

**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 15, 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, March 15, 2016 at 5:00 P.M.

BOARD MEMBERS PRESENT:

Al P. Krippner
Joy L. Neugebauer
Tyler Diep (arrived at 5:03 P.M.)
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
Cynthia Vant Hull, Mariposa Eco Consulting
Michelle Clark, Rainbow Environmental Services
Eddie Manfro, Manager City of Westminster

PLEDGE AND INVOCATION

GM Robbins led the Pledge of Allegiance. Director Neugebauer gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MARCH 1, 2016

A motion was made by Director Neugebauer, seconded by Director Cobo to approve the minutes of the meeting of March 1, 2016, as presented. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

Director Neugebauer stated that, under the Report of the General Manager in the minutes of the meeting of March 1, 2016, he stated he would be looking into the purchase of an automatic external defibrillator for the front office since the District is a public agency. She asked if the District was only purchasing one, where it would be placed and whether another defibrillator should be purchased.

GM Robbins stated that the defibrillator arrived and has already been mounted in the front office hallway and that there had been discussion regarding purchasing two more – one for each building, with at least one more for the mechanics shop.

Director Neugebauer stated that was her thought since the cost was nominal and if the District ever opens the CNG fueling station to the public, it would be good to have one in that area of the yard.

Director Krippner stated that without training the defibrillator is useless.

GM Robbins stated that the last time the District had first aid and CPR training for the District's employees it also included defibrillator training but that it has been two years since that training so he is looking into scheduling first aid and CPR training again in the near future. GM Robbins stated that a CD came with the new defibrillator explaining how to use it and has been viewed by office staff and that there is also the option of going online for instruction.

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 110,762.46

#	CK #	Date	AMOUNT	VENDOR
1				HANDCUT CHECKS:
2	8236	3/4	1,113.61	Chevron & Texaco Bus. Card Svcs. - Gasoline Purchases for February 2016
3	8237	3/4	10.70	Pitney Bowes Global Financial Svcs. - Annual Property Tax for Postage Machine
4	8238	3/4	2,952.30	SDRMA Delta Dental - Dental Insurance Premium for March 2016
5	8239	3/4	6,626.14	Southern California Edison - District Office \$5709.12, Brookhurst Lift Station \$93.08, Westminster Lift Station \$368.60, Willow Lift Station \$118.44, Hammon Lift Station \$336.90.
7	8240	3/4	255.11	First Bankcard (NC) - Restock District Kitchen Supplies for February 2016
8	8241	3/4	1,141.02	Verizon California - District Office Phones & Lift Stations for February 2016; \$652.35 District Office,
9			\$162.89	Willow Lift, \$162.89 Westminster Lift, \$162.89 Hammon Lift.
10	8242	3/4	385.60	Vision Service Plan - Monthly Premium for March 2016
11	8243	3/9		VOID Printer Malfunction

12	8244	3/9	345.21 AT&T Mobility - Service for February 2016: (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606,	
13			Sewer 714-310-8654, Emergency 714-310-9004.	
14	8245	3/9	11,147.39 CalPERS Retirement - Retirement Contributions for February 2016	
15	8246	3/9	115.98 DirecTV - Service for March 2016	
16	8247	3/9	3,236.12 The Gas Company - CNG Fuel for February 2016	
17	8248	3/9	6,544.54 US Bank	
18			(KR) CASA Conference Hilton Palm Springs 01/20-01/22/16 (AK, JN, MR, FC)	\$800.88
19			(KR) CASA Conference Hilton Palm Springs 01/20-01/22/16 (KR)	\$235.50
20			(KR) CASA Conference Food Springs 01/20-01/22/16 (KR)	\$48.94
21			(KR) Lunch with Board President Agenda Meeting	\$17.84
22			(KR) Westgate Las Vegas Waste Expo 06/05-06/09/2016 (MR, JN, FC)	\$1,410.78
23			(KR) Back-up Power Strips for District Offices	\$215.96
24			(KR) CSDA Proposition 26 Workshop 02/09/2016 (JN, AK)	\$450.00
25			(KR) CSDA Proposition 26 Workshop 02/09/2016 (RH, KR)	\$450.00
26			(KR) Cancelled CSDA Proposition 26 Workshop 02/09/2016 (RH)	-\$225.00
27			(KR) Motion Light for District	\$84.27
28			(KR) PVC Cap for District Water Line	\$6.87
29			(KR) Wiarcom Monthly Svc. FEB-2016	\$407.15
30				KR Total \$3,903.19
31			(DGe) Board Meeting Refreshments for 02/02 & 02/16 Board Meetings	\$52.59
32				Dge Total \$52.59
33			(DGr) Restock Sewer Operating Supplies	\$235.49
34				DGr Total \$235.49
35			(RH) City of Westminster - Water - Westminster Lift Station 11/18/15-01/12/16	\$14.33
36			(RH) Food for CSDA Conference La Quinta 01/25-01/27/2016 (RH)	\$40.26
37			(RH) Hotel for CSDA Conferene La Quinta 01/25-01/27/2016 (RH)	\$362.72
38			(RH) OC Register Monthly Sub. DEC-2015	\$42.13
39			(RH) Remington Monthly Svcs. JAN-2016	\$64.00
40				RH Total \$523.44
41			(NC) Restock Push Brooms for Trucks	\$90.62
42			(NC) Electric Welding Machine w/Supplies	\$113.69
43			(NC) Install Upper Control Arms on M5	\$1,514.55
44			(NC) (2) Impact Sockets for Restock	\$110.97
45				NC Total \$1,829.83
46			33,873.72 HANDCUT CHECKS SUBTOTAL	
47			REGULAR CHECKS:	
48				
49	8249	3/9	30.00 Enclso, Crystal - Parking Reimbursement for CSMFO Conference Anaheim, CA 03/02-03/04/2016	
50	8250	3/9	201.48 Chemex Industries - (2) Boxes of Atricide for Restock	
51	8251	3/9	698.00 Computer Research Center - Maintenance & Support for March 2016	
52	8252	3/9	7,350.22 Daniel's Tire Service - (17) Recaps & (6) Repairs for Restock	
53	8253	3/9	VOID Printer Malfunction	
54	8254	3/9	53.27 Darco - Sales Tax Due for Invoice #C200713-IN	
55	8255	3/9	585.00 Frog Environmental - Storm Water Sample #4	
56	8256	3/9	287.92 G & K Services - Uniform Services for February 2016	

57	8257	3/9	76.71	Orange County Sanitation District - Second Quarter FOG Inspections 2015-2016
58	8258	3/9	4,085.00	Orange County Sanitation District - Permit Fees for February 2016 (MCSD 5% = \$215.00)
59	8259	3/9	573.47	ProForma - (262) 'F.O.G.' Royal Blue Spatulas for Public Outreach
60	8260	3/9	1,249.56	PSI - Parts & Repairs to Wash Rack Steamer
61	8261	3/9	630.12	Rainbow Environmental Services - Diesel & Unleaded Purchases for February 2016
62	8262	3/9	338.99	Top Mobile Vision - Installation & Parts for (1) Camera Installed on NG7 Hopper
63	8263	3/9	13.50	Underground Service Alert - (9) New Tickets for February 2016
64	8264	3/9	3,110.23	Woodruff, Spradlin & Smart - Legal Services for February 2016
65			19,283.47	REGULAR CHECKS SUBTOTAL
66				
67				PAYROLL
68		3/1	55,755.27	Payroll - Staff Checks Taxes & Direct Deposits
69		3/1	1,200.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
70		3/1	650.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
71			57,605.27	PAYROLL SUBTOTAL
72				
73			110,762.46	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL)
74				

A motion was made by Director Neugebauer, seconded by Director Krippner to approve the expenditures in the amount of \$ 110,762.46. 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 stated that it was good to be home and she thanked President Pro Tem Diep for conducting the March 1, 2016 Board meeting in her absence.

Report of General Manager

GM Robbins stated that the District received the CPI adjustment from Orange County Waste and Recycling which is less than .2% and would result in an increase in overall tonnage fees in the amount of approximately \$2,500. The City of Irvine has still not signed the agreement with Orange County Waste and Recycling so there will likely be another flat rate increase of \$5.44 which the District will be able to absorb for now. Since the CPI raise of \$7.95 in 2010 the District has been absorbing approximately \$550,000 each year or 8% of the District's budget. At this rate, and unless changes are made, the District will have to raise rates within the next five years.

Report from Orange County Sanitation District (OCSD) Meeting on March 9, 2016

Director Neugebauer reported that she attended the OCSD Administrative Committee meeting on March 9, 2016. The Committee made several recommendations including the appointment of a Pro Tem Clerk of the Board to serve in the absence of the Clerk of the Board, a monthly report of the investment transactions in accordance with State requirements, designated an applicants agent for disaster relief, update of the two year budget, review of the environmental services department and the report on the energy efficiency audit findings.

Commercial and Multi-family Customer Account Evaluation – AB 314 and 1826 Compliance Audit by Rainbow/CR&R

Cynthia Vant Hull, Resource Recovery & Recycling Consultant from Mariposa Eco Consulting, who is employed by Rainbow Environmental Services and CR&R, gave a report on an AB 341 and AB 1826 compliance audit done within the District's jurisdiction. Both assembly bills are aimed at reducing greenhouse gases but AB 341 is specifically aimed at multi-family apartments with 5 units or more and AB 1826 is specifically aimed at accounts producing more than 8 cubic yards of food waste or green waste. There were 398 accounts audited within Westminster, with 24 producing more than 8 cubic yards of food waste and 9 accounts that already have a food waste compliance program in place. By doing the audit and offering the information on source reduction the District is in compliance at this time. In January 2017, the mandates will be lowered to 4 cubic yards of food or green waste in order to be in compliance.

GM Robbins stated that these mandates will cause tonnage delivered to the landfill to go down, which will in turn cause landfill rates to increase.

Director Neugebauer asked if there would be any enforcement or penalty by the State.

Cynthia Vant Hull stated that programs have to be in place and waste must be reduced and that there is a target for each City or District and by doing the audits and offering information for the reports, the District stays in compliance.

CONSENT CALENDAR

- A. Investment Report for February 2016
- B. Review, Receive and File the California State Controller Government Compensation Report for Calendar Year 2015 and Compensation and Benefit Information to be posted on the District's Website
- C. Approval of Attendance to the Business to Business Table Top Expo with the Mayor of the City of Westminster on Tuesday, April 19, 2016

D. Approve Attendance of Finance/HR Director, Robert Housley and Administration Secretary/Accountant, Crystal Enciso to the CalPERS Education Forum October 24-26, 2016

A motion was made by Director Diep, seconded by Director Cobo 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 Scheduling a Meeting Date and Time in Order to View Flash Drive from Orange County Sanitation District (OCSD)

A motion was made by Director Neugebauer, seconded by Director Cobo to schedule a meeting on Tuesday, March 29, 2016 at 5 P.M. at the District office in order to view the flash drive from Orange County Sanitation District. 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. 2016-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, COMMENDING EMPLOYEE AND 2015 PUBLIC SERVICE AWARD RECIPIENT, DAVID HERNANDEZ

A motion was made by Director Cobo, seconded by Director Neugebauer to adopt Resolution No. 2016-02. The motion was approved by the following 5-0 roll call vote:

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

B. RESOLUTION NO. 2016-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, AUTHORIZING SUBMITTAL OF APPLICATION FOR PAYMENT PROGRAMS AND RELATED AUTHORIZATIONS

A motion was made by Director Neugebauer, seconded by Director Cobo to adopt Resolution No. 2016-03. The motion was approved by the following 5-0 roll call vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

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

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

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

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

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

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

E. Consider Seeking an Environmental Protection Agency (EPA) Diesel Emissions Reduction Program (DERA) Grant for the Replacement of the Districts Sewer Vector Trucks

GM Robbins stated that a grant has become available for sewer vector trucks only but that everything has to be submitted by March 31, 2016, so his recommendation is to put it off until next year.

A motion was made by Director Neugebauer, seconded by Director Krippner to defer seeking an EPA Diesel Emissions Reduction Program (DERA) Grant for the replacement of the Districts sewer vacuum trucks until next year. 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 February 2016 (75,367 Successful Hits)

A motion was made by Director Neugebauer, seconded by Director Cobo to receive and file the informational item. 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 in February she asked that the Organizational Chart on the Districts website be updated. She stated that it was changed, but is still incorrect and requested that staff correct the position of each Board member and add Director Cobo to the chart as Secretary.

Director Neugebauer commended GM Robbins on his effort regarding the audit by visiting all the food services within the Districts jurisdiction.

Director Neugebauer asked what time everyone was leaving for the tour of CR&R's organic solutions resource facility in Perris, California on Tuesday, March 22, 2016.

GM Robbins stated that the adjourned meeting would be called to order at the District office at 8:30 A.M. and then everyone would leave from there.

Director Rice asked who would be going on the tour because she stated that Dean Ruffridge from CR&R invited her daughter who would like to attend but that if there was not enough room in the District van she would drive her own vehicle.

GM Robbins stated that he was not certain at this time how many people were planning to go in the District van.

Director Neugebauer stated that Congressman Lowenthal expressed an interest in going.

President Rice asked GM Robbins to invite Congressman Lowenthal to attend the tour of CR&R's organic solutions resources facility in Perris, California.

GM/STAFF CONCERNS/COMMENTS

GM Robbins asked the Board if they preferred April 6th or 13th for the luncheon for David Hernandez who would be receiving the Public Service Award this year. The Board consensus was to have the luncheon on Tuesday, April 12, 2016 at 12 noon.

GM Robbins confirmed that the Spring Festival was on Saturday, March 19, 2016 from 9 A.M. until 3 P.M. and that the District would have promotional items to hand out. Nick Castro and Darrel Grimes would be bringing the District trucks.

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 22, 2016 at the District office at 8:30 A.M. at approximately 5:59 P.M.



Frank Cobo, Secretary