. Approve Attendance to Rainbow Environmental Service's Holiday Event on December 19, 2013

Jeff Snow, President of Rainbow Environmental and Ron Shenkman, Chairman Emeritus of Rainbow Environmental wished the Board, Staff and their families very happy holidays, thanked the Board for the opportunity to serve the District and personally invited the Board to their holiday event.

A motion was made by Director Diep, seconded by Director Rice to approve the consent calendar. The motion was approved by a 5-0 vote.

OLD BUSINESS

None

NEW BUSINESS

A. Consider Approval of Renewal of Contract with Federal Lobbyist, James F. McConnell, In Order to Obtain District Grant Funding for (i) Private Compressed Natural Gas (CNG) Fueling Station Operated by Midway City Sanitary District and (ii) District Purchase of CNG Solid Waste Collection Trucks

GM Robbins stated that the contract with federal lobbyist, James F. McConnell, was exactly the same as the previous one, with only the dates changing, is still an 18 month agreement, and would commence in December 2013.

Director Neugebauer stated that she would prefer a twelve month contract, reviewed the percentages to be paid upon receipt of a grant and requested that a copy of the previous existing contract be provided to her.

Jeff Snow and Ron Shenkman from Rainbow Environmental left the meeting.

There was discussion some regarding liability insurance for Mr. McConnell.

A motion was made by Director Rice, seconded by Director Neugebauer to approve the renewal of the Districts contract with federal lobbyist James F. McConnell. The motion was approved by a 4-1 vote, with Director Krippner voting no.

B. Discussion of Refreshments Provided at Board Meetings

A motion was made by Director Neugebauer, seconded by Director Diep to direct staff to provide a menu for Uncle Pete's Café from which each Board member will order one meal to commence at the December 17, 2013 Board meeting. The motion was approved by a 4-1 vote, with Director Krippner voting no.

C. Consider a Date for a Study Session to Discuss and Consider Eliminating Future Health Insurance for Midway City Sanitary District Board Members

Director Neugebauer stated that there was no need for a study session but that she would like an agenda item to discuss and consider eliminating future health insurance for MCSD Board members.

Directors Diep and Rice stated that they were not in favor of changing the policy for Board members' health insurance.

Director Krippner stated that he did not feel that Directors should receive any benefits after their service to the District.

Director Neugebauer stated that she would like an agenda item at the first meeting in January in order for the Board to discuss and consider eliminating future health insurance for MCSD Board members.

Director Diep requested that staff also prepare an agenda item to be added to the agenda at the first meeting in January to discuss and consider the Board policy and whether there was a need for just one or two Board members to bring an item on an agenda.

Director Krippner requested that staff find out what another agency such as Costa Mesa Sanitary District does regarding health insurance for Board members and have that information.

Director Rice left the meeting.

Director Neugebauer stated her concern over the finances of the District. The discussion that she was proposing was to continue health benefits for Directors but not for their families and only after the next election. She stated that she did not feel that the topic could be addressed in an open minded and objective manner so she withdrew her request for an agenda item to consider eliminating future health benefits for Board members and their families at the first meeting in January.

Director Diep withdrew his request for an agenda item.

Director Krippner withdrew his request for an agenda item.

Director Rice returned to the meeting.

INFORMATIONAL ITEMS

None

BOARD CONCERNS/COMMENTS

Director Neugebauer requested that GM Robbins provide her with a photo of the District buildings covered with the tenting for the termites.

Director Neugebauer stated that she reviewed the District's history on the website and that it is incorrect as it states that Beach Blvd. was Eucalyptus, when it was actually Hoover that was Eucalyptus, and asked staff to make that correction.

GM/STAFF CONCERNS/COMMENTS

GM Robbins reminded the Board of the adjourned reorganization meeting on Friday, December 6, 2013 at 4 P.M.

GM Robbins stated that the District Holiday dinner would be this coming Sunday, December 8, 2013 at 6 P.M. at the Rose Center.

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.

ADJOURNMENT

President Cobo adjourned the meeting to Friday, December 6, 2013 at the District office at 4 P.M. at approximately 4:46 P.M.

Margie L. Rice, Secretary