

**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**

April 19, 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, April 19, 2016 at 5:00 P.M.

BOARD MEMBERS PRESENT:

Al P. Krippner
Joy L. Neugebauer
Tyler Diep (absent)
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
Anita Spencer, Resident
Rex Smith, Mission Del Amo Mobile Home Park Mngr

PLEDGE AND INVOCATION

General Counsel Eggart led the Pledge of Allegiance. Director Neugebauer gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF APRIL 5, 2016

A motion was made by Director Neugebauer, seconded by Director Cobo, to approve the minutes of the regular meeting of April 5, 2016. The motion was approved by the following 4-0 vote:

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

APPROVAL OF THE MINUTES OF THE ADJOURNED REGULAR MEETING OF APRIL 12, 2016

A motion was made by Director Neugebauer, seconded by Director Cobo, to approve the minutes of the adjourned regular meeting of April 12, 2016. The motion was approved by the following 4-0 vote:

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

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 299,469.08

#	CK #	Date	AMOUNT	VENDOR	
1				HANDCUT CHECKS:	
2	8306	4/1	338.31	St. Jude Medical - 03/09/2016 Replace Damaged Mirror	
3	8307	4/1	345.21	AT&T Mobility - Service for March 2016; (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606.	
4				Sewer 714-310-8654, Emergency 714-310-9004.	
5	8308	4/7	1,118.85	Chevron & Texaco Bus. Card Svcs. - Gasoline Purchases for March 2016	
6	8309	4/7	115.98	DirecTV - Service for April 2016	
7	8310	4/7	20,834.25	US Bank	
8				(KR) Baggage Check for CASA Washington D.C. (MR, FC)	\$50.00
9				(KR) Baggage Check for CASA Washington D.C. (KR)	\$25.00
10				(KR) Taxi at CASA Washington D.C. (KR,MR, FC)	\$20.00
11				(KR) Food for CASA Washington D.C. (KR)	\$33.50
12				(KR) Baggage Check Return from CASA Washington D.C. (FC)	\$25.00
13				(KR) Baggage Check Return from CASA Washington D.C. (KR)	\$25.00
14				(KR) Mayflower Hotel for CASA Washington D.C. (KR)	\$1,078.12
15				(KR) Mayflower Hotel for CASA Washington D.C. (JN)	\$1,061.43
16				(KR) Mayflower Hotel for CASA Washington D.C. (FC)	\$1,061.43
17				(KR) LAX Parking for District Van for CASA Washington D.C. (KR, FC, JN, MR)	\$120.00
18				(KR) Mayflower Hotel for CASA Washington D.C. (MR)	\$1,415.24
19				(KR) Heartsmart Difibulators (2) For District Offices (KR)	\$2,270.00
20				(KR) CNG Station Training for Ten Drivers (KR)	\$11,750.00
21				(KR) Federal Contractor Registration (KR)	\$597.00

22		(KR) Picture Frames for District Yard(KR)	\$30.95
23		(KR) Lunch for Staff for Spring Festival (KR)	\$21.06
24		(KR) Wlarcom Monthly Svc. MAR-2016 (KR)	\$407.15
25			KR Total \$19,990.88
26		(DGe) Board Meeting Refreshments for 03/01 & 03/15 Meetings	\$51.31
27			DGe Total \$51.31
28		(DGr) Restock Sewer Supplies for MAR-2016	\$124.67
29			DGr Total \$124.67
30		(NC) Restock Refuse Supplies for MAR-2016	\$195.33
31			NC Total \$195.33
32		(RH) Parking for CSMFO Conference (3-days @ \$10/day) (RH)	\$30.00
33		(RH) City of Westminster - Water - Maint. Shop 12/23/15-02/16/16	\$14.33
34		(RH) City of Westminster - Water - Wash Rack 12/23/15-02/16/16	\$224.26
35		(RH) City of Westminster - Water - District Offices 12/23/15-02/16/16	\$80.85
36		(RH) City of Westminster - Water - Westminster Lift Station 01/13-03/08/16	\$14.33
37		(RH) Remington Monthly Svc. FEB-2016	\$64.00
38		(RH) OC Register Monthly Sub. JAN-2016	\$44.29
39			RH Total \$472.06
40	8311	4/13 11,152.35 CalPERS Retirement - Retirement Contributions for April 2016	
41	8312	4/13 40.00 City of Westminster - Hydrant Meter Water Usage for March 2016	
42	8313	4/13 3,352.83 The Gas Company - CNG Fuel for March 2016	
43	8314	4/13 1,414.02 SDRMA - Add Arrow Boards, Steam Cleaner, Portable Generator, & CNG Fueling Station to Insurance	
44	8315	4/13 450.41 Verizon Business - Internet Connection for SCADA System for April 2016	
45		39,162.21 - HANDCUT CHECKS SUBTOTAL	
46		REGULAR CHECKS:	
47			
48	8316	4/13 66.94 Cobo, Frank - Reimbursement for CASA Washington D.C. 02/21-02/24/2016	
49	8317	4/13 62.00 Advanced Gas Products - Cylinder Rental for March 2016	
50	8318	4/13 157.00 Advanced Workplace Strategies - DOT Drug Testing	
51	8319	4/13 95.00 Asbury Environmental Services - (150) Gallons of Used Oil Picked-Up	
52	8320	4/13 1,080.00 Atlas Radiator - Sterling Metal Complete Radiator for M64	
53	8321	4/13 698.00 CRC Cloud - Maintenance & Support for April 2016	
54	8322	4/13 1,176.60 Daniels Tire Service - Restock (6) Recaps	
55	8323	4/13 719.09 Darco Transmission - (12) Filter Kits for Restock	
56	8324	4/13 8,425.00 ECIS - (337) Fog Inspections for March 2016	
57	8325	4/13 525.00 Frog Environmental - 4th Quarter 2015-2016 Non-Storm Observation	
58	8326	4/13 311.16 G & K Services - Uniform Services for March & April 2016	
59	8327	4/13 972.06 Haaker Equipment Co. - (1) Boom Lift Cylinder for M64	
60	8328	4/13 806.77 Los Alamitos NAPA Auto Parts - Restock (20) Hose Ends & (4) Marker Lamp Kits	
61	8329	4/13 45,258.00 Orange County Sanitation District - Permit Fees for March 2016 (MCSD 5% = \$2,382.00)	
62	8330	4/13 52,841.10 Otto Environmental Systems - (720) 65-Gallon Black & (456) 95-Gallon Blue Containers for Restock	
63	8331	4/13 78,496.42 Rainbow Transfer Recycling - Tonnage from 03/16/2016 through 03/31/2016	
64	8332	4/13 21.00 Underground Service Alert - (14) New Tickets for March 2016	
65	8333	4/13 6,100.00 White Nelson Diehl Evans - Interim Billing for Rainbow Environmental Services Review	
66	8334	4/13 916.50 Woodruff, Spradlin & Smart - Legal Services for March 2016	

67	8335	4/13	1,311.04	Yale/Chase Equipment & Svcs., Inc.-Level Two Generator Svc for Westminster & Hammon Lift Stations
68	8336	4/13	885.54	Earthquake Management-(20)Person Earthquake Kit;(2)5-Year Water Preservers;(1)55-Gal Water Barrel
69			200,924.22	REGULAR CHECKS SUBTOTAL
70				
71				PAYROLL
72		4/12	57,632.65	Payroll - Staff Checks Taxes & Direct Deposits
73		4/12	1,100.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
74		4/12	650.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
75			59,382.65	PAYROLL SUBTOTAL
76				
77			299,469.08	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL)
78				

A motion was made by Director Krippner, seconded by Director Neugebauer, to approve the expenditures in the amount of \$ 299,469.08. The motion was approved by the following 4-0 vote:

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

REPORTS

Report of President

None

Report of General Manager

GM Robbins reported that the District is in the process of receiving lift station maintenance proposals, per the Board's direction last year, from Flo Services (the District's current contractor), Orange County Pump, and the Pump Man.

GM Robbins stated that he would be out of the office for the annual Garbage Man's Golf tournament on Wednesday, April 27, 2016 and that he would also be out of office next Thursday, April 28, 2016.

GM Robbins reported that the District received \$3,663 from the County of Orange due to the sale of vacant land parcels in the Santa Ana Heights area of Newport Beach which were purchased with RDA money.

Report from the Luncheon for Employee of the Year, David Hernandez, on April 12, 2016

Director Neugebauer stated that she regretted having to miss the luncheon due to another commitment.

Director Cobo stated that he was happy to be there for the District's Employee of the Year, David Hernandez, who gives a good example for others to follow.

Director Rice stated that she always enjoys the luncheons with the District's employees.

Report from the Orange County Sanitation District (OCSD) Meeting on April 13, 2016

Director Neugebauer stated that she attended the Administrative Committee meeting on April 13, 2016. There was a review of the property liability insurance renewals for 2016-2017, a recommendation to move all records and data offsite, a review of the 2016-2017 budget, and the pre-treatment overview was rescheduled.

Director Neugebauer reported that there are big changes coming to OCSD's headquarters due to the widening of the 405 freeway. Construction will begin in 2017 and will include a 3-story administration building and a new laboratory.

Director Neugebauer stated that she received a letter from OCSD containing information regarding a workshop being held in September of 2016 concerning innovation suitable for smaller wastewater operations, and she asked that it be placed on the next agenda for Board consideration. Director Neugebauer noted that the letter was received and opened for her at the District and requested that such mail be sent directly to her home and not opened.

Report from the City of Westminster Table Top Expo on Tuesday, April 19, 2016

Director Krippner reported that it was a reasonably good meeting and people were able to learn about some of the businesses in the area.

Director Cobo stated that he enjoyed it because there were some new Chamber of Commerce members who were given the opportunity to explain what kind of service they have to offer to the community. He was happy that a long time friend and resident won the award at the event.

President Rice stated that it was impressive to hear the resident talk about his lung transplant and was happy to see him win the gift.

CONSENT CALENDAR

A. Approval of Attendance to the City of Westminster Mayor’s Prayer Breakfast on Thursday, May 5, 2016

B. Approval of Attendance to the City of Westminster Mayor’s Ball on Saturday, May 7, 2016

C. Investment Report for 2016

Director Neugebauer stated that she would like to speak to items A and B – the Mayor’s Prayer Breakfast and the Mayor’s Ball. She stated that she would move for approval but recommends that the District purchase a table, especially for the Prayer Breakfast, and that, for the Mayor’s Ball, those that do not have a spouse be approved to bring a guest.

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

AYES: Cobo, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

OLD BUSINESS

None

NEW BUSINESS

A. Consider Extending Curbside Residential Solid Waste Service to Mission Del Amo Mobile Home Park at 9702 Bolsa Avenue, Westminster

GM Robbins stated that Mission Del Amo Mobile Home Park approached the District and asked if the District could provide curbside residential service for the community. They currently receive bin service. The park manager, Rex Smith has stated that his concerns within the community are illegal dumping and space.

GM Robbins stated that this is the first time since he has been at the District that the Board has been asked to consider servicing a mobile home park. The District services one – Rancho Del Sol – which is 200 units.

President Rice stated that it was no problem as long as the District’s trucks can go in and do their job. She asked if the new trucks were able to go in and turn around - without backing out.

Director Neugebauer asked if Staff had taken one of the District's new trucks through the community in order to make sure that there was enough room to maneuver. She stated that she was not prepared to take action on this item until Staff was able to come back with a report after driving through.

GM Robbins stated that it was a very good suggestion because he didn't know what the clearances are and if there were any wires or other obstacles to be aware of.

President Rice stated that she would like the Director of Operations/Safety, Nick Castro to personally take a truck through the community.

GM Robbins stated that he would coordinate with the Park Manager, Rex Smith, and personally go with Director of Operations/Safety Nick Castro on a drive through the community.

Director Cobo asked if there were actual streets within the community because he was concerned with the turns.

Park Manager, Rex Smith, responded that they are full sized streets, the smallest being 16 feet minimum and the widest about 60 feet, and that the District would never have to back up a single truck.

Director Neugebauer stated that the District's new trucks have excellent maneuverability.

GM Robbins stated that Director Neugebauer's suggestion was a good one because he didn't know if there were clearances or wires to be aware of.

Park Manager, Rex Smith, stated that there are no wires or clearances because everything is underground.

Director Cobo asked if the Mission Del Amo Mobile Home Park community was gated.

Park Manager - Rex Smith, responded that it is not.

A motion was made by Director Neugebauer, seconded by Director Cobo, to continue this item to the next meeting in order for the Board to receive a report regarding the maneuverability of the District's trucks within the community. The motion was approved by the following 3-1 vote:

AYES: Cobo, Neugebauer and Rice

NAYS: Krippner

ABSTAIN:

ABSENT: Diep

B. Consider Authorization for Bin Donation by Rainbow/CR&R for the Charleville Neighborhood Pride Cleanup Event on Saturday, June 4, 2016

A motion was made by Director Cobo, seconded by Director Neugebauer, to approve the authorization for a bin donation by Rainbow/CR&R for the Charleville Neighborhood Pride Cleanup event on Saturday, June 4, 2016. The motion was approved by the following 4-0 vote:

AYES: Cobo, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

INFORMATIONAL ITEMS

A. Web Site Activity for the Month of March 2016 (88,492 Successful Hits)

B. Qualified Voters for Independent Special Districts of Orange County (ISDOC) Seat Elections 2016

A motion was made by Director Neugebauer, seconded by Director Cobo, to receive and file. The motion was approved by the following 4-0 vote:

AYES: Cobo, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

BOARD CONCERNS/COMMENTS

Director Cobo stated that it is already getting hot and asked if the drivers were provided with water during their routes.

GM Robbins responded that they were provided with water and that the new CNG trucks had good air conditioners in them. He stated that he was aware of the OSHA law regarding heat-related illnesses.

Director Neugebauer stated that at the last meeting she had referenced the June page of the District's 2016 calendar, which states that over 51% of the District's recyclables were garnered from the black containers. She stated that the District has been working for years to promote the Pushing the Blues program and educate the public with the calendar, which costs a large amount of money, and she asked the Board to consider a study session in order to consider discontinuing the calendar in favor of finding another

more cost effective way to reach the residents of the community. Director Neugebauer stated that she has a more comprehensive and less expensive idea.

President Rice stated that it should not be something on the computer because people her age do not use computers.

Director Neugebauer stated that she did not want to talk about her idea at this time but that there needed to be a discussion because the District is paying for everything in the black containers and is losing money, even though it is meeting its diversion goal, so she would like a meeting just for this topic. She stated that to go back to the newsletter was not cost effective and asked if the rest of the Board agreed that it was worth looking at because what the District is doing - is not working.

Director Cobo asked if Rainbow Environmental Services was supposed to be providing education within the District.

GM Robbins stated that there was no vote by the Board at the last meeting when this was discussed, but that the consensus was to have Staff come back with recommendations for improvement in the area of educating the District's residents. He stated that he has been gathering information and researching since that meeting and will have something on the next agenda for Board discussion, including what the franchisees should be providing to the schools within the District.

Director Neugebauer stated that there are eight schools in Westminster that are not in the Westminster School District.

GM Robbins stated that those schools are getting the education according to the reports from Rainbow because they are in the Ocean View School District.

Director Neugebauer stated that she came across a sewer cleaning video on Facebook but was not able to open it and view it, and wondered if it would be added to the District's website.

GM Robbins stated that the District made four videos about a week ago - two bulky item pickup videos, one helping hand video and one sewer line cleaning video.

Director Neugebauer commented on the choice of the word "extort" in the April 5, 2016 minutes, and inquired whether language in the minutes could subject the District to legal liability, and suggested the word "divert" would have been a better choice.

General Counsel Eggart advised the Board that, generally, state governmental immunity statutes protect public agencies from liability for statements made by public officials during public meetings.

GM Robbins stated that he was in agreement with use of the word "divert".

President Rice stated that she thought it was a good idea to change it and asked if it was agreed that the Board change that word. No Director objected.

Director Neugebauer commended the Board for increasing the safety portion of the budget last year because the drivers had attended Safety Day on Saturday, April 16, 2016, which was even more necessary due to the District's new trucks.

GM/STAFF CONCERNS/COMMENTS

GM Robbins reminded the Board of the Administrative Professionals Day luncheon at 12 noon on Wednesday, April 20, 2016 at the Outback Steakhouse.

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, May 3, 2016 at the District office at 5:00 P.M. at approximately 5:49 P.M.



Frank Cobo, Secretary