

**MIDWAY CITY SANITARY DISTRICT
REGULAR MEETING
BOARD OF DIRECTORS
DISTRICT OFFICE
14451 CEDARWOOD AVENUE
WESTMINSTER, CA**

October 19, 2010

3:00 P.M.

A G E N D A

In accordance with the requirements of California Government Code Section 54954.2, this Agenda is posted not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the Board Secretary.

In the event any matter not listed on this agenda is proposed to be submitted to the Board for discussion and/or action, it will be done in compliance with Section 54954.2, or as set forth on a Supplemental Agenda posted not less than 72 hours prior to the meeting.

Please Note: The District complies with the provisions of the Americans with Disabilities Act (ADA). Anyone needing special assistance please contact the District's Secretary at (714) 893-3553, at least one business day prior to the meeting so that we may accommodate you.

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE AND INVOCATION**
- 2. ROLL CALL**
- 3. APPROVAL OF THE MINUTES OF THE MEETING OF OCTOBER 5, 2010 AND OCTOBER 12, 2010**
- 4. PUBLIC COMMENTS:**

All persons wishing to address the Board on specific Agenda items or matters of general interest should do so at this time. As determined by the President, speakers may be deferred until the specific item is taken for discussion and remarks may be limited to five minutes.

- 5. APPROVAL OF EXPENDITURES**
 - A. Demands in the amount of \$ 246,260.83**

6. REPORTS

The President, General Manager, General Counsel and other staff present verbal reports on miscellaneous matters of general interest to the Directors. These reports are for information only and require no action by the Directors.

- A. Report of President
- B. Report of General Manager
- C. Report from Orange County Sanitation District Meeting

7. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the Board of Directors, the public, or staff request specific items be removed from the Consent Calendar for separate action or discussion.

- A. Investment Report for September 2010

8. OLD BUSINESS

- A. Review request of General Manager Nordbak to receive 40 hours of vacation pay in lieu of time off.

9. NEW BUSINESS

- A. Assistant General Manager's Employment Agreement
- B. Confirm attendance to the annual Chamber Holiday Luncheon on November 18th.
- C. Discuss and award a contract with Clean Fleet LLC for air quality compliance study.

10. BOARD CONCERNS/COMMENTS

11. GENERAL COUNSEL CONCERNS/COMMENTS

12. GM/STAFF CONCERNS/COMMENTS

13. 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.

- A. CONFERENCE WITH LABOR NEGOTIATORS (Govt. Code 54957.6)
Agency Designated Representative: Thomas F. Nixon
Unrepresented Employee: General Manager Greg Nordbak
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:
Claim of Jacob Watson
Agency Designated Representative: Thomas F. Nixon, General Manager Greg Nordbak,
and Assistant General Manager Ken Robbins

14. INFORMATIONAL ITEMS

15. ADJOURNMENT