

**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**

**January 21, 2014**

**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, January 21, 2014 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  
Robert Housley, Finance/HR Director  
Tom Nixon, District Counsel  
Danielle Gerardo, Board Secretary  
Farman Shir, GreenbergFarrow  
Vinny Tam, GreenbergFarrow

**PLEDGE AND INVOCATION**

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

**PUBLIC COMMENTS**

None

**APPROVAL OF THE MINUTES OF THE MEETING OF JANUARY 7, 2014**

A motion was made by Director Neugebauer, seconded by Director Rice to approve the minutes of the meeting of January 7, 2014, as amended. The motion was approved by the following 5-0 vote:

**AYES:** Cobo, Diep, Krippner, Neugebauer, Rice

**NAYS:**

**ABSTAIN:**

**ABSENT:**

# APPROVAL OF EXPENDITURES

## A. Demands in the amount of \$ 478,489.95

#	CK #	Date	AMOUNT	VENDOR
1				<b>HANDCUT CHECKS:</b>
2	6555	1/8	326.37	<b>AT&amp;T Mobility</b> - Service for December 2013; (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606,
3				Sewer 714-310-8654, Emergency 714-310-9004.
4	6556	1/8	94.99	<b>DirectTV</b> - Service for January 2014
5	6557	1/8	362.20	<b>First Bankcard (NC)</b> - Sam's Club Membership Renewal for District, Restock District Kitchen Supplies
6	6558	1/8	150.00	<b>Frank Cobo</b> - Per Diem for CASA Indian Wells 01/15-01/17/2014
7	6559	1/8	150.00	<b>Al Krippner</b> - Per Diem for CASA Indian Wells 01/15-01/17/2014
8	6560	1/8	150.00	<b>Joy Neugebauer</b> - Per Diem for CASA Indian Wells 01/15-01/17/2014
9	6561	1/8	150.00	<b>Margie Rice</b> - Per Diem for CASA Indian Wells 01/15-01/17/2014
10	6562	1/13	139,140.01	<b>Bank of New York Mellon</b> - COP Interest Payment
11	6563	1/16	11,988.90	<b>CalPERS Retirement</b> - Retirement Contributions for January 2014
12	6564	1/16	128.01	<b>The Gas Company</b> - District Office & Maintenance Yard Fees for January 2014
13	6565	1/16	100.00	<b>Ron Ruano</b> - Deposit for Mariachi Band to Perform at 2014 TET Parade for District Float 02/01/2014
14	6566	1/16	VOID	<b>Incorrect Dollar Amount Printed</b>
15	6567	1/16	466.48	<b>Verizon Business</b> - Internet Connection for SCADA System for December 2013
16	6568	1/16	333.30	<b>Vision Service Plan</b> - Monthly Premium for January 2014
17	6569	1/16	100.00	<b>Vietnamese American Federation</b> - Application & Entry Fee for 2014 TET Parade 02/01/2014
18	6590	1/16	3,167.83	<b>US Bank - (\$804.15 KR)</b> Holiday Dinner Decorations for 2013 Holiday Party; CWEA Renewal & Membership
19				for 2014; Wiarcom Monthly Services for December 2013; Monitor Cable for District Receptionist Desk.
20				<b>(\$226.88 Dge)</b> Board Meeting Refreshments for 11/22, 12/03, 12/06, & 12/17 Board Meetings.
21				<b>(\$106.54 DGr)</b> Restock Sewer Safety Supplies. <b>(\$1,116.67 NC)</b> Paint, painting supplies for Interior &
22				Exterior District Buildings; GHS Labeling Poster, Replacement MSDS Binder; (2) Battery Connections for
23				T65; Copper Piping to Replace Damaged Water Line/Pipe from Incident on 12/11/13 with T65; Patio
24				Heater for Shop. <b>(\$930.81 RH)</b> CSMFO 2014 Annual Conference Registration 02/18-02/21/2014 (RH);
25				Replacement Cell Phone for N. Castro; Cleaning & Drum Replacement for District Ricoh Copy
26				Machine; USPS Priority Mail Package to CalPERS 12/18/13; Orange County Register Monthly Subscription
27				for January 2014.
28				
29			<b>156,808.09</b>	<b>SUBTOTAL</b>
30				
31				<b>REGULAR CHECKS:</b>
32	6570	1/16	62.00	<b>Advanced Gas Products</b> - Cylinder Rental for December 2013
33	6571	1/16	2,585.00	<b>Astro Termite</b> - Fumigation for Termites of District Facilities on 11/30/2013
34	6572	1/16	100.00	<b>Bank of New York Mellon</b> - Independent Audit Confirmation Fee
35	6573	1/16	2,332.47	<b>Bodyworks</b> - (1) 8-Pin Plug for T65, (10) Cam Followers for T62, & (2) Plungers, (2) Coils, (8) Pins for Restock
36	6574	1/16	882.80	<b>Computer Research Center</b> -Maintenance & Support for Feb 2014;Hard drive Replaced for SCADA System
37	6575	1/16	35.81	<b>Cummins Cal Pacific</b> - (2) Tube Braces, (2) Vibration Isolator, (2) Washer Caps for Restock
38	6576	1/16	217.36	<b>DJ Printing</b> - Business Cards with 75 Anniversary Logo for Directors (MR, JN, FC, AK, TD)

39	6577	1/16	4,637.80	<b>Flo-Systems</b> - Emergency Call-Out on 12/17/2013 for Willow Lift Station, Brookhurst Lift Station;
40				Emergency Call-Out on 12/23/2013 for Brookhurst Lift Station.
41	6578	1/16	400.00	<b>Frog Environmental</b> - 3rd Quarter 2013-2014 Non-Storm Observation
42	6579	1/16	276.66	<b>G &amp; K Services</b> - Uniform Services for January 2014
43	6580	1/16	174.93	<b>ID Industries</b> - (20) Rocker Switches for Restock
44	6581	1/16	200.00	<b>ISDOC</b> - Renewal of Membership for 2014
45	6582	1/16	981.96	<b>Los Alamitos Napa Auto Parts</b> - Front Brake Pads & (2) Brake Rotors for T4; (7) Clamps, (150) Fittings,
46				(10) Hose Ends, (10) Adapters for Restock.
47	6583	1/16	66,177.94	<b>Performance Pipeline Technologies</b> - Cleaning & CCTV Inspection First Progressive Payment
48	6584	1/16	116,267.84	<b>Rainbow Transfer Recycling</b> - Tonnage for December 2013
49	6585	1/16	48.60	<b>Sign Design</b> - (5) Magnetic Name Tags for Directors with 75th Anniversary Logo
50	6586	1/16	970.48	<b>TEC of California</b> - (1) V-Band, (4) Nuts, (1) Sensor for T56
51	6587	1/16	822.59	<b>Top Mobile Vision</b> - (1) Camera & (1) 65 Ft Cable for T51; (1) 65 Ft Cable for T57
52	6588	1/16	99.37	<b>TrucPar Company</b> - (2) Valves for T52
53	6589	1/16	28.50	<b>Underground Service Alert</b> - (19) New Tickets for December 2013
54				
55			<b>354,110.20</b>	<b>SUBTOTAL (BOTH HAND-CUTS &amp; REGULAR CHECKS)</b>
56				
57				<b>PAYROLL</b>
58	1/7		66,504.05	Payroll - Staff Check # 15590 - 15592 Taxes & Direct Deposits
59	1/7		1,068.72	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
60	1/7		1,235.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
61	1/21		53,268.26	Payroll - Staff Check # 15594 - 15995 Taxes & Direct Deposits
62	1/21		1,068.72	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
63	1/21		1,235.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
64			<b>478,489.95</b>	<b>TOTAL EXPENDITURES W/PAYROLL</b>
65				
				<b>BANK TRANSFERS</b>
			1,000,000.00	Transfer Funds from Money Market to Checking Account

A motion was made by Director Rice, seconded by Director Neugebauer to approve the expenditures in the amount of \$478,489.95. The motion was approved by the following 5-0 vote:

**AYES:** Cobo, Diep, Krippner, Neugebauer, Rice

**NAYS:**

**ABSTAIN:**

**ABSENT:**

## **REPORTS**

### **Report of President**

None

## **Report of General Manager**

GM Robbins reported that 700 forms have been provided to the Board to fill out and that they are due to be filed no later than April 1, 2014.

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

Director Diep reported that he and two other OCSD Board members attended a special committee meeting to interview and recommend law firms to act as labor negotiators for OCSD. After careful consideration of over 300 firms, Filarsky and Associates was chosen and given a budget salary cap of \$29,000. They will be the lead negotiator to negotiate on behalf of OCSD with the Orange County Employers Association and the Electrical Engineering Union. Director Diep reported that the County of Orange, just this week, had a change order of approximately \$300,000 for their labor negotiator, Leibert, Cassidy and Whitmore, with the total sum just surpassing \$1 million. Director Diep stated that he made it very clear that he did not want protracted negotiations, did not want to play games, will set the parameters and hopefully reach an agreement between all parties quickly.

## **Report from California Association of Sanitation Agencies (CASA) Conference, Indian Wells, CA**

Directors Cobo was happy to hear the positive outlook on the economy by the speakers at the conference.

Director Rice attended the CASA Executive Board meeting and was able to block proposed fee increases. It was decided that the conference will be moved back to the Palm Springs area for an easier commute for attendees. Director Rice stated that she felt that the table top discussions that took place were outstanding.

Director Neugebauer gave kudos to Director Rice, the District's representative to CASA. She reported that she read that she received the last paper edition of the winter conference newsletter and that CASA will be delivering electronic newsletters online in order to save money. When Director Rice asked why the paper edition would not be continued, she was told that an electronic survey was done online. Director Neugebauer enjoyed speaker Jeff Reid from the Orange County Sanitation District regarding their recruitment and internship programs. She also enjoyed the clean water agency success stories and the table top discussions regarding negotiations. She also mentioned that Costa Mesa City Council is the first to adopt a new ordinance called COIN (Civic Openness in Negotiations), which allows a person from the public to be involved in closed session negotiations in order to ensure openness during labor negotiations.

Director Krippner attended the conference and also commented on the outstanding table top discussions.

**Report from Business to Business Table Top Expo with Tri Ta, Mayor of Westminster, CA**

President Cobo reported that there was much needed discussion regarding all the empty retail spots at the Westminster Mall.

Director Rice stated that there will soon be an urgent care in the City of Westminster, which is much needed due to the large number of seniors.

Director Neugebauer attended and remarked that as a resident she recently received a notice that her water bill would be decreasing, and she questioned whether it would remain low with the impending drought. She also reported that according to the Westminster School District, there are 1,700 homeless students living in Westminster.

**CONSENT CALENDAR**

A. Investment Report for December 2013

B. Approve Attendance to Municipal Water District of Orange County (MWDOC) Water Policy Forum on Thursday, February 6, 2014

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

AYES: Cobo, Diep, Krippner, Neugebauer, Rice

NAYS:

ABSTAIN:

ABSENT:

**OLD BUSINESS**

None

**NEW BUSINESS**

A. Consideration and Approval of Revision Number Two to the Compressed Natural Gas (CNG) Fueling Station Project

Director Neugebauer stated that she had requested specific information from GreenbergFarrow regarding her concern over the possible necessity or requirement of the canopy over the fast fill fueling station if the District were to sell fuel to outside agencies.

Farmin Shir, representative from GreenbergFarrow stated that after researching the canopy, found that it was not a requirement for the District's fast fill fueling station.

Director Neugebauer thanked the representatives from GreenbergFarrow for answering her question.

A motion was made by Director Rice, seconded by Director Neugebauer to receive and file the information and proceed with the CNG fueling station without the canopy for the fast fill station. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

Farmin Shir from GreenbergFarrow stated that at the last meeting there was a question regarding capacity of the fast fill station, which he went over for the Board. He provided an update on the CNG fueling station project, and stated that GreenbergFarrow had received a response back from the City of Westminster's planning department, but had not responded back yet because of the question of the canopy. Since that is not an issue anymore, they will be responding to the planning department's inquiry regarding screening of the mechanical equipment. The Board requested a copy of the City of Westminster's planning department response.

GM Robbins asked whether the fueling station project is CEQA exempt.

Farmin Shir confirmed that the fueling station project is CEQA exempt.

Farmin Shir and Vinny Tam from GreenbergFarrow departed the meeting at 4:45 P.M.

B. Consider Approving the Purchase of Two (2) New 30-Yard Automated Side Loader, Cab-Over Compressed Natural Gas (CNG) Solid Waste Collection Trucks for the Midway City Sanitary District Fleet

Directors Neugebauer and Rice asked for clarification regarding the low entry versus high entry cab and which is preferable.

GM Robbins stated that the low entry has one large 18-inch step and the high entry has three steps.

A motion was made by Director Neugebauer, seconded by Director Rice to approve staff's recommendation and purchase two new 30-yard automated side loader CNG solid waste trucks – one from Crane Carrier and the other from Mack. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer, Rice

NAYS:

ABSTAIN:

ABSENT:

C. A Review of Costa Mesa Sanitary District's Board Members' Benefits and Compensation

Director Diep stepped out of the meeting at 4:50 P.M.

A motion was made by Director Neugebauer, seconded by Director Rice to receive and file the information. The motion was approved by the following 4-0-1 vote:

AYES: Cobo, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT: Diep (not present)

Director Diep returned to the meeting at 4:51 P.M.

D. Consider Approval of Employee Safety Award for Sewer Maintenance Worker, Miguel Jimenez

A motion was made by Director Rice, seconded by Director Neugebauer to approve the employee safety award for District employee, Miguel Jimenez. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer, Rice

NAYS:

ABSTAIN:

ABSENT:

E. Approval of Commendations to the Six (6) Groups that Participated in the District's 75<sup>th</sup> Anniversary Blue Recycling Cart Decorating Contest

Director Rice stated that the certificates should be awarded at the District's Open House in April.

A motion was made by Director Neugebauer, seconded by Director Diep to approve the revised certificates of appreciation as presented by staff, with a minor change. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer, Rice

NAYS:

ABSTAIN:

ABSENT:

F. Approval for Federal Lobbyist James McConnell to Seek Grant for *Alternative Fuel Infrastructure Funding Opportunity* (PA2013-00) Offered by Clean Transportation Funding from the Mobile Source Air Pollution Review Committee (MSRC) in the Amount of \$175,000

A motion was made by Director Neugebauer, seconded by Director Diep to approve for Federal Lobbyist, James McConnell to seek a grant for Alternative Fuel Infrastructure Funding Opportunity (PA2013-00) offered by Clean Transportation Funding from the Mobile Source Air Pollution Review Committee in the amount of \$175,000. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer, Rice  
NAYS:  
ABSTAIN:  
ABSENT:

G. Consider Three Step Lid as Promotional Item to Reduce Fats, Oil and Grease (FOG) in the Sewer System to be Handed Out at District Events

A motion was made by Director Neugebauer, seconded by Director Diep to purchase 500 three step lids. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer, Rice  
NAYS:  
ABSTAIN:  
ABSENT:

H. Consider Approval of Planned Generator Maintenance Agreement

General Counsel Nixon stated that the District should request additional insurance from the vendor since they would be driving to and from the District office.

A motion was made by Director Rice, seconded by Director Diep to approve the updated planned generator maintenance agreement and add any additional insurance necessary. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer, Rice  
NAYS:  
ABSTAIN:  
ABSENT:



## INFORMATIONAL ITEMS

### A. Midway City Sanitary District Year Ending 2013

A motion was made by Director Neugebauer, seconded by Director Diep to receive and file and commend Staff for the pertinent information. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer, Rice

NAYS:

ABSTAIN:

ABSENT:

## BOARD CONCERNS/COMMENTS

Director Neugebauer commended Finance/HR Director Housley on the comprehensive, easy to read and understand investment report provided to the Board.

## GM/STAFF CONCERNS/COMMENTS

GM Robbins stated that anyone interested in carpooling to the ISDOC meeting on Thursday, January 30, 2014, should arrive at 10:45 A.M. the District office.

## GENERAL COUNSEL CONCERNS/COMMENTS

None

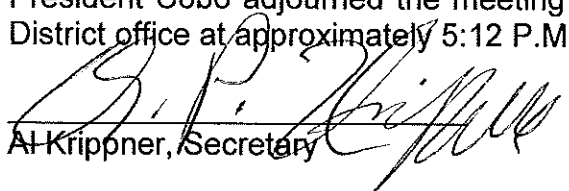
## CLOSED SESSION

**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 Tuesday, February 4, 2014 at 4 P.M. at the District office at approximately 5:12 P.M.

  
Al Krippner, Secretary

Happy Birthday Director Diep!