

**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**

**March 18, 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, March 18, 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:**

Robert Housley, Finance/HR Director  
Tom Nixon, District Counsel  
Danielle Gerardo, Board Secretary

**PLEDGE AND INVOCATION**

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

**PUBLIC COMMENTS**

None

**APPROVAL OF THE MINUTES OF THE MEETING OF MARCH 4, 2014**

A motion was made by Director Neugebauer, seconded by Director Rice to approve the minutes of the meeting of March 4, 2014, with changes. 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 \$ 283,298.43

| #  | CK # | Date | AMOUNT          | VENDOR  |
|----|------|------|-----------------|---|
| 1  |      |      |                 | <b>HANDCUT CHECKS:</b>  |
| 2  | 6683 | 3/7  | 325.92          | <b>AT&amp;T Mobility</b> - Service for February 2014: (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606, |
| 3  |      |      |                 | Sewer 714-310-8654, Emergency 714-310-9004.   |
| 4  | 6684 | 3/7  | 106.25          | <b>DirectTV</b> - Service for March 2014  |
| 5  | 6685 | 3/7  | 6,707.72        | <b>US Bank - (\$4,329.75 KR)</b> MWDOC Water Policy Forum & Dinner 02/06/14 (AK); CASA Washington D.C.          |
| 6  |      |      |                 | Conference Registration 02/23-02/25/14 (KR, FC, MR, TD, JN); (1) New District Map for Office; Food &            |
| 7  |      |      |                 | Refreshments for Chamber Mixer 1/30/14; Two-Sided Glossy Paper & Envelopes for Restock.                         |
| 8  |      |      |                 | <b>(\$140.25 Dge)</b> Refreshments for 02/04, 02/13, & 02/18 Board Meetings.                                    |
| 9  |      |      |                 | <b>(\$1,264.57 DGr)</b> Restock Sewer Safety Supplies. <b>(\$350.05 NC)</b> Restock Fleet Operation Supplies.   |
| 10 |      |      |                 | <b>(\$684.75 RH)</b> City of Westminster Water for Westminster Lift Station 11/20/13-01/14/2014; CSMFO 2014     |
| 11 |      |      |                 | Membership Renewal; CSMFO Palm Springs Conference Hotel Registration & Refreshments for 02/19-                  |
| 12 |      |      |                 | 02/21/2014 (RH).  |
| 13 | 6686 | 3/7  | 1,017.29        | <b>Verizon California</b> - District Office Phones & Lift Stations for February 2014; \$559.22 District Office, |
| 14 |      |      |                 | \$152.69 Willow Lift, \$152.69 Westminster Lift, \$152.69 Hammon Lift.  |
| 15 |      |      |                 |   |
| 16 |      |      | <b>8,157.18</b> | <b>SUBTOTAL</b>   |
| 17 |      |      |                 |   |
| 18 |      |      |                 | <b>REGULAR CHECKS:</b>  |
| 19 | 6687 | 3/12 | 56.00           | <b>Advanced Gas Products</b> - Cylinder Rental for February 2014  |
| 20 | 6688 | 3/12 | 174.00          | <b>Advanced Workplace Solutions</b> - DOT Drug Test (RM)  |
| 21 | 6689 | 3/12 | 1,141.33        | <b>Bodyworks Equipment</b> - Restock (2) Coils, (1) Grip Gear, (1) 2" Bearing, (4) 2" Cam Followers; (1) Stop   |
| 22 |      |      |                 | Switch & (1) Contact Block for T59.   |
| 23 | 6690 | 3/12 | 12,177.98       | <b>CalPERS Retirement</b> - Retirement Contributions for March 2014   |
| 24 | 6691 | 3/12 | 1,204.29        | <b>Chemsearch, Inc.</b> - (120)lb #2 Maxl tube for Restock  |
| 25 | 6692 | 3/12 | 40.00           | <b>City of Westminster</b> - Hydrant Meter Water Usage for February 2014  |
| 26 | 6693 | 3/12 | 18,161.83       | <b>CR Transfer</b> - Tonnage for February 2014  |
| 27 | 6694 | 3/12 | 4,369.65        | <b>Daniels Tire Service</b> - (3) New Tires, (16) Recaps, & (5) Repairs for Restock                             |
| 28 | 6695 | 3/12 | 283.64          | <b>G &amp; K Services</b> - Uniform Services for February & March 2014  |
| 29 | 6696 | 3/12 | 700.00          | <b>Glyn's Mobile Opacity Testing</b> - Perform Diesel Opacity Testing on Refuse Fleet                           |
| 30 | 6697 | 3/12 | 10,010.59       | <b>Greenberg Farrow Architecture, Inc.</b> - Services for CNG Fueling Station Engineering                       |
| 31 | 6698 | 3/12 | 2,516.62        | <b>Los Alamitos Napa Auto Parts</b> - (2) Gaskets, (1) Fuel Treatment, (4) Brake Drums, (4) Brake Kits, (50)ft  |
| 32 |      |      |                 | Hosing for Restock; (4) Brake Drums & (4) Brake Kits for T55.   |
| 33 | 6699 | 3/12 | 412.36          | <b>Los Angeles Freightliner</b> - (1) Bracket, (1) Connector, (1) Fuel Level Sensor for Restock; (1) Bracket    |
| 34 |      |      |                 | Assembly for T62.   |
| 35 | 6700 | 3/12 | 240.00          | <b>Memorial Care Medical Group</b> - Preventative Services (RG, RM, NC, DS)                                     |
| 36 | 6701 | 3/12 | 1,470.00        | <b>Nationwide Power Solutions, Inc.</b> - (15) VRLA Sealed Lead Acid Batteries for District & (4) Lift Stations |
| 37 | 6702 | 3/12 | 4,136.30        | <b>Orange County Sanitation District</b> - Permit Fees for February 2014 (MCSD 5% = \$217.70)                   |
| 38 | 6703 | 3/12 | 43,350.49       | <b>Performance Pipeline Technologies</b> - Sewer Cleaning & CCTV Inspection Progressive Payment                 |
| 39 | 6704 | 3/12 | 41.00           | <b>Phillip Mariscal</b> - DMV License Renewal Reimbursement   |

|    |      |      |                   |  |
|----|------|------|-------------------|--|
| 40 | 6705 | 3/12 | 302.51            | <b>Proforma Solutions</b> - (550) 'ReUse-Recycle-Reduce' Lifter Bags for 75th Anniversary            |
| 41 | 6706 | 3/12 | 90,196.63         | <b>Rainbow Transfer Recycling</b> - Tonnage for February 2014  |
| 42 | 6707 | 3/12 | 955.80            | <b>Reyes Alternators</b> - (2) New Alternators for Restock; (1) New Starter for T65                  |
| 43 | 6708 | 3/12 | 1,995.76          | <b>Santa Ana Diesel</b> - Labor for Welding Cracks on D.P.F. Filters of T52, T59, T62.               |
| 44 | 6709 | 3/12 | 22,101.00         | <b>SDRMA</b> - Workers' Compensation Payment for 4th Quarter (April - June 2014) FY 2013-2014        |
| 45 | 6710 | 3/12 | 910.69            | <b>TEC of California</b> - (7) Air Filters for Restock; (1) Cross member for T52; (1) Switch for T59 |
| 46 | 6711 | 3/12 | 2,120.40          | <b>Tesco Controls, Inc.</b> - SCADA System Professional Networking Services                          |
| 47 | 6712 | 3/12 | 16.50             | <b>Underground Service Alert</b> - (11) New Tickets for February 2014                                |
| 48 | 6713 | 3/12 | 276.00            | <b>Wespac Security Services</b> - Burglar & Fire Alarm Services for January through March 2014       |
| 49 |      |      |                   |  |
| 50 |      |      | <b>227,518.55</b> | <b>SUBTOTAL (BOTH HAND-CUTS &amp; REGULAR CHECKS)</b>  |
| 51 |      |      |                   |  |
| 52 |      |      |                   | <b>PAYROLL</b>   |
| 53 | 3/4  |      | 54,153.64         | Payroll - Staff Check # 15611 - 15613 Taxes & Direct Deposits  |
| 54 | 3/4  |      | 1,175.00          | Payroll - Nationwide Deferred Compensation (100% Paid By Employees)                                  |
| 55 | 3/4  |      | 425.00            | Payroll - Nationwide Deferred Compensation (100% Paid By Employees)                                  |
| 56 | 3/4  |      | 26.24             | Payroll - Nationwide Deferred Compensation (100% Paid By Employees)                                  |
| 57 |      |      | <b>283,298.43</b> | <b>TOTAL EXPENDITURES W/PAYROLL</b>  |

A motion was made by Director Rice, seconded by Director Diep to approve the expenditures as presented in the amount of \$283,298.43. 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

Finance/HR Director Housley reported that the District's lift stations are currently operating normally. Last week, the sewer crew had to manually operate the Westminster and Hammon lift stations every 4 hours prior to TESCO working with them and Director of Operations/Safety Nick Castro over the phone to reboot the system. There was also a secondary issue of a clogged check valve at the Hammon station which Flo Systems was able to remedy by removing rags and towels.

The CCTV sewer line cleaning is going well and no issues have been reported for the areas between Trask and Westminster, west of Hoover and east of Goldenwest.

As a follow up on the CSDA webinar conference on the public records act that the Board and staff participated in, everyone was registered for that event and will receive credit for it. Finance/HR Director Housley has inquired about receiving a copy of the webinar, but has had no response yet.

Finance/HR Director Housley reported that the plastic bags ordered for the 75 Year anniversary came in and he provided each Board member with a sample.

A minor collision occurred last week which has been reported to the District's insurance. There was no police report done on that incident and the cost of that incident is still unknown but the District's deductible is \$1,000 and the insurance should cover the remainder. Finance/HR Director Housley reported that there was a second incident today, with no injuries. Director of Operations/Safety Nick Castro is in the process of reporting it to the insurance carrier. The Board will be provided with more information as soon as it is available.

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

Director Diep reported that he attended an Administration Committee meeting where there was a report and discussion by staff with regard to the current testing of chemicals being released into the outfall two miles off the coast. There was discussion whether it is still necessary to use large amounts of chlorine to clean the waste water that is being released or whether to possibly reduce the amount of chlorine used during the secondary treatment.

#### **Report from Westminster Chamber of Commerce Public Service Awards**

President Cobo was proud to be a part of the event acknowledging Director Rice's 25 years of service at the District and her Employee of the Year Award.

Director Rice thanked everyone for their support.

Director Neugebauer stated that the bio used for Director Rice during the event was well written and should be used for a press release along with a photograph from the event. On April 2, 2014, there will be a District luncheon and Director Rice will be recognized along with 10 year safety award recipient and District employee, Miguel Jimenez.

#### **Report from California Special Districts Association (CSDA) Public Records Act/Public Records Request Workshop**

President Cobo reported that the public records act/request webinar conference that the Board and Staff attended was enlightening and he was glad that he attended.

Director Rice was extremely pleased that Director Neugebauer suggested that the Board attend the webinar conference, found it extremely interesting, and has suggested it to the City Council for the City of Westminster.

Director Cobo asked Finance/HR Director Housley if he contacted CSDA and inquired as to whether the webinar would be available online as Director Neugebauer had suggested.

Finance/HR Director Housley stated that he had inquired and that they would let him know if and when it becomes available online.

Director Neugebauer stated that her question regarding informal discovery lead to two follow up questions which addressed her concern.

Director Krippner also attended the webinar conference.

## **CONSENT CALENDAR**

### **A. Investment Report for February 2014**

Director Neugebauer commended Finance/HR Director Housley for the manner in which he chronicled and highlighted the District's reserves and investments portfolio.

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 and Rice

NAYS:

ABSTAIN:

ABSENT:

## **OLD BUSINESS**

### **A. Consider the City of Westminster's Request for Sponsorship of the 2014 Summer Concerts in the Park Series**

A motion was made by Director Rice, seconded by Director Diep to sponsor the 2014 Summer Concerts in the Park Series at the \$1,200 level in order to further promote awareness of the District's 75 year anniversary and recycling efforts to reach mandated goals.

Director Krippner requested that this item be moved to the end of the agenda.

District Counsel Nixon stated that if the Board wished to move this particular matter to the end of the agenda, they could do so.

Director Rice withdrew her motion to approve sponsorship of the 2014 Summer Concerts in the Park Series.

The Board consensus was to move this item to the end of the agenda.

**NEW BUSINESS**

A. California Special Districts Association (CSDA) Board of Directors Call for Nominations, Seat C

Director Rice stated that she felt that any Board member or staff should be allowed to participate in CSDA's Board of Directors, but there were no Board members interested in the position due scheduling issues.

A motion was made by Director Neugebauer, seconded by Director Diep to continue this item in order to wait and see if any management staff would like to run for the seat. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

B. Consider the City of Westminster's Invitation to Participate in the Spring Festival on Saturday, April 12, 2014 from 9 A.M. to 3 P.M.

Directors Neugebauer and Rice stated that the District could set up a table to hand out materials for outreach purposes to further educate the residents about recycling and in order to further promote the District's 75 year anniversary and its recycling efforts to reach mandated goals.

A motion was made by Director Diep, seconded by Director Rice to participate in the City of Westminster's Spring Festival on Saturday, April 12, 2014. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer, Rice

NAYS:

ABSTAIN:

ABSENT:

C. Discuss and Consider the Nomination Form for a Candidate for the Local Agency Formation Commission Orange County (LAFCO)

Director Diep stated that, after some consideration, he would not run for a seat on LAFCO due to his work schedule.

A motion was made by Director Neugebauer, seconded by Director Rice to take no action on this item. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

**D. Consider Press Release Regarding Midway City Sanitary District's Operating Budget Award**

A motion was made by Director Rice, seconded by Director Diep to approve the press release and add the District's 2013 year end statistics and accomplishments previously provided by GM Robbins. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

**E. Consider Scheduling the First Public Budget Workshop/Study Session for Fiscal Year 2014-2015 (July 1, 2014 through June 30, 2015)**

A motion was made by Director Diep, seconded by Director Rice to schedule the first public budget workshop/study session for fiscal year 2014/2015 on Tuesday, April 8, 2014 at 4 P.M. at the District office. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

**F. Consider Action on the Request from California Association of Sanitation Agencies (CASA) for Letter of Support of Senate Bill (SB) 1014 (Jackson)**

A motion was made by Director Neugebauer, seconded by Director Diep to approve the letter of support, with repetitive language removed, for Senate Bill 1014 which deals with pharmaceuticals being returned to pharmacies for safe disposal. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

G. Consider Attendance at the 2014 Women Making a Difference Awards & Afternoon Tea Reception Honoring 100 Women Making a Difference and Margie L. Rice – 2014 Woman of the Year on Thursday, March 27, 2014

Director Neugebauer encouraged attendance to the event but stated that she felt that Board and Staff should attend as individuals and there should be no Board compensation for attending.

President Cobo and Director Rice agreed with Director Neugebauer.

A motion was made by Director Neugebauer, seconded by Director Diep to approve attendance but with no compensation for the Board. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

H. Consider Designation of Six Computers and Three Typewriters as Surplus and Authorize Staff to Dispose of Them Properly

Director Neugebauer asked whether any of the typewriters were historical and suitable to be donated to the Westminster Historical Society.

Finance/HR Director Housley stated that he did not think they were historical but that Director Neugebauer could look at them and decide.

A motion was made by Director Neugebauer, seconded by Director Diep to declare the items as surplus and authorize the proper disposal of them. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

**INFORMATIONAL ITEMS**

A. Special District Risk Management Authority (SDRMA) Rate Increase Information

The memo from SDRMA reported that while there will be no increase in property/liability insurance, but that there will be a 10% increase in cost for workers compensation insurance.



B. Web Site Activity for the Month of January 2014 (44,268 Successful Hits)

C. Orange County Waste and Recycling Waste Disposal Agreement Contract Rate

The Orange County Waste and Recycling Waste Disposal Agreement Contract Rate increased by .96% to \$32.36 effective July 1, 2014.

A motion was made by Director Rice, seconded by Director Diep to receive and file the information items. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

President Cobo called for a 5 minute recess at 4:48 P.M.

President Cobo called the meeting back to order at 4:54 P.M. and immediately convened the meeting to a closed session pursuant to Government Code Section 54956.9(d)(2).

## **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.

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) (one potential case)

President Cobo reconvened the open session meeting at 5:23 P.M.

General Counsel Nixon stated that there was no reportable action taken due to the closed session.

President Cobo asked the Board to consider Old Business Item 8A at this time.

A. Consider the City of Westminster's Request for Sponsorship of the 2014 Summer Concerts in the Park Series

A motion was made by Director Rice, seconded by Director Diep to sponsor the 2014 Summer Concerts in the Park Series put on by the City of Westminster at the \$1,200 level in order to promote the District's 75 year anniversary. The motion was approved by the following 4-0-1 vote:

AYES: Cobo, Diep, Neugebauer and Rice

NAYS:

ABSTAIN: Krippner

ABSENT:

**BOARD CONCERNS/COMMENTS**

Director Neugebauer stated that she is pleased that the Board is again participating in outreach events such as the Concerts in the Park and the Spring Festival, as well as hosting the District's Open House on April 19, 2014 because it helps the District to attain its recycling goals by educating the District's residents about proper recycling.

**GM/STAFF CONCERNS/COMMENTS**

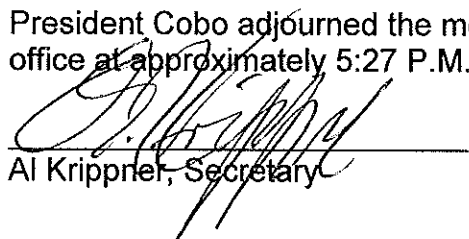
None

**GENERAL COUNSEL CONCERNS/COMMENTS**

None

**ADJOURNMENT**

President Cobo adjourned the meeting to Tuesday, April 1, 2014 at 4 P.M. at the District office at approximately 5:27 P.M.

  
Al Krippner, Secretary