

**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 3, 2015**

**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 3, 2015 at 5:00 P.M.

**BOARD MEMBERS PRESENT:**

Al P. Krippner  
Joy L. Neugebauer  
Tyler Diep (arrived at 5:22 P.M.)  
Margie L. Rice  
Frank Cobo

**OTHERS AT MEETING:**

Ken Robbins, General Manager  
Robert Housley, Finance/HR Director  
Tom Nixon, General Counsel  
Danielle Gerardo, Board Secretary  
Michelle Clark, Rainbow Environmental Services  
Dean Ruffridge, CR&R Environmental

**PLEDGE AND INVOCATION**

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

**PUBLIC COMMENTS**

None

**APPROVAL OF THE MINUTES OF THE MEETING OF FEBRUARY 17, 2015**

A motion was made by Director Neugebauer, seconded by Director Rice to approve the minutes of the meeting of February 17, 2015. The motion was approved by the following 4-0-0-1 vote:

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

**NAYS:**

**ABSTAIN:**

**ABSENT:** Diep

# APPROVAL OF EXPENDITURES

## A. Demands in the amount of \$ 373,603.38

#	CK #	Date	AMOUNT	VENDOR
1				<b>HANDCUT CHECKS:</b>
2	7454	2/17	13.78	City of Westminster - Water Usage for Hammon Lift Station 12/17/14-02/10/15
3	7455	2/17	87.46	The Gas Company - District Office & Maintenance Yard Fees for February 2015
4	7456	2/17		VOID Incorrect Name Printed on Check
5	7457	2/26	165.56	AT&T - Brookhurst Lift Station Service for February 2015
6	7458	2/26	246.88	First Bankcard (NC) - Restock District Kitchen Supplies
7	7459	2/26	4,896.41	CalPERS Retirement - Retirement Contributions for February 2015
8	7460	2/26	1,867.37	Southern California Edison - Archives & Parking Garage \$65.45, District Office \$303.92, Maintenance Shop \$253.05, Brookhurst Lift Station \$88.43, Westminster Lift Station \$603.34, Willow Lift Station \$142.87, Hammon Lift Station \$410.29.
9				
10				
11	7461	3/1	42,409.35	CalPERS Health Premium - Healthcare Premium for March 2015
12	7462	3/1	3,809.97	MeLife - Monthly Dental Premium for March 2015
13	7463	3/1	865.86	The Standard Life Insurance - Premium Coverage for March 2015
14			<b>54,362.64</b>	<b>HANDCUT CHECKS SUBTOTAL</b>
15				
16				<b>REGULAR CHECKS:</b>
17	7464	3/1	146.90	Neugebauer, Joy - Health Insurance Reimbursement for March 2015
18	7465	3/1	104.90	Rice, Margie - Health Insurance Reimbursement for March 2015
19	7466	3/1	47.28	Gerardo, Danielle - Reimbursement for CSDA Board Secretary Conference
20	7467	3/1	41.44	Rice, Margie - Reimbursement for CASA Conference Palm Springs, CA 01/21-01/23/15
21	7468	3/1	273.60	Advanced Gas Products - (6) Boxes of Gloves for Restock; (1) Cylinder Rental for January 2015
22	7469	3/1	35.00	Asbury Environmental Services - Used Oil Service Charge
23	7470	3/1	290.48	G & K Services - Uniform Services for February 2015
24	7471	3/1	200.00	ISDOC - Annual Membership Dues for 2015
25	7472	3/1	586.66	Los Angeles Freightliner - Labor & Parts to Repair Crank on M63
26	7473	3/1	150.00	Pitney Bowes/Purchase Power - Postage for Postage Machine January 2015
27	7474	3/1	76.00	TEC of California - Rear Brake Adjustment & Warranty Servicing for NG-2
28	7475	3/1	2,107.00	Woodruff, Spradlin & Smart - Legal Services for January 2015
29	7476	3/1	700.00	Yale/Chase Equipment & Services - Generator Service/Inspection for Westminster & Hammon Lift Stations
30	7477	3/1		VOID Incorrect Address Printed
31	7478	3/1	514.70	Southern California Edison - Meter & Service Change for CNG Fueling Station Project
32	7479	3/1	250,349.19	DPSI - CNG Fueling Station Project
33	7480	3/1	190.43	Petty Cash Ken Robbins - [\$7.50] Parcel Maps & Parking; [\$64.59] Donuts for Driver Training Meetings 08/27, 10/23, 11/22/14, 01/28, 2/25/15; [\$22.55] Staff Photo for District Office; [\$85.81] Lamp Tail for Restock.
34				
35				
36			<b>\$ 255,813.58</b>	<b>REGULAR CHECKS SUBTOTAL</b>

37			
38			<b>PAYROLL</b>
39	2/17	56,554.49	Payroll - Staff Check # 15733 Taxes & Direct Deposits
40	2/17	1,135.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
41	2/17	550.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
42	2/27	4,814.23	Board of Director's Payroll for the Month of February 2015 Check # 15735 - 15738
43	2/27	373.44	Board of Director's Nationwide Deferred Compensation for February 2015 (100% Paid By Directors)
44		\$ 63,427.16	<b>PAYROLL SUBTOTAL</b>
45			
46		\$ 373,603.38	<b>TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL)</b>

A motion was made by Director Neugebauer, seconded by Director Rice to approve the expenditures in the amount of \$ 373,603.38. The motion was approved by the following 4-0-0-1 vote:

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

**NAYS:**

**ABSTAIN:**

**ABSENT:** Diep

## **REPORTS**

### **Report of President**

None

### **Report of General Manager**

GM Robbins reported that Director Diep had just called and said he was on his way back from business in Sacramento and would be arriving shortly to the meeting.

GM Robbins reported that Southern California Edison has approved the plans needed for the District's CNG fueling station and that there would be an on-site meeting with their inspector on Wednesday, March 4, 2015 to go over details of the project.

Director Neugebauer asked if GM Robbins thought that the progress was due to the letters from the Board to State Legislators and the Public Utilities Commission and if the fees had been reduced in any way.

GM Robbins stated that he did believe that the letters from the Board aided in the forward movement of SCE on the plans for the District's CNG fueling station and that he had drafted thank you letters from the Board thanking them for their help. He stated he would not know about the fees for the change order until after the meeting with the inspector on March 4, 2015.

GM Robbins stated that he and Director Operations/Safety Nick Castro would be departing for Tennessee on Wednesday, May 13, 2015 and returning on Friday, May 15, 2015 in order to inspect the eight new CNG trucks being built for the District.

GM Robbins reported that there was no tonnage paid to Rainbow on the current expenditures because the District was invoiced by Republic and the District's franchise agreement only recognizes Rainbow and CR&R Environmental. Once the District is invoiced properly by Rainbow, the tonnage fees will be paid.

GM Robbins stated that he received a letter from Jim Herberg at Orange County Sanitation District (OCSD) asking for the District's support in order to receive a grant for improvements to the groundwater replenishment system. The request was received late Friday, February 27, 2015 after the agenda was posted and delivered to Directors, and GM Robbins stated that OCSD is looking for funding in late March so if they wished to act upon it, they would need to walk it onto this agenda.

Director Neugebauer stated that the District is a part of OCSD and that OCSD funded 50% of the development of the groundwater replenishment system. She stated that there was an article in the newspaper last week with regard to the development of the groundwater replenishment system with no mention of OCSD's part in the project whatsoever.

A motion was made by Director Rice, seconded by Director Neugebauer to walk the request for the District's support from OCSD onto the agenda for Board consideration since it was received after the agenda was posted and required immediate action. The motion was approved by the following 4-0-0-1 vote:

AYES: Cobo, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

A motion was made by Director Neugebauer, seconded by Director Rice to approve the letter supporting the Effluent Reuse Study and its application for the USBR Title XVI Water Smart grant to Bill Steele, Area Manager of the U.S. Bureau of Reclamation, and to send a copy to Jim Herberg at OCSD as well as someone from the Orange County Water District. The motion was approved by the following 4-0-0-1 vote:

AYES: Cobo, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

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

None. Director Diep did not attend the OCSD meeting.

### **Report from TET Parade**

Directors Rice stated that she was insulted at the District's placement in the TET parade and said that she will not attend next year if the District is not moved further to the front.

Director Krippner also attended the TET parade and rode in one of the District's trucks.

President Cobo attended and stated he noticed an increase in attendance at the TET Parade.

Director Diep arrived at 5:22 P.M.

### **Report from the California Association of Sanitation Agencies (CASA) Conference, Washington D.C.**

Directors Cobo, Rice, Neugebauer and GM Robbins attended the CASA Conference in Washington D.C.

Director Neugebauer reported that the conference was regarding federal policymaking and unlocking the gridlock. There were panels, department heads and administrators from the EPA, and Congressmen as speakers on several subjects including: bio solids are a resource, the financing of water infrastructure, the clean water act, the utility of the future, climate resiliency, drought, and regulatory reform. The Congressional visits were divided into eight teams and the MCSD Directors were able to visit with Congressman Duncan Hunter, Dana Rohrabacher and Darrell Issa.

Directors Rice and Cobo stated that they felt that they were able to accomplish a lot on the trip.

GM Robbins was able to give a copy of the letter drafted from the Board to the Public Utilities Commission and several Legislators regarding the delays by SCE with the District's CNG fueling station to an aid of Congressman Rohrabacher. By the following day, a reply was received by the District that the information had been sent on, that it was a Public Utilities Commission problem and that the District would hear from SCE shortly.

### **Report from District Franchisee – Financials from Rainbow Environmental**

Michelle Clark from Rainbow Environmental gave the 4<sup>th</sup> quarter of 2014 financial report.

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

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

Michelle Clark from Rainbow Environmental and Dean Ruffridge from CR&R Environmental left the meeting at 5:49 P.M.

**CONSENT CALENDAR**

A. Renewal of Membership to Independent Special Districts of Orange County (ISDOC)

B. Approval of Attendance to the Independent Special Districts of Orange County (ISDOC) Quarterly Meeting on Thursday, April 30, 2015

C. Approval of Attendance to the City of Westminster Mayor's Ball on Saturday, May 2, 2015

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 Setting a Date for a Study Session to Evaluate the District's Updated Website

A motion was made by Director Neugebauer, seconded by Director Rice to continue this item in order for the Board to discuss it at the same time as New Business Item 9B. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

**NEW BUSINESS**

A. RESOLUTION NO. 2015-01

*(Roll Call Vote)*

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, COMMENDING EMPLOYEE AND 2014 PUBLIC SERVICE AWARD RECIPIENT, RANDY GRIFFITH

A motion was made by Director Neugebauer, seconded by Director Diep to adopt Resolution No. 2015-01, with a change. The motion was approved by the following 5-0 roll call vote:

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

**B. Consider Scheduling a Luncheon to Honor the District's 2014 Employee of the Year**

A motion was made by Director Rice, seconded by Director Diep to schedule the luncheon to honor the District's 2014 Employee of the Year for Wednesday, March 25, 2015 at 12 noon at the District and in conjunction with the website review (Old Business Item 8A - previously continued) to be held on the same day at 11 A.M. in the Board room. The motion was approved by the following 5-0 vote:

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

**C. Consider Scheduling a Date for the Administrative Professionals Day Luncheon**

A motion was made by Director Neugebauer, seconded by Director Diep to schedule the Administrative Professionals Day luncheon on Wednesday, April 29, 2015 at 11:30 A.M. at Outback Steakhouse. The motion was approved by the following 5-0 vote:

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

**D. Consider Approval of Attendance to the California Association of Sanitation Agencies (CASA) Public Policy Forum in Sacramento, CA on April 27<sup>th</sup> and 28<sup>th</sup>, 2015**

A motion was made by Director Rice, seconded by Director Neugebauer to approve attendance for Board members and Staff who wish to attend. The motion was approved by the following 5-0 vote:

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

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

Director Neugebauer asked if anyone on the Board was interested in taking on the position of CSDA Board of Directors, Seat A.

Director Rice stated that she would be interested in the position.

A motion was made by Director Neugebauer, seconded by Director Diep to prepare and submit a nomination for Director Rice to CSDA Board of Directors, Seat A and to provide copies of the nomination to the Board. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

**INFORMATIONAL ITEMS**

A. Westminster Redevelopment Agency Asset Transfer Review Report – January 1, 2011 through January 31, 2012 – Total Transfers \$254 Million

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

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

**BOARD CONCERNS/COMMENTS**

Director Neugebauer stated that at the last Board meeting on February 17, 2015, the Board informally approved of GM Robbins' participation in the Garbage Man's Invitational Golf Tournament and asked where the tournament was taking place and what the cost would be.

GM Robbins stated that it was in Temecula, CA and cost approximately \$156.00 which he pays for himself. (Actual cost: \$258.24)

Director Neugebauer stated that the District should pay the fee unless it is a gift.

GM Robbins stated that it is not a gift and that he pays for himself and does not want the District to pay because of the location.



Director Rice stated that she didn't feel that he should have to pay it since it benefits the District.

GM Robbins stated that he preferred to continue to pay it himself and just appreciates the Board allowing him the time off.

Director Rice stated that she noticed a webinar on recycling and sewage and asked if staff could provide a list of webinars from CSDA or SDRMA for the Board to consider attending.

GM Robbins stated that he would provide that information to the Board.

### **GM/STAFF CONCERNS/COMMENTS**

GM Robbins stated that his contract would be on the next agenda for consideration per Board direction.

### **GENERAL COUNSEL CONCERNS/COMMENTS**

None

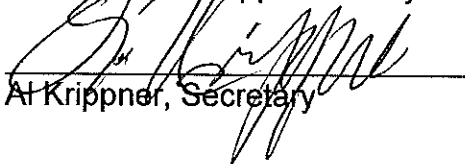
### **CLOSED SESSION**

**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, March 17, 2015 at the District office at 5:00 P.M. at approximately 6:23 P.M.

  
At Krippner, Secretary