

**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**

September 15, 2015

CALL TO ORDER

President Pro Tem Rice called the regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Tuesday, September 15, 2015 at 5:00 P.M.

BOARD MEMBERS PRESENT:

Al P. Krippner
Joy L. Neugebauer
Tyler Diep
Margie L. Rice
Frank Cobo (arrived at 5:03 P.M.)

OTHERS AT MEETING:

Ken Robbins, General Manager
Robert Housley, Finance/HR Director
James Eggart, General Counsel
Danielle Gerardo, Board Secretary
Joseph Larsen, Labor Counsel
Anita Spencer, Resident

PLEDGE AND INVOCATION

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

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF SEPT. 1, 2015

A motion was made by Director Diep, seconded by Director Neugebauer to approve the minutes of the meeting of September 1, 2015, with one change – deleting the word “new” from the first paragraph of the last sentence on page five. The motion was approved by the following 4-1 vote:

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

President Cobo arrived at 5:03 P.M.

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 356,624.92

#	CK #	Date	AMOUNT	VENDOR
1				HANDCUT CHECKS:
2	7859	9/9		VOID Printer Malfunction
3	7860	9/9	410.40	Luis Urlofegui - Luncheon Taco/Food Services for Thomas Garduno Safety Award
4	7861	9/9	100.00	Thomas Garduno - Five Year Safety Award
5	7862	9/10	341.91	AT&T Mobility - Service for August 2015; (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606.
6				Sewer 714-310-8654, Emergency 714-310-9004.
7	7863	9/10	11,235.78	CalPERS Retirement - Retirement Contributions for August 2015
8	7864	9/10	1,546.27	Chevron & Texaco Bus. Card Svcs. - Gasoline Purchases for August 2015
9	7865	9/10	110.98	DirectTV - Service for September 2015
10	7866	9/10	1,092.58	Southern California Edison - District Office \$62.19, Brookhurst Lift Station \$91.14, Westminster Lift
11				Station \$355.08, Willow Lift Station \$151.78, Hammon Lift Station \$432.39.
12	7867	9/10	1,453.89	Verizon California - District Office Phones & Lift Stations for August 2015; \$968.25 District Office,
13				\$161.88 Willow Lift, \$161.88 Westminster Lift, \$161.88 Hammon Lift.
14			16,291.81	HANDCUT CHECKS SUBTOTAL
15				REGULAR CHECKS:
16				
17	7868	9/10	200.00	Cobo, Frank - Per Diem for CSDA Conference Monterey, CA 09/21-09/24/2015
18	7869	9/10	200.00	Neugebauer, Joy - Per Diem for CSDA Conference Monterey, CA 09/21-09/24/2015
19	7870	9/10	200.00	Rice, Margie - Per Diem for CSDA Conference Monterey, CA 09/21-09/24/2015
20	7871	9/10	267.97	Advanced Gas Products - Cylinder Rental for August 2015; Restock (1) Cylinder Compressed Gas, (2) Boxe
21				of Gloves, (1) Unit of Acetylene.
22	7872	9/10	336.00	Bodyworks - Inspect & Repair Heil Rapid Rail for T65
23	7873	9/10	727.00	CRC Cloud - Maintenance & Support for September 2015
24	7874	9/10	3,971.98	CR Transfer - Tonnage from 08/17/2015 through 08/31/2015
25	7875	9/10	145,569.08	DPSI - CNG Fueling Station Project
26	7876	9/10	290.10	G & K Services - Uniform Services for August & September 2015
27	7877	9/10	46,585.15	Orange County Sanitation District - Permit Fees for August 2015 (MCSD 5% = \$2,451.85)
28	7878	9/10	61,322.49	Rainbow Transfer/Recycling - Tonnage from 08/17/2015 through 08/31/2015
29	7879	9/10	772.54	Ray Gaskin - (3) Cylinder Repair and Heil Arm Rise Exchange for Restock

30	7880	9/10	210.79	Rush Truck Centers - (1) Valve-ABS Modulator for T65
31	7881	9/10	3,401.32	Top Mobile Vision - Installed New Monitor and 4-Camera System on NG-9; (2) Cameras for Shop
32	7882	9/10	7.50	Underground Service Alert - (5) New Tickets for August 2015
33	7883	9/10	11,600.00	White Nelson Diehl Evans - First Billing on Audit of the District's Financial Statements FYE June 30, 2015
34			\$ 275,661.92	REGULAR CHECKS SUBTOTAL
35				
36				PAYROLL
37	8/28		5,153.62	Board of Director's Payroll for the Month of August 2015 Check # 15795 - 15798
38	8/28		404.56	Board of Director's Nationwide Deferred Compensation for August 2015 (100% Paid By Directors)
39	9/1		57,213.01	Payroll - Staff Check # 15799 Taxes & Direct Deposits
40	9/1		1,200.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
41	9/1		700.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
42			\$ 64,671.19	PAYROLL SUBTOTAL
43				
44			\$ 356,624.92	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL)
45				
46				BANK TRANSFERS
47	9/2		500,000.00	Transfer Funds from LAIF to Checking Account

A motion was made by Director Neugebauer, seconded by Director Diep to approve the expenditures in the amount of \$ 356,624.92. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

REPORTS

Report of President

None

Report of General Manager

GM Robbins reported that Crane Carrier sent a quality control team to the District to inspect the new CNG trucks, noting needed repairs such as hub seals and leaking air conditioner units. Once repairs are completed each truck will be certified. They are extending the District's warranty for parts on the new trucks by one additional year.

GM Robbins reported that M64, which is a 2004 sewer vector truck and emergency vehicle used for sewer line cleaning, will need work on the pinch roller, the sleeve that holds the reel and a swivel and its bearings at a cost of approximately \$4,700.

Report from Orange County Sanitation District

Director Diep reported that he attended the OCSD Administrative Committee meeting on Wednesday, September 9, 2015 at which the Board was given an update on the next expansion phase of the Ground Water Replenishment System. Just recently, there was a dedication for the second phase of the expansion bringing the total amount of recycled wastewater to 130 million gallons per day. Now the Orange County Water District and OCSD are in the final phase which, after completion, will bring the total capacity up to 160 million gallons of wastewater processed per day.

Report from Luncheon for MCSD Solid Waste Driver, Thomas Garduno, Safety Award Recipient on Thursday, September 10, 2015

President Cobo stated that he was happy with the luncheon and was able to speak with Thomas personally and that it is a shame that such a good employee with such a good record is leaving the District.

Director Rice agreed and asked how long Thomas had been at the District.

Gm Robbins responded that Thomas Garduno has been at the District for 9 years and that he will be missed.

Director Krippner stated that it is good for the other employees to see him receive the safety award and have a luncheon in his honor because it will motivate them to also do well.

Report from the Calendar Committee Meeting on Friday, September 11, 2015

Director Neugebauer reported that she and Director Rice met with GM Robbins mainly for final cleanup and corrections to the calendar due to having moved things around. The calendar will be brought to the Board for final review and approval prior to being sent to the printer.

Report from Family Day, Dia de la Familia on Sunday, September 13, 2015

President Cobo stated that he was working at the event and that he was happy to see his brother there with one of his cars. He noted that the City Council was there as well.

Director Rice stated that it was the best turn out in a long time, noted that the County Supervisor was there and felt that the Water Department did a great job.

Director Neugebauer stated that the program was exceptional, but that there was a lack of food vendors. She noted that the Districts cardboard waste containers were placed at the event.

President Cobo stated that Sigler Park has come a long way and there are more people using it.

Director Rice stated that it has grown since the Family Resource Center was moved there.

Director Neugebauer stated that the mariachis and dancers were exceptional, but there was no program or acknowledgement that MCSD was one of two sponsors for the event.

Director Rice was able to go to the podium and make a statement as a representative for the District.

CONSENT CALENDAR

A. Investment Report for August 2015

B. Approval of Attendance at the Orange County Sanitation District (OCSD) 2015 State of the District Event on Friday, October 16, 2015

C. Approval of Attendance to the Independent Special Districts of Orange County (ISDOC) Quarterly Meeting on Thursday, October 29, 2015

D. General Manager Vacation Request – Monday, May 16, 2016 through Friday, June 3, 2016, for a Total of Fourteen (14) Days and Approval of Acting Pay for Finance Director for the 14 Days

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. Approval of Printer for 2016 Midway City Sanitary District Calendar

There was discussion regarding the difference in the estimated cost of postage for delivery and mailing of the calendars.

GM Robbins confirmed that if the District receives the Food and Beverage grant from CalRecycle it will be for approximately \$16,000 and will help fund the cost of the calendar so the Board consensus was to proceed with a color calendar versus black and white.

A motion was made by Director Rice, seconded by Director Neugebauer, to continue to the next meeting in order to obtain additional information for a color calendar from two of the printers – DJ Printing and OCC Printing. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

NEW BUSINESS

A. Consider a Joint Meeting with Costa Mesa Sanitary District

No action taken. Board consensus was to postpone a joint meeting with Costa Mesa Sanitary District until after the holiday season, to be brought back for discussion in January 2016.

B. Discuss and Approve Recognition for Midway City Sanitary District Employees at Holiday Dinner on Sunday, December 6, 2015

A motion was made by Director Rice, seconded by Director Diep to approve See's Candy certificates, Stater Brothers gift cards and to have staff look into blue straw hats for employees at the annual holiday dinner. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

INFORMATIONAL ITEMS

A. Web Site Activity for the Month of August 2015 ((79,979 Successful Hits)

A motion was made by Director Diep, 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:

General Counsel Eggart announced that the Board would be convening to Closed Session to confer with its designated labor negotiators pursuant to Government Code Section 54957.6 in reference to pending negotiations with the American Federation of State, County and Municipal Employees, Local 1734-01 and that the District's Labor Negotiators are identified on Item 14 of the Agenda.

President Cobo convened the meeting to closed session at 5:37 P.M. pursuant to Government Code Sections 54957.6.

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 LABOR NEGOTIATORS (Government Code Section 54957.6) Agency Designated Representatives: General Manager Robbins, Finance Director Housley and Labor Counsel Joseph Larsen, Employee Organization: American Federation of State, County, and Municipal Employees, LOCAL 1734-01

President Cobo reconvened the meeting at 5:53 P.M.

General Counsel James Eggart stated that the Board met in Closed Session to confer with its designated labor negotiators pursuant to Government Code Section 54957.6 in reference to the employees and employee organizations noted on Items 14A of the Agenda that there was no reportable action as a result of the closed session.

BOARD CONCERNS/COMMENTS

Director Neugebauer stated that she was on the Districts website and noticed that the March 25, 2015 meeting minutes were also where the March 3, 2015 meeting minutes were supposed to be. She was looking for the minutes of the meeting when the Board reviewed the Districts new website and made a list of suggested changes, and she suggested a meeting to do a thorough review of the website to insure that those changes were made. When the Grand Jury critiqued all the Districts in Orange County, MCSD was the only sanitary district to receive the gold standard for transparency and she would like for that to continue. She noted that one of the first suggestions from the meeting on March 25, 2015 to review the website was that the Board of Directors be shown with their phone numbers on the masthead and they are not at this time.

Director Krippner stated that he did not want his home phone number on the front page of the Districts website.

It was clarified by the Board that he could put any phone number, email or the Districts phone number or email if he preferred.

Director Neugebauer stated that she, Director Rice and General Manager Robbins received certificates of completion for the ISDOC emergency preparedness training which they attended.

Director Rice stated that she heard the difference between the old diesel trucks and the new CNG trucks. T61, one of the Districts old diesel trucks and one of the Districts new CNG trucks were working on her street and the older diesel truck was extremely noisy while the new CNG truck was not.

Director Neugebauer stated that she would like to attend the OCSD State of the District event on Friday, October 16, 2015 from 9 A.M. until 11 A.M. which was just Board approved and suggested that Director Rice also be submitted on the RSVP.

Director Krippner stated that today was his wife, Loretta's, birthday.

GM/STAFF CONCERNS/COMMENTS

GM Robbins stated that it was his understanding that the Board wished to have additional information from the two local printers for the Districts annual calendars to be printed in color only.

GM Robbins stated that he would pick up Director Neugebauer at 7:30 A.M. on Monday, September 21, 2015 for travel to Monterey, CA for the CSDA conference.

Finance/HR Director Housley stated that he would be picking up President Cobo and Director Rice at approximately 6:30 A.M. on Monday, September 21, 2015 for travel to LAX in order to attend the CSDA conference in Monterey, CA.

Finance/HR Director Housley stated that the Board was provided with a bound copy of the District's new 2015-2016 annual budget. He stated that the auditors are still working on the audit and that he would continue to keep the Board informed of their progress.

Finance/HR Director Housley stated that open enrollment for CalPERS health insurance was from September 14 through October 9, 2015 and if the Board had any questions regarding their health insurance he would be happy to speak with him.

GENERAL COUNSEL CONCERNS/COMMENTS

None

ADJOURNMENT

President Cobo adjourned the meeting in honor of Director Krippner's wife, Lorretta Krippner's birthday (today) to Tuesday, October 6, 2015 at the District office at 5:00 P.M. at approximately 6:07 P.M.


Al Krippner, Secretary