

**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**

February 16, 2016

CALL TO ORDER

President 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, February 16, 2016 at 5:00 P.M.

BOARD MEMBERS PRESENT:

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

OTHERS AT MEETING:

Ken Robbins, General Manager
Robert Housley, Finance/HR Director
James Eggart, General Counsel
Danielle Gerardo, Board Secretary

PLEDGE AND INVOCATION

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

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 2, 2016

A motion was made by Director Diep, seconded by Director Neugebauer to approve the minutes of the meeting of February 2, 2016. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 215,219.25

#	CK #	Date	AMOUNT	VENDOR	
1				HANDCUT CHECKS:	
2	8175	2/2	368.59	Castro, Nick - (8) Hours Floating Holiday not included on 02/2/2016 Pay date	
3	8176	2/2	30.00	County of Orange Auditor- Controller - County fee to process a change to a special assessment	
4	8177	2/2	436.33	AT&T Mobility - Service for January 2016: (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606,	
5				Sewer 714-310-8654, Emergency 714-310-9004.	
6	8178	2/2	2,952.30	SDRMA Delta Dental - Dental Insurance Premium for February 2016	
7	8179	2/2	6,794.92	Southern California Edison - District Office \$5,761.70, Brookhurst Lift Station \$87.10, Westminster Lift	
8				Station \$389.58, Willow Lift Station \$134.39, Hammon Lift Station \$422.15.	
9	8180	2/2	1,166.15	Verizon California - District Office Phones & Lift Stations for January 2016; \$677.48 District Office,	
10				\$162.89 Willow Lift, \$162.89 Westminster Lift, \$162.89 Hammon Lift.	
11	8181	2/2	385.60	Vision Service Plan - Monthly Premium for February 2016	
12	8182	2/2	89.99	Griffith, Randy - (3) Hours Comp-time not included on 02/02/2016 Pay date	
13	8183	2/3	165.00	Costco Wholesale - Annual Executive Business Membership for District	
14	8184	2/5	1,271.33	Chevron & Texaco Bus. Card Svcs. - Gasoline Purchases for January 2016	
15	8185	2/5	115.98	DirecTV - Service for February 2016	
16	8186	2/5	12,646.16	US Bank -	
17				(KR) Wlarcorn Monthly Svc. DEC-2015	\$431.10
18				(KR) Registration for CASA Conf. Palm Springs 01/20-01/22/2016 (MR, JN, FC, AK)	\$2,100.00
19				(KR) Registration for CASA Conf. Palm Springs 01/20-01/22/2016 (KR)	\$525.00
20				(KR) Gap & Crack Foam for Mechanic Shop	\$29.03
21				(KR) MWDOC Water Policy Forum & Dinner 01/22/16 (AK)	\$80.00
22				(KR) Registration for CASA Conf. Washington D.C. 02/22-02/24/2016 (FC, JN, MR)	\$1,875.00
23				(KR) Registration for CASA Conf. Washington D.C. 02/22-02/24/2016 (KR)	\$625.00
24				(KR) Airline Tickets for CASA Conf. Washington D.C. 02/21-02/24/2016 (FC, JN, MR)	\$990.40
25				(KR) Airline Tickets for CASA Conf. Washington D.C. 02/21-02/24/2016 (KR)	\$462.20
26				(KR) New Printer for Board Secretary	\$106.92
27				(KR) Wlarcorn Monthly Svc. JAN-2016	\$407.15
28				(KR) Food for CASA Conf. Palm Springs 01/20-01/22/2016 (KR)	\$113.58
29				(KR) ISDOC Qtrly Luncheon 01/28/2016 (KR)	\$85.00
30				Total	\$7,830.38
31				(DGe) Board Meeting Food for 01/05 & 01/19 Meetings	\$57.45
32				(DGr) Restock Sewer Supplies for JAN-2016	\$204.51
33				Total	\$261.96
34				(RH) CSDA Leadership Academy Conf. Registration La Quinta 01/24-01/27/2016	\$57.45
35				(RH) City of Westminster - Water - District Offices 10/28/15-12/22/2015	\$204.51
36				(RH) City of Westminster - Water - Wash Rack 10/28/15-12/22/2015	\$600.00
37				(RH) City of Westminster - Water - Maint. Shop 10/28/15-12/22/2015	\$92.91
38				(RH) CSMFO Annual Conf. Registration Anaheim 03/01/16-03/04/2016 (CE)	\$138.39
39				(RH) OC Register NOV-2015	\$14.33
40				(RH) Remington Monthly Svcs. DEC-2015	\$510.00

41				(RH) 1099 Forms (RH)	\$42.13
42				(RH) Postage Stamps for District Offices	\$64.00
43					Total \$1,723.72
44				(NC) Time Clock Replacement Ribbon & Timecards (4 packs)	\$59.29
45				(NC) UTI Bendix Brake Training School 04/19-04/21/16 (RM, JS)	\$600.00
46				(NC) (30 pack) T8 Light Bulbs for District	\$124.20
47				(NC) Rental (26ft) Medium Flatbed Truck for X-Mas Tree Pick-up 01/06/16-01/15/2016	\$2,168.90
48					Total \$2,952.39
49	8187	2/10	22,294.78	CalPERS Retirement - Retirement Contributions for January 2016	
50	8188	2/10	500.00	Crystal Rose Catering - Deposit for annual Holiday Dinner Sunday 12/04/2016	
51	8189	2/10	3,607.06	The Gas Company - CNG Fuel for January 2016	
52			52,824.19	HANDCUT CHECKS SUBTOTAL	
53					
54				REGULAR CHECKS:	
55	8190	2/10	200.00	Cobo, Frank - Per Diem for CASA Conference Washington D.C. 02/22-02/24/2016	
56	8191	2/10	200.00	Neugebauer, Joy - Per Diem for CASA Conference Washington D.C. 02/22-02/24/2016	
57	8192	2/10	200.00	Rice, Margie - Per Diem for CASA Conference Washington D.C. 02/22-02/24/2016	
58	8193	2/10	200.00	Robbins, Ken - Per Diem for CASA Conference Washington D.C. 02/22-02/24/2016	
59	8194	2/10	62.00	Advanced Gas Products - Cylinder Rental for January 2016	
60	8195	2/10	190.00	Asbury Environmental Svc. - Used Oil Pick Up for January 2016	
61	8196	2/10	3,599.49	Bodyworks - Restock (4) Cushion Kits; Flush Hydraulic Lines for NG1 & NG2	
62	8197	2/10	710.00	CRC Cloud - Maintenance & Support for February 2016; Annual Hack Alert Renewal	
63	8198	2/10	12,636.19	Flo-Services, Inc. - Preventative Maintenance for January 2016; Replace Hydro Ranger & Transducer at	
64				Willow Lift Station	
65	8199	2/10	307.54	G & K Services - Uniform Services for January 2016	
66	8200	2/10	135.44	Grainger - (2) Pressure Gauges for Restock	
67	8201	2/10	323.29	Hillco Fastener Warehouse - Restock (200) Locknuts, (100) Washers, and (100) Bolts	
68	8202	2/10	17,204.50	Orange County Sanitation District - Permit Fees for January 2016 (MCSD 5% = \$905.50)	
69	8203	2/10	1,070.73	Plumber's Depot - (4) Toggle Switches, (1) Ignition Switch, (2) Throttle Switches, (1) Vector Hose for M63 &	
70				M64	
71	8204	2/10	55,979.44	Rainbow Transfer Recycling - Tonnage from 01/15/2016 through 01/31/2016	
72	8205	2/10	482.48	Rainbow Environmental Services - Diesel & Unleaded Purchases for January 2016	
73	8206	2/10	10.50	Underground Service Alert - (7) New Tickets for January 2016	
74	8207	2/10	4,771.00	Woodruff, Spradlin & Smart - Legal Services for January 2016	
75	8208	2/10	5,762.88	"Y" Tire Sales - (2) Caps, (8) New Tires, (8) Recaps for Restock	
76	8209	2/10	70.73	Zee Medical Service - Restock District First-Aid Kits Annually	
77	8210	2/10	418.61	Los Alamitos Napa Auto Parts - (15) Terminals, (100) Fittings, (12) Quarts of Brakleen for Restock; Front Brake	
78				Pads and Brake Rotors for T10	
79			\$ 104,534.82	REGULAR CHECKS SUBTOTAL	
80					
81				PAYROLL	
82	2/2		56,110.24	Payroll - Staff Checks Taxes & Direct Deposits	
83	2/2		650.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)	
84	2/2		1,100.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)	
85			\$ 57,860.24	PAYROLL SUBTOTAL	
86					
87			\$ 215,219.25	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL)	

A motion was made by Director Neugebauer, seconded by Director Diep to approve the expenditures in the amount of \$ 215,219.25. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

REPORTS

Report of President

President Rice reported that she attended the TET Parade as a City Council member and that all of the elected officials were in the rear. She stated that it was a beautiful ceremony and attendance was good. She stated that she did not see any of the District's cardboard trash containers that were donated for the event.

Report of General Manager

GM Robbins reported that the District donated 80 cardboard event boxes to the TET Parade and that Rainbow donated a bin but that none of those were used on the parade route. He was told they were used in the staging area.

GM Robbins reported that this week there have been a lot of calls for missed containers due to residents assuming that the District was closed in observance of President's Day on Monday, February 15, 2016. A truck has been going around daily to take care of all the missed containers.

The copper water main in the MCSD yard is being replaced with pvc pipe due to a leak and two isolation valves were added. The leaks are pinholes in the middle of the pipe and are due to corrosive soil.

Director Neugebauer stated that Scott Harrison Plumbing was out in December of 2015 for a slow draining sump in the mechanics shops and she asked if the two occurrences were related.

GM Robbins stated that they were not related and that the slow draining sump was due to wet wipes being flushed in the mechanics shop.

GM Robbins stated that he would begin carpool pickups at 10:30 A.M. on Sunday, February 21, 2016 for departure to the CASA conference in Washington D.C.

Report from Orange County Sanitation District (OCSD) Meeting and Tour on February 2, 2016

Director Neugebauer reported that she attended a joint meeting with the Santa Ana Watershed Project Authority (SAWPA) and OCSD. Attendees were given a tour of OCSD and its 3 stages – reverse osmosis, ultraviolet, and microfiltration.

Director Neugebauer was given a bag of information which contained a spatula that says “Scrape FOG - fats, oils and grease into the trash”. She suggested that the District consider purchasing them for outreach.

Director Neugebauer attended the Administration meeting on February 10, 2016 and will report on it at the next regular meeting.

Report from the California Special Districts Association Workshop on Propositions 26, 218 and Rate Setting on February 9, 2016

Director Neugebauer reported that Proposition 218 was approved in 1996 and adds a lot of requirements in order to adopt a tax and that they are thinking of amending it. She stated that Proposition 26 was adopted in 2010 and it further restricts the ability of any government entity to raise or reclassify fees. Both propositions relate to limiting and restricting how fees are changed or reclassified.

Director Krippner reported that he felt that the speakers from Best, Best and Krieger must have been under the impression that they were talking to lawyers because it was too technical and specific.

GM Robbins reported that they talked about what is and is not imposed, which proposition you have to use and he liked the viewpoint on the Capistrano Beach tiered rate settings.

CONSENT CALENDAR

- A. Investment Report for January 2016
- B. Approve Attendance to Independent Special Districts of Orange County (ISDOC) Quarterly Meeting on Thursday, March 31, 2016
- C. General Manager Vacation Request for August 1, 2016 Through August 5, 2016 for a Total of Five (5) Days and Approval of Acting Pay for Finance Director for the 5 Days
- D. Approval to Pay Claim Filed by Sherie McFarland, Resident at 9201 Margate Circle, Westminster

A motion was made by Director Diep, seconded by Director Cobo to approve the Consent Calendar. The motion was approved by the following 4-0-1 vote:

AYES: Cobo, Diep, Neugebauer and Rice

NAYS:

ABSTAIN: Krippner

ABSENT:

OLD BUSINESS

None

NEW BUSINESS

A. Discuss and Consider Nominating a Spirit Award Recipient

Director Neugebauer stated that the Spirit Awards luncheon conflicts with the Independent Special Districts of Orange County (ISDOC) quarterly meeting which is scheduled for the same day.

A motion was made by Director Neugebauer, seconded by Director Cobo to approve nominating Solid Waste Lead Worker David Hernandez for the 2016 Spirit Award. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

GM Robbins stated that Rainbow usually sponsors the event and the nominee sits at their table. He asked the Board if they wanted Rainbow to sponsor the Spirit Award Nominee or have the District sponsor him/her so that he could sit at the Districts table instead of Rainbows.

The Board was unanimous in their decision to have the District sponsor the nominee so that he or she could sit with the MCSD Board and staff who attend.

INFORMATIONAL ITEMS

A. Web Site Activity for the Month of January 2016 (93,427 Successful Hits)

B. 4th Quarter Tonnage Reports

President Rice stated that Chris Haire reported the high number of hits to the Districts website in the Orange County Register.

GM Robbins stated that a number of agencies have been reviewing the District's finances and strategic plan to see what the District was doing to be so financially stable.

No action. Receive and file.

BOARD CONCERNS/COMMENTS

Director Neugebauer asked about the claim that was received by the District. She asked which car was hit – the one the resident was backing out of the garage or the one on the street.

GM Robbins stated that it was the car she had parked on the street.

Director Neugebauer asked if the amount was enough to turn in to the Districts insurance.

GM Robbins confirmed that it was right at the minimum and the amount for such a small scratch was so high due to the custom paint color, otherwise it would have been a couple of hundred dollars to repair.

Director Neugebauer stated that it was during the windy period and that the cans on her street were all knocked over and she didn't like the inference that the driver knocked the can over setting it down.

GM Robbins stated that he would be talking to the drivers on Wednesday morning.

Director Neugebauer stated that the driver was being very nice by getting out of the truck to pick up the can.

GM Robbins stated that the doors on the CNG trucks swing wide open and do not stop.

President Rice stated that it bothered her that the claimant commented several times that the driver would not give her his name as if he was committing a crime.

GM Robbins stated that the driver called Director of Operations/Safety Nick Castro immediately and that he went out immediately to assess the damage and talk to the resident.

Director Neugebauer stated that the claimant made it a big thing.

President Rice asked GM Robbins if he had received a response to the letter to the City of Westminster from the District regarding the City ordinance that carts be removed from the street and put out of sight when not out for collection.

GM Robbins responded that he had not had a response although he spoke to Assistant City Manager Chet Simmons at the City who said he was sending Code Enforcement out to have a look.

President Rice stated that Director Diep would need to conduct the next regular meeting on Tuesday, March 1, 2016 because she would be out of town.

GM/STAFF CONCERNS/COMMENTS

None

GENERAL COUNSEL CONCERNS/COMMENTS

None

CLOSED SESSION

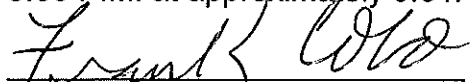
CLOSED SESSION: During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government 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.

None

ADJOURNMENT

President Rice adjourned the meeting to Tuesday, March 1, 2016 at the District office at 5:00 P.M. at approximately 5:31P.M.



Frank Cobo, Secretary