

**MINUTES OF THE RESCHEDULED REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE MIDWAY CITY
SANITARY DISTRICT OF ORANGE COUNTY
14451 CEDARWOOD AVENUE
WESTMINSTER, CA 92683**

October 3, 2016

CALL TO ORDER

President Rice called the rescheduled regular meeting (rescheduled from October 4, 2016 per Board action on September 20, 2016) of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Monday, October 3, 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
Anita Rice, Resident

PLEDGE AND INVOCATION

Finance/HR Director Housley led the Pledge of Allegiance. Director Neugebauer gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 20, 2016

A motion was made by Director Diep, seconded by Director Neugebauer, to approve the minutes of the regular meeting of September 20, 2016, adding "from the Voice of Orange County" after "public records request" in the first sentence on page 8 . 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 \$ 136,549.07

#	CK #	Date	AMOUNT	VENDOR
1				HANDCUT CHECKS:
2	8650	9/22	148.00	Advanced Office Service - Service for District Ricoh Copier Machine
3	8651	9/22	43,463.63	CalPERS Health Premium - Healthcare Premium for October 2016
4	8652	9/22	53.14	The Gas Company - District Office, Maintenance Shop, & Wash Rack Usage Fees for September 2016
5	8653	9/22	307.80	Pitney Bowes - Lease Payment for Postage Machine October 2016 through December 2016
6	8654	9/22	150.00	Pitney Bowes/Purchase Power - Postage for District Postage Machine
7	8655	9/27	212.95	AT&T - Brookhurst Lift Station Service for September 2016
8	8656	9/27	12,046.23	CalPERS Retirement - Retirement Contributions for September 2016
9	8657	9/27	965.99	Frontier California - District Office Phones & Lift Stations for September 2016; \$483.86 District Office,
10			\$160.71	Willow Lift, \$160.71 Westminster Lift, \$160.71 Hammon Lift.
11	8658	9/27	6,832.62	Southern California Edison - District Office \$5,872.33, Brookhurst Lift Station \$77.12, Westminster Lift
12	8659	9/27	878.07	The Standard Life Insurance - Life Insurance & AD&D Premium Coverage for October 2016
13	8660	9/27	385.60	Vision Service Plan - Monthly Premium for October 2016
14			65,444.03	HANDCUT CHECKS SUBTOTAL
15				
16				REGULAR CHECKS:
17	8661	10/1	519.68	Asbury Environmental Services - Used Oil Pick-Up for September 2016
18	8662	10/1	1,841.29	CR Transfer - Tonnage from 09/01/2016 through 09/15/2016
19	8663	10/1	3,575.96	Daniel's Tire Service - (8) Recaps and (4) New Tires for Restock
20	8664	10/1	293.36	G & K Services - Uniform Services for September 2016
21	8665	10/1	2,992.57	Los Alamitos Napa Auto Parts - Restock (4) Brake Drums, (2) Brake Kits, (16) Air Filters, (2) Cable Ties,
22				(2) Oil Filters, (2) Fuel Filters, (4) Spring Brake Kits, (5) Couplers, (2) Adapters, (2) Air Hoses.
23	8666	10/1	1,315.40	TEC of California - (1) Disc Brake for NG3; (6) Axle Gaskets for NG 6
24	8667	10/1	732.66	Tell Steel - (4) Floor Plates for Restock and T9

25	8668	10/1	40.00	Westminster Chamber of Commerce - State of the City Luncheon 09/29/2016 (FC, JN, KR, RH)
26	11,310.92 REGULAR CHECKS SUBTOTAL			
27				
28	PAYROLL			
29	9/27		57,809.12	Payroll - Staff Checks Taxes & Direct Deposits
30	9/27		690.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
31	9/27		1,295.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
32	59,794.12 PAYROLL SUBTOTAL			
33				
34	136,549.07 TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL)			
35				
36	BANK TRANSFERS			
37	9/20		30,482.47	Transfer Funds from Money Market to Checking Account

A motion was made by Director Diep, seconded by Director Krippner, to approve the expenditures in the amount of \$136,549.07. 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 the Orange County Supervisor at Orange County Waste and Recycling approved the release of a \$3 million grant (\$600,000 for each District and MCSD is in District #1) to go towards solutions to reduce waste and increase recycling. The District will need to apply for the grant by April of 2017 and could use it for public outreach to educate the residents of the District about organics and correct recycling.

GM Robbins stated that the Board was provided with an email which he had just received from the Westminster Chamber of Commerce. The email is a survey asking for opinions on Measure SS on the November 8 ballot (the 1% sales tax increase) and it requests that it be submitted by 4 PM on Friday, October 7, 2016.

GM Robbins brought it to the attention of the Board in case they wanted to bring it onto the agenda for discussion but he recommended that no action be taken by the Board since the District is a governing body within the City limits.

The consensus of the Board was to not bring it onto the agenda for discussion and to take no action on the survey from the Westminster Chamber of Commerce.

Report from the Franchise Committee Meeting on September 27, 2016

Director Neugebauer reported that it was a very deliberate and in-depth meeting spent reviewing the tonnages and percentages of waste as compared with other cities in Orange County. She stated that staff now understands the parameters of the committee and will be preparing information and a recommendation to bring back to the full Board.

General Counsel Eggart stated that he was asked to attend the two Franchise Committee meetings that have taken place and that he was at both.

President Rice stated that the attorney is greatly needed at this time because there are a lot of changes coming and the District needs to make sure it is protected.

Report from the Orange County Sanitation District (OCSD) Meeting on September 28, 2016

Director Neugebauer reported that, at the meeting on September 28, 2016, there was discussion regarding employee service awards, updates given on legislation that impacts sanitation from state and federal lobbyists, and the approval of plant #2's trickling filter odor control project.

Director Neugebauer read a letter that she received from OCSD explaining the hiring of armed security guards at each plant due to threatening text messages received by various OCSD employees from a terminated former employee.

Director Neugebauer reported a lengthy closed session took place regarding negotiations with the employee associations and some property negotiations that are ongoing to buy a large portion of additional acreage for OCSD as they realign the entrance of their Fountain Valley, CA property due to the change to the 405 freeway off-ramp.

Report from the State of the City Luncheon on September 29, 2016

President Rice, Director Diep, Director Cobo and Director Neugebauer reported on their attendance at the Westminster State of the City Luncheon. It was noted that attendance was less than hoped for, that the 1% sales tax increase was not discussed, and that neither the MCSD Board, nor President Rice or GM Robbins had been acknowledged by the MC.

Report from the Independent Special Districts of Orange County (ISDOC) Quarterly Meeting on September 29, 2106

Director Krippner reported that the ISDOC meeting on September 20, 2016 was short and dwelled mainly on the use of the Orange County Register as a force to support or not support candidates.

CONSENT CALENDAR

None

OLD BUSINESS

None

NEW BUSINESS

A. Consider Approval of Attendance to the Westminster Chamber of Commerce Legislative Forum on Friday, October 28, 2016

A motion was made by Director Diep, seconded by Director Krippner, to approve attendance for Board members and staff who wished to attend the event. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

B. Discuss and Approve Recognition for Midway City Sanitary District Employees at Holiday Dinner on Sunday, December 4, 2016

A motion was made by Director Neugebauer, seconded by Director Diep, to continue as planned for this year's Holiday Dinner at the Rose Center and to form a committee for next year's event in order to explore having the event catered at the District. The motion was approved by the following 4-0-1-0 vote:

AYES: Cobo, Diep, Neugebauer and Rice

NAYS:

ABSTAIN: Krippner

ABSENT:

The Board subsequently confirmed by majority consensus that the adopted motion included approval for the General Manager to purchase See's candy, Stater Brothers gift cards and pullover jackets for employees.

Director Krippner asked that General Counsel Eggart look into whether the See's candy and Stater Brothers gift certificates are taxable.

There was Board discussion.

General Counsel Eggart stated that he would look into it at no cost to the District.

INFORMATIONAL ITEMS

None

BOARD CONCERNS/COMMENTS

Director Neugebauer asked where the revenue sources or sources of funding were in the final budget document for the capital outlay and improvements budget in case anyone asks her.

Finance/HR Director Housley stated that they are on page 33 of the budget, under the Operating Budget Summary, and under Expenditures on line 17 – Unencumbered/Transfer-to/(from) Reserves.

Director Neugebauer asked what hotel the Board would be staying at for the California Special Districts Association (CSDA) conference in San Diego.

GM Robbins stated that they would be staying at the Sheraton San Diego Hotel and Marina.

Director Cobo asked if Senator Janet Nguyen would be at the Westminster Chamber of Commerce Legislative Forum.

GM Robbins stated that he did not know for sure.

GM/STAFF CONCERNS/COMMENTS

GM Robbins stated that he would begin picking up Directors wishing to carpool at 2:30 P.M. on Sunday, October 9, 2016 for the drive to San Diego for the California Special Districts Association (CSDA) conference.

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, October 18, 2016 at 5 P.M. at the District office at approximately 5:43 P.M.



Frank Cobo, Secretary