

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

May 17, 2011

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, May 17, 2011 at 4:00 P.M.

BOARD MEMBERS PRESENT:

Al P. Krippner
Joy L. Neugebauer
Frank Cobo
Margie L. Rice
Tyler Diep (ABSENT)

OTHERS AT MEETING:

Ken Robbins, Assistant General Manager
Robert Housley, Finance Director
Tom Nixon, District Counsel
Danielle Gerardo, Administrative Secretary

PLEDGE AND INVOCATION

Director Cobo led the Pledge of Allegiance. President Rice gave the Invocation.

APPROVAL OF THE AMENDED MINUTES OF THE MEETING OF MAY 3, 2011

A motion was made by Director Neugebauer, seconded by Director Cobo to approve the amended minutes of the meeting of May 3, 2011. The motion was approved by the following vote:

AYES: Directors Krippner, Neugebauer, Cobo, and Rice
NOES: None

PUBLIC COMMENTS

None

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 302,574.35

#	CK #	CK AMOUNT	VENDOR
1	4543	221.83	Advanced Gas Products - Misc. Repairs - Casp Cutting Attachment/Tip
2	4544	456.00	Advanced Workplace Strategies -Supervisor Training for Nick & Juan/Drug Testing (RJ)
3	4545	34,840.34	CalPERS Fiscal Services - GASB 45 OPEB ARC Contribution for April & May 2011
4	4546	5,487.45	CalPERS - Retirement for Service Period 04-2011-03
5	4547	5,542.94	CalPERS - Retirement for Service Period 04-2011-04
6	4548	5,340.57	CalPERS - Retirement for Service Period 05-2011-03
7	4549	900.00	Color Wheels Custom Paint - Repair Left side Front Panel with Paint from Accident on Apr 25, 2011
8	4550	727.00	Computer Research Center - Maintenance & Support for Jun 2011
9	4551	26,204.87	CR Transfer, Inc. - Tonnage for Apr 2011
10	4552	16,033.75	Fleet Service - DPF Cleaning on T60, Replace Breaks on T53 and Restock Seals (4), Restock Valve and Cap Install Exhaust Filtration System for M64
11			
12	4553	287.88	G & K Services - Uniform Rental Services for April & May 2011
13	4554	3,994.71	Hydraforce, Inc. - Replaced Plate Floor, Cover Side, Angled Brackets, Support Vertical on T53
14	4555	15,084.59	Maxx Air - New Center Body for T52, T56 , Filter Cleaning for T61, T62, T53, T51
15	4556	115.00	Memorial Prompt Care - DMV Random Drug & Alcohol Testing (RG AG)
16	4557	1,178.00	OCSD - Permit Fees for Apr 2011 (MCSD's 5% = \$62.00)
17	4558	105,467.00	Rainbow Disposal - Tonnage Fee for Apr 2011
18	4559	543.75	Reyes Alternators - Replace Alternators on T4, T9, T51
19	4560	546.94	Top Mobile Vision - Replace Color Camera on T55
20	4561	12.00	Underground Service Alert - 8 New Tickets Apr 2011 Services
21			
22		222,984.62	SUBTOTAL
23			
24			ADD HANDCUT CHECKS:
25	4535	632.19	AT&T Mobility - (KR) 714 310-2313 / (AC) 714-310-4406 / (NC) 714-310-8653 Sewer 714-310-8654 / Emergency 714-310-9004
26			
27	4536	86.99	DirectTV - Monthly Service Apr 2011
28	4537	160.83	Office Max - Office Supplies
29	4538	3,365.23	US Bank - CalCard Apr 2011
30			(NC) \$77.03 - Paint & Primer for T55, USB Cable for Laptop
31			(AC) \$248.79 - Solenoid, Insect Killer, WD40, Restock Reaching Tool, Safety Glasses, Gloves,
32			(GN) \$1,980.87 - Albert Cibrian Retirement Watch, West. Chamber State of the City 6@\$30ea
33			Engraving Albert Cibrian Watch, City of West., Sponsor Concert in the Park, Remington Water Service Apr 2
34			CSDA - Danielle Secretary/Board Clerk Training Conf., CASA Conf. Southwest Air Flight to Sacramento (GN)
35			CASA Conf.Southwest Air Flight to Sacramento (MR), Change to Southwest Flight for Margie Rice (Credit)
36			Cancel Southwest Flight Greg Nordbak (Credit)
37			(KR) \$908.18 Picture Frame/Matting Al Cibrian Resolution, Tulsa Rib Lunch Al Cibrian Retirement Party
38			WiarCom, Inc. GPS Services Monthly Fee \$335.30
39			(RH) \$160.00 - Membership Renewal Gov't Finance Off. Assoc.
40			(DG) \$294.09 - Refreshments for Board Meetings
41			(D. Grimes) \$11.67 - Sewer Operating Supplies (Mechanic Shop Toilet Parts)
42	CK #	CK AMOUNT	VENDOR
43	4539	837.46	Verizon CA - Monthly Service - District Fax; 893-3553/893-3554/897-5368 District Phones; (714) 893-2299/ 903-1863/ 903-6154/ 903-6274 Lift Stations
44			
45	4540	624.87	Gustavo, Carrera - 40 Hours of Vacation Payout
46	4541	2,570.44	The Standard Dental Insurance - Premiums for June 2011
47	4542	5,610.00	Zenith Insurance Company - Worker's Compensation/Progressive Payment
48			
49		236,872.63	SUBTOTAL PLUS HANDCUTS
50			
51			Payroll
52		2,813.92	Payroll Date 4/19/11 Nationwide Deferred Compensation
53		56,115.60	Payroll Date 5/03/11 Staff Chk # 15030 - 15039 Taxes & Direct Deposits
54		1,460.70	Payroll Date 5/03/11 Nationwide Deferred Compensation
55		4,931.12	Board of Director's Payroll for the Month of April 2011 Chk # 15027 - 15029
56		380.38	Board of Director's Nationwide Deferred Compensation for the Month of April 2011
57		302,574.35	TOTAL EXPENDITURES W/PAYROLL

A motion was made by Director Neugebauer, seconded by Director Cobo to approve the expenditures in the amount of \$ 302,574.35. The motion was approved by the following vote:

AYES: Directors Krippner, Neugebauer, Cobo and Rice
NOES: None

REPORTS

Report of President

President Rice asked everyone on the Board if they had received a copy of the letter that the attorney sent to LAFCO on their behalf, which they had, and stated that it would be discussed later in the meeting.

Report of Assistant General Manager

AGM Robbins reported that the District will need to purchase a new arm for truck T62 as the old one is cracked.

AGM Robbins reported that he contacted Ronnie Liddell in regards to overseeing Toshia Kudlak's work on the parcel program since it is her first time doing it herself. Ronnie Liddell is tentatively scheduled to come in to the District on May 31, 2011.

AGM Robbins stated that he has started a new program called Pushing the Blues to encourage recycling which will, in turn, save the District money. He explained that when a customer calls in to order an additional black container, District employees are to encourage an additional blue recycling container instead.

Director Krippner suggested also having a limit on the number of blue containers a resident is allowed to have as well as the black.

Report from Orange County Sanitation District Meeting (OCSD)

Director Neugebauer reported that the operations committee met on Wednesday, May 4, 2011, and had a very brief meeting. The committee discussed design services for the two outfalls which take on wastewater and there was a briefing on the budget outlook for the year.

Report from Waste Management Commission

AGM Robbins accompanied President Rice to the Waste Management Commission meeting. He reported that the meeting was mainly a presentation for the three million dollar project for the Discovery Science Center which teaches recycling to kids.

CONSENT CALENDAR

- A. Investment Report for April 2011
- B. Approval of the Request of Utility Worker Gustavo Carrera to Receive 40 Hours of Vacation Pay in Lieu of Time Off.

A motion was made by Director Neugebauer, seconded by Director Cobo to approve the items on the consent calendar. The motion was approved by the following vote:

AYES: Directors Krippner, Neugebauer, Cobo and Rice
NOES: None

OLD BUSINESS

- A. Discussion and Action on Proposed Special District Selection Committee Bylaws

The Board discussed the letter drafted by Legal Counsel Nixon which was sent to LAFCO from the Board of Directors.

It was decided that the Board would not cast a vote without public comment since it is a violation of the Brown Act.

A motion was made by Director Neugebauer, seconded by Director Cobo to approve President Rice to return the ballot unmarked, not casting a vote with a notation regarding the letter pointing out the Brown Act violation. The motion was approved by the following vote:

AYES: Directors Krippner, Neugebauer, Cobo and Rice
NOES: None

NEW BUSINESS

- A. Approve a Sub-Committee for Next Year's Calendar

Director Krippner stated to the Board that he would like to see a change in printers due to the number of mistakes made last year.

The Board set a date for the first committee meeting on Monday June 6, 2011 at 4 PM.

A motion was made by Director Neugebauer, seconded by President Rice to approve the Board as a whole to serve as the committee for next year's calendar. The motion was approved by the following vote:

AYES: Directors Krippner, Neugebauer, Cobo and Rice
NOES: None

B. Consider Approving a General Maintenance Service Agreement for District Facilities.

Director Neugebauer stated that it might be less expensive for the District to have an in house employee do the general maintenance for the District's facilities and would also give someone the opportunity to earn extra income.

AGM Robbins stated that he would put the general maintenance agreement out to bid in order to compare rates.

A motion was made by Director Neugebauer, seconded by President Rice to move as recommended. The motion was approved by the following vote:

AYES: Directors Krippner, Neugebauer, Cobo and Rice
NOES: None

C. Consider Approving a Request for Proposal (RFP) on an Electronic Data Management System (EDMS).

Director Neugebauer reported on the information she had received from the sub-committee meeting with Director Diep including what types of documents were needed to be stored by the District.

AGM Robbins reported that the initial cost of the startup system would be around \$30,000, formatting approximately 150,000-200,000 pieces of paper.

Finance Director Housley stated that at some point the District will need to go to a catalog system.

A motion was made by Director Neugebauer, seconded by President Rice to approve staff's recommendation and approve the request for proposal. The motion was approved by the following vote:

AYES: Directors Krippner, Neugebauer, Cobo and Rice
NOES: None

D. Consider Attendance to the Westminster Chamber of Commerce Annual Installation and Awards Dinner

President Rice stated that she would like staff and spouses to attend if they wished, so it was decided that the District should purchase a table for eight.

President Rice stated that the City of Westminster would pay for her and Director Diep to attend this event, so seating was needed for the other three Board members, as well as AGM Robbins, and Finance Director Housley.

A motion was made by Director Neugebauer, seconded by President Rice to approve attendance for the Board and staff to attend the event. The motion was approved by the following vote:

AYES: Directors Krippner, Neugebauer, Cobo and Rice
NOES: None

E. Review Consumer Price Index (CPI) Adjustment to Commercial, Industrial and Other Nonresidential Sanitary Sewer Services and Notice of Rate Adjustment

AGM Robbins reported that the Consumer Price Index increased 1.88% during the period of March 1, 2010 through February 28, 2011.

Director Krippner asked that the dates on the staff report be more specific in the future.

A motion was made by Director Neugebauer, seconded by Director Cobo to approve the recommendation and the Notice of Rate Adjustment to be sent to affected ratepayers. The motion was approved by the following vote:

AYES: Directors Neugebauer, Cobo and Rice
ABSTAIN: Director Krippner
NOES: None

F. Set Dates and Review Notices of Public Hearings for Sanitation and Sewer Service Charges, and for Adoption of 2011-2012 Budget

AGM Robbins stated that the District would be sending out notices of public hearings to the Westminster Journal and Westminster Herald for a period of two consecutive weeks during June 9 and June 16, 2011.

The Notices of Public Hearings will be held on June 23, 2011 at 4 P.M.

A motion was made by Director Neugebauer, seconded by Director Cobo to approve staff recommendation. The motion was approved by the following vote:

AYES: Directors Neugebauer, Cobo and Rice
ABSTAIN: Director Krippner
NOES: None

BOARD CONCERNS/COMMENTS

Director Krippner asked the Board to consider adopting a Disaster Preparedness Plan and to include the area of Midway City.

Director Neugebauer stated that she feels the District needs to have a plan in place and that there should be a page on the calendar dedicated to it.

President Rice stated that the City of Westminster has a great program for this purpose and that the District should be a part of that plan.

AGM Robbins reported that the District does have money budgeted for emergency preparedness.

President Rice reminded the Board that she wants the Board to consider a retreat or study session for a District policy/plan/vision in August or September 2011.

AGM/STAFF CONCERNS/COMMENTS

AGM Robbins stated that he has tried to contact Bill Cooper from Castaic Lake Water Agency regarding the study session but has had no response.

Director Neugebauer recommended Brent Ives to help with the strategic plan.

AGM Robbins stated that the agenda packets for the May 19, 2011 budget meeting would be handed out at the end of today's Board meeting.

AGM Robbins reminded the Board of the Orange County Water Summit on Friday, May 20, 2011. He asked all Directors wishing to carpool with him to meet at the District offices at 7:30 AM.

Finance Director Housley thanked the Board again for the luncheon provided to staff for Administrative Professionals Day.

GENERAL COUNSEL CONCERNS/COMMENTS

General Counsel Nixon reported that Tom Woodruff, who had been ill for some time, passed away the morning of Tuesday, May 17, 2011.

CLOSED SESSION

President Rice convened the meeting to closed session at 5:19 P.M. pursuant to Government Code Sections 54957.

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.

President Rice reconvened the meeting at 5:48 P.M.

Legal Counsel stated that there was no reportable action taken during the closed session.

INFORMATIONAL ITEMS

None

ADJOURNMENT

President Rice adjourned the meeting to Thursday, May 19, 2011 at 4 PM at approximately 5:49 P.M. in memory of their good friend, Tom Woodruff.

Joy Neugebauer, Secretary