

**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**

**June 21, 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 Thursday, June 21, 2016 at 5:00 P.M.

**BOARD MEMBERS PRESENT:**

Al P. Krippner  
Joy L. Neugebauer  
Tyler Diep (absent)  
Frank A. Cobo (arrived at 5:07)  
Margie L. Rice

**OTHERS AT MEETING:**

Kenneth Robbins, General Manager  
James Eggart, General Counsel  
Danielle Gerardo, Board Secretary  
Anita Spencer, Resident

**PLEDGE AND INVOCATION**

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

**PUBLIC COMMENTS**

None

**APPROVAL OF THE MINUTES OF THE ADJOURNED REGULAR MEETING OF JUNE  
1, 2016**

President Rice deferred the minutes of the adjourned regular meeting of June 1, 2016 until Director Cobo's arrival at the meeting.

Director Cobo arrived at the meeting at 5:09 P.M.

## APPROVAL OF THE MINUTES OF THE ADJOURNED REGULAR MEETING OF JUNE 2, 2016

A motion was made by Director Neugebauer, seconded by President Rice, to approve the minutes of the adjourned regular meeting of June 2, 2016, with a change. 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 BUDGET MEETING OF JUNE 14, 2016

A motion was made by Director Neugebauer, seconded by Director Cobo, to approve the minutes of the adjourned budget meeting of June 14, 2016, as presented. 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 \$ 510,829.40

#	CK #	Date	AMOUNT	VENDOR
1				HANDCUT CHECKS:
2	8429	6/2	345.03	AT&T Mobility - Service for May 2016; (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606.
3				Sewer 714-310-8654, Emergency 714-310-9004.
4	8430	6/2	1,020.47	Chevron & Texaco Bus. Card Svcs. - Gasoline Purchases for May 2016
5	8431	6/2	1,132.26	Frontier California - District Office Phones & Lift Stations for May 2016; \$652.92 District Office,
6				\$159.78 Willow Lift, \$159.78 Westminster Lift, \$159.78 Hammon Lift.
7	8432	6/2	2,952.30	SDRMA Delta Dental - Dental Insurance Premium for June 2016
8	8433	6/2	6,411.39	Southern California Edison - District Office \$5,574.51, Brookhurst Lift Station \$79.37, Westminster Lift
9				Station \$305.35, Willow Lift Station \$120.32, Hammon Lift Station \$331.84.
10	8434	6/2	843.27	The Standard Life Insurance - Life Insurance & AD&D Premium Coverage for June 2016
11	8435	6/2	385.60	Vision Service Plan - Monthly Premium for June 2016

12	8436	6/7	2,203.50	US Bank	
13				Board Meeting Refreshments for 05/03, 05/10, & 05/17 (DGe)	\$65.42
14				Restock Sewer Supplies for MAY-2016 (DGr)	\$141.42
15				Restock Toner for Ricoh Printer (RH)	\$271.13
16				City of Westminster - Water - Maint. Shop 02/17-04/12/2016 (RH)	\$14.40
17				City of Westminster - Water - District Offices 02/17-04/12/2016 (RH)	\$84.03
18				City of Westminster - Water - Wash Rack 02/17-04/12/2016 (RH)	\$338.67
19				City of Westminster - Water - Westminster Lift Station 03/09-05/03/2016 (RH)	\$16.87
20				Remington Monthly Svc. APR-2016 (RH)	\$64.00
21				Orange County Register MAR-2016 (RH)	\$44.29
22				Smog Check on M5, M6, S1, T4, T9, T10 (NC)	\$300.00
23				Restock Gloves (NC)	\$40.55
24				Food for Fire Extinguisher Training 05/11 (NC)	\$169.31
25				Food for Safety Control/Flagger Safety Training (NC)	\$75.06
26				Wlarc.com Monthly Service APR-2016 (KR)	\$407.15
27				Wlarc.com Monthly Service MAY-2016 (KR)	\$407.15
28				2016 Westminster Mayor's Ball (KR - MR, AK, JN)	\$167.00
29				(11) 8x10 Frames for District (KR)	\$49.65
30				MWDOC Water Summit 05/20/2016 (KR - AK)	\$130.00
31				Lunch with Board President (KR - MR)	\$22.02
32				Cancelled Westgate Las Vegas, NV Waste Expo Reservations (AK, TD, JN)	\$604.62
33	8437	6/7	115.98	DirectTV - Service for June 2016	
34	8453	6/14	11,152.35	CalPERS Retirement - Retirement Contributions for June 2016	
35	8454	6/14	3,367.57	The Gas Company - CNG Fuel for May 2016	
36	8455	6/14	50.00	Janice Foley - Write Up Nomination for 2016 CSDA General Manager of the Year	
37	8456	6/14	450.41	Verizon Business - Internet Connection for SCADA System for June 2016	
38	8457	6/14	25.09	The Gas Company - Maintenance Shop, & Wash Rack Usage Fees for June 2016	
39			30,455.22	HANDCUT CHECKS SUBTOTAL	
40				REGULAR CHECKS:	
41					
42	8438	6/7	62.00	Advanced Gas Products - Cylinder Rental for May 2016	
43	8439	6/7	240.00	Asbury Environmental Services - (300) Gallons of Used Oil Picked-Up	
44	8440	6/7	3,157.87	Bodyworks - (1) Loader Arm Assembly for T65	
45	8441	6/7	1,607.00	CRC Cloud - Replace Wireless Routers and Install New Time Clock	
46	8442	6/7	298.76	G & K Services - Uniform Services for May & June 2016	
47	8443	6/7	436.22	Huntington Beach Ford - Labor & Parts for A/C Repairs for T9	
48	8444	6/7	562.38	Los Alamitos Napa Auto Parts - Restock (4) Strobe Beacons, (24) Brakeleen	
49	8445	6/7	77,340.45	Orange County Sanitation District - Permit Fees for May 2016 (MCSD 5% = \$4,070.55)	
50	8446	6/7	2,763.81	Orange County Sanitation District - Third Quarter FOG Inspections 2015-2016	

51	8447	6/7	132.95	Petty Cash - Ken Robbins -	
52				Parking for Courthouse (Rainbow vs. CR&R)	\$7.50
53				Parking for Courthouse (Rainbow vs. CR&R)	\$4.50
54				Notarization for CNG Project	\$10.00
55				Claim for 13631 Goldenwest Street	\$14.00
56				Donuts for Safety Meetings 9/16/15, 10/9/15, 03/02/16, 05/06/16	\$47.95
57				Donuts for CR&R Tour	\$9.99
58				Parking for Parcel Refund/Reassessment	\$1.50
59				Spill boom Casing for M64	\$14.52
60				Donuts for Budget Study Session	\$9.99
61				Parking for A.C.T. Expo	\$10.00
62				Parking for Parcel Program 08/07/15 & 09/16/15	\$3.00
63	8448	6/7	319,344.70	Rainbow Transfer Recycling - Tonnage for Second Half of February, the Months of April & May 2016	
64	8449	6/7	269.51	Mobile Relay Associates - Replacement Microphones & Labor for NG3 & NG4	
65	8450	6/7	1,386.77	TEC of California - (2) Air Brake Springs, (2) 30/30 Brake Chambers, (4) Stack Adjusters for NG2; (1) 30/30	
66				Brake Chamber for Restock	
67	8451	6/7	24.00	Underground Service Alert - (16) New Tickets for May 2016	
68	8452	6/7	176.73	Wastebuilt - (20) Rocker Switches for Restock	
69	8458	6/14	57.00	Advanced Workplace Strategies - DOT Drug Testing	
70	8459	6/14	935.22	Bodyworks Equipment - Restock (6) Filter Elements; (1) Cable Carrier & (1) Wire Harness for NG3	
71	8460	6/14	3,496.52	Daniels Tire Service - (17) Recaps for Restock	
72	8461	6/14	149.38	G & K Services - Uniform Services for June 2016	
73	8462	6/14	80.14	Hose Man - (10) Hoses & (4) Hex Nipples for Restock	
74	8463	6/14	330.00	Konecranes - Inspection & Preventative Maintenance for June 2016	
75	8464	6/14	676.42	Los Alamitos Napa Auto Parts - (5) Fuel Filters, (5) Oil Filters, (6) Blaster Penetrant, (2) 12oz WD-40, (3) Cloth	
76				Utility Rolls for Restock; (2) Oil Filters & SAE 5W20 Motor Oil, & (1) Air Filter for S1	
77	8465	6/14	80.00	Robbins, Kenneth - Reimbursement for 2016 Waste Expo Las Vegas, NV 06/05-06/09/2016	
78	8466	6/14	1,950.00	Safety Research Consultants - Annual Driver Safety Training	
79	8467	6/14	1,035.00	Theresa Kaszyk - District Website Services for 2015-2016 Fiscal Year	
80	8468	6/14	441.00	Wespac Security Services - Burglar, Fire, & Gas Alarm Services for April through June 2016	
81	8469	6/14	2,000.00	White Nelson Diehl Evans - Interim Billing for Rainbow Environmental Services Review	
82			419,033.83	REGULAR CHECKS SUBTOTAL	
83					
84				PAYROLL	
85		6/7	59,355.35	Payroll - Staff Checks Taxes & Direct Deposits	
86		6/7	1,345.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)	
87		6/7	640.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)	
88			61,340.35	PAYROLL SUBTOTAL	
89					
90			510,829.40	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL)	
91					
92				BANK TRANSFERS	
93		6/7	600,000.00	Transfer Funds from Checking Account to LAIF	
94		6/7	740,000.00	Transfer Funds from Money Market to Checking Account	

A motion was made by Director Krippner, seconded by Director Cobo, to approve the expenditures in the amount of \$ 510,829.40. The motion was approved by the following 3-0-1 vote:

AYES: Cobo, Krippner, and Rice

NAYS:

ABSTAIN: Neugebauer

ABSENT:

Director Neugebauer stated that she was abstaining because she had some questions to ask during the next regular Board meetings' closed session.

## **REPORTS**

### **Report of President**

None

### **Report of General Manager**

GM Robbins reported that MCSD truck #NG8 is out with a transmission problem which is covered under its warranty.

GM Robbins reported that solid waste service to the Mission Del Amo Mobile Home Park will begin August 1, 2016 and carts had been ordered.

GM Robbins reported that RMS would be out to the District to recalibrate the CNG gas sensors at a cost of \$900. The sensors went off on Sunday, June 18th and again on Monday June 19th.

GM Robbins provided a list of recommendations that the City of Westminster's Financial Task Force came up with as a solution to the financial crisis the City is facing. On the list was: "(R8) The City should investigate whether franchise fee revenue for commercial and industrial refuse collection services could be obtained from the Midway City Sanitary District." The response was, "Staff Response: The City Attorney has determined that there is not sufficient legal justification to support the adopting of a franchise fee with regards to the operations of the Midway City Sanitary District."

GM Robbins further stated that the City staff response was correct and although the District recognizes that the City is facing financial challenges, the City's fiscal problems do not lie in attempting to take funds from other local agencies that serve the City's residents and businesses, and doing so will ultimately only harm the City's residents and its property and business owners.

GM Robbins reported that So Cal Arborist would be at the District on Wednesday, June 22, 2016 to trim and clean up all the trees before the 4th of July holiday.

GM Robbins reported that there would be a mobile lift demonstration at the District on Wednesday, June 22, 2016.

#### **Report from the Charleville Neighborhood Pride Cleanup Event on June 4, 2016**

Director Krippner attended the Charleville Neighborhood Pride Cleanup Event and reported that it was a wonderful with lots of workers and similar to a Habitat for Humanity event because some people were getting their homes painted and others were clearing things out.

#### **Report from the Orange County Sanitation District (OCSD) Meeting on June 8, 2016**

Director Krippner stated that he would report on the June 8, 2016 Orange County Sanitation Meeting at the next regular Board meeting on July 5, 2016.

#### **Report from the 2016 Waste Expo in Las Vegas, Nevada – June 5-9, 2016**

Director Cobo stated that he was happy that he went and provided the Board with a handout for a lid latch for the District's containers that he thought might help with the scavenger problem.

Director Neugebauer stated that the speakers were excellent at the conference and worthwhile, as were the exhibits. She spoke with the manufacturer of the lifts who explained the difference between mobile and stationary and the reason for their cost difference. She also spoke with several CNG truck manufacturers who told her that there should be no cost for CNG training from the manufacturer. She stated that when the District is ready to purchase its new sewer vactor trucks, the training should at least be negotiated.

GM Robbins stated that the District did receive basic training from Crane Carrier (the manufacturer of the Districts CNG trucks) but that the District provided additional extensive CNG training for its employees because of the new CNG station.

Director Neugebauer thanked President Rice for speaking up in order to get their rooms in a more convenient location than last year.

President Rice stated that going to the Waste Expo was beneficial to the District because there is always something new in the industry.

#### **Report from the Midway City Community Cleanup Event on June 11, 2016**

President Rice reported that it was raining but that she handed out a lot of crayons, coloring books and lids, which everyone loves.

## **Report from Ron Hankle on District Life Insurance**

None

## **Earth Day Presentation from Rainbow Environmental Services/CR&R to Lexus of Westminster and ABC Market**

None

## **APPROVAL OF THE MINUTES OF THE ADJOURNED REGULAR MEETING OF JUNE 1, 2016**

A motion was made by Director Cobo, seconded by President Rice, to approve the minutes of the adjourned regular meeting of June 1, 2016. The motion was approved by the following 3-0-1 vote:

AYES: Cobo, Krippner, and Rice

NAYS:

ABSTAIN: Neugebauer

ABSENT: Diep

Director Neugebauer requested that instead of noting her as absent from the June 1, 2016 meeting, that it be noted that she attended AB1825 training, and received her certificate, at Orange County Sanitation District.

President Rice asked that the closed session she mentioned in her comments at the June 1<sup>st</sup> meeting be on a future agenda and that there be a future agenda item to discuss whether the District needs to supply information in another language to its employees as discussed in the AB 1825 webinar.

There was discussion whether it was referring to their primary language, the primary language spoken in the home and whether they are bilingual.

President Rice stated that she understood it to mean that if 10% of the Districts employees spoke another language they needed to be provided with information in that language.

General Counsel Eggart stated that it was something that staff could look into and report back during the General Manager's report.

## **CONSENT CALENDAR**

A. Investment Report for May 2016

B. Approve of Midway City Sanitary District's Participation in the City of Westminster's Annual Safety Day on Wednesday, July 20, 2016

A motion was made by Director Cobo, seconded by Director Neugebauer, 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**

A. Consider Scheduling a Date for a Meeting in July 2016 for a Solar Panel Presentation

A motion was made by Director Neugebauer, seconded by Director Cobo, to schedule a meeting for a solar panel presentation on Tuesday, July 12, 2016 at 5 P.M. The motion was approved by the following 4-0 vote:

AYES: Cobo, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

## **NEW BUSINESS**

A. Consider Sponsorship of the City of Westminster's 2016 Summer Concerts in the Park Series

A motion was made by Director Neugebauer, seconded by Director Cobo, to approve sponsoring the City of Westminster's 2016 Summer Concerts in the Park Series in the amount of \$1,200. The motion was approved by the following 3-0-1 vote:

AYES: Cobo, Neugebauer and Rice

NAYS:

ABSTAIN: Krippner

ABSENT: Diep



B. Discuss and Consider California Special Districts Association (CSDA) 2016 Board Elections, Southern Network, Seat B

A motion was made by Director Cobo, seconded by Director Neugebauer, to endorse the re-election of Bill Nelson to California Special Districts Association (CSDA) Board of Directors, Southern Network, Seat B. The motion was approved by the following 4-0 vote:

AYES: Cobo, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

C. Consider if the Board Members May Provide the Board Clerk with a Written Report for Events and Meetings they attend for the Minutes

A motion was made by Director Neugebauer to receive and file or continue the present policy. The motion died for lack of a second.

A second motion was made by President Rice, seconded by Director Krippner, to not accept the recommendation for the Board to provide the Board Clerk with written reports for events and meetings they attend for the minutes. The motion was approved by the following 4-0 vote:

AYES: Cobo, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

D. Discussion and Review of Nomination Letter to be submitted to California Special District Association (CSDA) for 2016 General Manager of the Year Award

A motion was made by Director Neugebauer, seconded by Director Cobo, to approve the nomination letter to be submitted to California Special Districts Association (CSDA) for 2016 General Manager of the Year, with two changes, for Midway City Sanitary District General Manager, Kenneth Robbins. The motion was approved by the following 4-0 vote:

AYES: Cobo, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT: Diep

**E. Consider Approval of 10-Year Employee Safety Award for Midway City Sanitary District Sewer Maintenance Worker, Cody Ranslem**

A motion was made by Director Cobo, seconded by Director Neugebauer, to approve the 10-year safety award for Midway City Sanitary District Sewer Maintenance Worker, Cody Ranslem. 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 May 2016 (95,484 Successful Hits)**

A motion was made by Director Cobo, seconded by President Rice, 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**

President Rice stated that her new next door neighbors do not put out a blue can – only one black one and she asked that staff send him a welcome packet to explain recycling.

Director Neugebauer stated that she received the financial task force recommendations from the City of Westminster and requested that the comments and their responses regarding the District be placed verbatim in the minutes of tonight's meeting.

President Rice stated that the financial task force also wanted to charge the District for the trucks using the city streets. When they asked her what she thought she told them that if they charge the District, they have to charge every other truck, and they might have a problem with that.

General Counsel Eggart stated that he suspected that the charging for the District's use of the roads means the same thing as them wanting to charge a franchise fee. He stated that, in the earlier discussions, that was the context in which they were going to charge the franchise fees - a fee for use of the roads. He stated that in cities that provide refuse service, it's common for the city to charge the solid waste enterprise fund an in-lieu fee for road repairs and that may be where the City got the idea.

## GM/STAFF CONCERNS/COMMENTS

GM Robbins stated that Edison would have a planned power outage on Friday, June 24, 2016 that would affect the Brookhurst lift station.

GM Robbins stated that the Chamber of Commerce Installation and Awards luncheon was on Thursday, June 23, 2016 at 12 noon at TGI Friday's.

## GENERAL COUNSEL CONCERNS/COMMENTS

None

## CLOSED SESSION

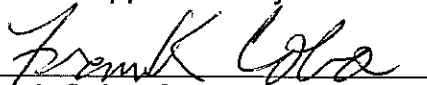
CLOSED SESSION: During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government 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, June 28 2016 at 5 P.M. the District office at approximately 6:05 P.M.

  
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Frank Cobo, Secretary