

**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**

November 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, November 15, 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
Omar Sandoval, Assistant General Counsel
Danielle Gerardo, Board Secretary
Jeff Snow, Rainbow Environmental Services
George and Maria Lazaruk, CR&R Inc.
Curtis Campbell, Opterra Energy Systems

PLEDGE AND INVOCATION

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

PUBLIC COMMENTS

None

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

A motion was made by Director Diep, seconded by Director Krippner, to approve the minutes of the regular meeting of November 1, 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 \$ 346,352.16

#	CK #	Date	AMOUNT	VENDOR	
1				HANDCUT CHECKS:	
2	8724	10/21	15.00	County of Orange Auditor-Controller - Parcel Correction	
3	8725	10/28	212.90	AT&T - Brookhurst Lift Station Service for October 2016	
4	8726	10/28	12,046.23	CalPERS Retirement - Retirement Contributions for October 2016	
5	8727	10/28	37,913.82	CalPERS Health Premium - Healthcare Premium for November 2016	
6	8728	10/28	13.85	City of Westminster - Water Usage for Hammon Lift Station 08/24/2016-10/18/2016	
7	8729	10/28	1,037.20	Frontier California - District Office Phones & Lift Stations for October 2016; \$483.86 District Office,	
8				\$160.71 Willow Lift, \$160.71 Westminster Lift, \$160.71 Hammon Lift.	
9	8730	10/28	6,605.28	Southern California Edison - District Office \$5,617.29, Brookhurst Lift Station \$76.12, Westminster Lift	
10				Station \$381.36, Willow Lift Station \$129.80, Hammon Lift Station \$400.71.	
11	8731	10/28	878.07	The Standard Life Insurance - Life Insurance & AD&D Premium Coverage for November 2016	
12	8732	10/28	385.60	Vision Service Plan - Monthly Premium for November 2016	
13	8733	11/2	346.26	AT&T Mobility - Service for October 2016: (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606,	
14				Sewer 714-310-8654, Emergency 714-310-9004.	
15	8734	11/2	725.27	Chevron & Texaco Bus. Card Svcs. - Gasoline Purchases for October 2016	
16	8735	11/2	9,374.40	US Bank	
17				(DGe) Printing of 2017 Budget	\$121.01
18				(DGe) Board Meeting Refreshments for 10/03 & 10/18	\$14.97
19				Total	\$135.98
20				(DGr) Restock Sewer Maintenance Supplies for SEP-2016	\$73.99
21				Total	\$73.99
22				(RH) OC Register Monthly Subscription AUG-2016	\$44.29
23				(RH) Remington Monthly OCT-2016	\$64.00
24				(RH) CalPERS Educational Forum Registration 10/24-10/26/2016 (RH)	\$399.00
25				(RH) City of Westminster - Water - District Offices 08/03-09/27/2016	\$106.22
26				(RH) City of Westminster - Water - Wash Rack 08/03-09/27/2016	\$98.52
27				(RH) City of Westminster - Water - Maint. Shop 08/03-09/27/2016	\$14.40
28				Total	\$726.43
29				(NC) Lunch for Drivers Safety Training 10/15/16	\$221.05
30				(NC) Restock Refuse Maintenance Supplies SEP-2016	\$146.53
31				(NC) Convex Mirror 2Pack (NGT11 & Restock)	\$6.47
32				(NC) Restock District Offices Kitchen Supplies SEP-2016	\$270.76
33				Total	\$644.81

34				(KR) State of the City Luncheon 9/29 (JN, FC)	\$80.00
35				(KR) State of the City Luncheon 9/29 (RH, KR)	\$80.00
36				(KR) Restock District Maintenance Supplies SEP-2016 (KR)	\$48.03
37				(KR) Westminster Legislative Forum Breakfast 10/05 (MR, FC, TD, JN)	\$140.00
38				(KR) Westminster Legislative Forum Breakfast 10/05 (RH)	\$35.00
39				(KR) Sheraton San Diego CSDA 10/10-10/13/2016 (AK)	\$201.73
40				(KR) Sheraton San Diego CSDA 10/10-10/13/2016 (AK)	\$806.00
41				(KR) Food for CSDA Conference San Diego 10/10-10/13/2016 (KR)	\$78.50
42				(KR) Sheraton San Diego CSDA 10/10-10/13/2016 (KR)	\$1,048.41
43				(KR) Sheraton San Diego CSDA 10/10-10/13/2016 (AK)	\$271.51
44				(KR) Sheraton San Diego CSDA 10/10-10/13/2016 (JN)	\$806.92
45				(KR) Sheraton San Diego CSDA 10/10-10/13/2016 (MR)	\$806.92
46				(KR) Sheraton San Diego CSDA 10/10-10/13/2016 (FC)	\$806.92
47				(KR) Replacement Ice Maker for District	\$2,152.15
48				(KR) Wlarcam Monthly Svc OCT-2016	\$431.10
49					Total \$7,793.19
50	8736	11/4	1,093.05	City of Westminster - (63) See's Candy Gift Certificates	
51	8737	11/4	895.06	Nicholas Berger -	
52	8738	11/9	12,046.23	CalPERS Retirement - Retirement Contributions for November 2016	
53	8739	11/9	115.98	DirectTV - Service for November 2016	
54	8740	11/9	4,529.22	The Gas Company - CNG Fuel for October 2016	
55	8741	11/9	2,716.00	Stater Bros Market - (28) Gift Cards	
56			90,949.42	HANDCUT CHECKS SUBTOTAL	
57					
58				REGULAR CHECKS:	
59	8742	11/9	126.53	Rice, Margie - Reimbursement for CSDA Conference San Diego, CA 10/10-10/13/2016	
60	8743	11/9	120.00	Asbury Environmental Services - Pick-Up (200) Gallons Used/Mixed Oil	
61	8744	11/9	30.00	City of Westminster FARP - 2017 FARP Permit Dues	
62	8745	11/9	698.00	CRC Cloud - Maintenance & Support for November 2016	
63	8746	11/9	7,367.04	CR Transfer - Tonnage for October 2016	
64	8747	11/9	6,485.00	CSDA - 2017 Annual Membership Dues	
65	8748	11/9	4,768.16	Daniel's Tire Service - (11) Recaps, (4) New Tires, (2) New Rims for Restock	
66	8749	11/9	585.00	Frog Environmental - Storm Water Sample #1	
67	8750	11/9	434.64	G & K Services - Uniform Services for October & November 2016	
68	8751	11/9	815.23	Los Alamitos Napa Auto Parts - Restock (4) Lamps and (7) Air Filters; (10) Bulbs for M63 & M64;	
69				(1) Ignition Coil for T4; (3) Wiper Blades for M1.	
70	8752	11/9	462.39	Los Angeles Freightliner - A/C Diagnostic Service for NG4	
71	8753	11/9	89.00	MemorialCare Medical Group - Unlisted Preventative Service	
72	8754	11/9	1,205.50	North American Safety - (35) Embroidered Jackets	
73	8755	11/9	3,034.48	NVB Equipment - A/C Service & Parts for NG3, NG4, NG6, NG9	
74	8756	11/9	29,387.30	Orange County Sanitation District - Permit Fees for October 2016 (MCSD 5% = \$1,546.70)	
75	8757	11/9	55,497.22	Ofco Environmental - Restock (456) 95-Gallon Blue & (720) 65-Gallon Black Containers	
76	8758	11/9	681.80	R&S Overhead Doors - Maintenance & Service for District Yard Roll-Up Doors	
77	8759	11/9	735.03	Rainbow Environmental Services - Diesel Usage for October 2016	
78	8760	11/9	336.80	Resource Communications - Service & Parts for District Voicemail System/Network	
79	8761	11/9	482.46	Rosemead Oil Products - (25) Pails of Spindle Oil ISO 10 for Pumps at Lift Stations	

80	8762	11/9	1,950.00	Safety Research Consultants - Bi-Annual 4-Hour Training for All Drivers
81	8763	11/9	745.00	TSP Printing - (2,750) Driver Vehicle Inspection Forms for Restock
82	8764	11/9	24.00	Underground Service Alert - (7) New Tickets for August 2016 & (9) New Tickets for October 2016
83	8765	11/9	8,226.94	Woodruff, Spradlin & Smart - Legal Services for October 2016
84			124,287.52	REGULAR CHECKS SUBTOTAL
85				
86				PAYROLL
87	10/25		62,305.25	Payroll - Staff Checks Taxes & Direct Deposits
88	10/25		1,295.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
89	10/25		690.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
90	10/28		7,029.55	Board of Director's Payroll for the Month of October 2016 Check # 15881 - 15884
91	10/28		566.35	Board of Director's Nationwide Deferred Compensation for October 2016 (100% Paid By Directors)
92	11/8		57,244.07	Payroll - Staff Checks Taxes & Direct Deposits
93	11/8		1,295.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
94	11/8		690.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
95			131,115.22	PAYROLL SUBTOTAL
96				
97			346,352.16	TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL)
98				

A motion was made by Director Neugebauer, seconded by Director Krippner, to approve the expenditures in the amount of \$346,352.16. 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 District's IT Department (CRC) moved the server, wi-fi and router equipment from GM Robbins' office into the file/copy room, with the exception of the SCADA System.

GM Robbins reported that on November 14, 2016 he attended the first meeting between the Orange County Flood Control District and special districts to discuss and receive input on their proposed right of way entry and use agreement. Several other special districts that were there were upset over impending rent fees for using their facilities. MCSD has easements and grant deeds that the Flood Control District encroaches upon from Cedarwood to Hoover, with the exception of the Oberlin siphon so it will supersede any

rates they may want to charge the District. GM Robbins stated that he was told that they have been meeting with the cities for six months and are trying to impose fees on utilities such as Verizon. GM Robbins stated that he will keep the Board informed.

Report from the Orange County Sanitation (OCSD) Meeting on November 9, 2016

Director Neugebauer reported that she attended the Administration Committee meeting on November 9, 2016. The committee is recommending approval of a sole source purchase with Total Resources Management and a waste water refunding revenue obligation series (which will be a cost saving measure) by the Board at the November 16, 2016 meeting of the Board of Directors. The Committee was presented with the annual comprehensive financial report by Bill Morgan. Director Neugebauer stated that there were also presentations and information regarding sewer service charges rebates.

CONSENT CALENDAR

A. Approve and File the Treasurer's Investment Report for October 2016

B. Approve Attendance to the California Association of Sanitation Agencies (CASA) Winter Conference in Palm Springs, CA January 18-20, 2017

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

None

NEW BUSINESS

A. RESOLUTION NO. 2016-13

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, APPROVING TRANSFER AND ASSIGNMENT OF RAINBOW DISPOSAL COMPANY, INC'S INTEREST IN EXCLUSIVE FRANCHISE AGREEMENT TO CR&R INCORPORATED AND RELATED ASSIGNMENT AND ASSUMPTION AGREEMENT

A motion was made by Director Diep, seconded by Director Krippner, to adopt Resolution No. 2016-13. The motion was approved by the following 5-0 roll call vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

B. Consider Approving the Purchase of Three New Compressed Natural Gas (CNG) Pickup Trucks

A motion was made by Director Cobo, seconded by Director Diep, to approve the staff recommendation to purchase three new compressed natural gas (CNG) pickup trucks. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

C. Consider Approval to Auction or Sell Midway City Sanitary District Surplus Equipment and T65 Diesel Automated Side Loader Truck

A motion was made by Director Neugebauer, seconded by Director Diep, to approve the auction or sale of MCSD surplus equipment and T65 diesel automated side loader truck and tires at the highest possible price, with the exception of the two trailer-mounted arrow boards. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

D. Approval of Solar Panel Program Development Agreement at 14451 Cedarwood Avenue, Westminster, CA with OpTerra Energy Services

A motion was made by Director Neugebauer, seconded by Director Cobo to approve the solar panel program development agreement with OpTerra Energy Services for 14451 Cedarwood Avenue, Westminster, CA, as recommended. 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 October 2016 (94,764 Successful Hits)

Receive and file.

BOARD CONCERNS/COMMENTS

Director Neugebauer stated that Orange County Sanitation District has changed the look of their Board room by placing their logo next to their mission statement and she suggested something similar for the District's entry.

GM Robbins suggested mounting a television screen that could scroll through District photos, events and the District's mission statement.

There was Board discussion and the consensus was for GM Robbins to follow through with his suggestion.

President Rice thanked Rainbow Environmental Services and CR&R for working together on the new agreement and their many years of service.

GM/STAFF CONCERNS/COMMENTS

GM Robbins wished Director Neugebauer a happy birthday and the entire Board a happy Thanksgiving.

GM Robbins stated that Tom Nixon, the District's former General Counsel, had called to RSVP the holiday dinner and regretted that he would not be able to attend because he would be on vacation and thanked the Board for the invitation.

Finance/HR Director Housley stated that a meeting is scheduled with the CalPERS actuary on Wednesday, November 16, 2016 to go over the valuation reports from CalPERS and that he would provide that information to the Board at the next regular meeting. He stated that the District promptly received checks from both parties for their reviews.

GENERAL COUNSEL CONCERNS/COMMENTS

Assistant General Counsel, Omar Sandoval reported that James Eggart's surgery went well, that he is recovering and planning to be back in the office next week.

President Rice asked if the District sent him anything and directed staff to send him an Edible Arrangement.

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 Friday, December 2, 2016 at 5 P.M. at the District office at approximately 5:39 P.M.



Frank Cobo, Secretary