

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

June 21, 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, June 21, 2011 at 4:00 P.M.

BOARD MEMBERS PRESENT:

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

OTHERS AT MEETING:

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

PLEDGE AND INVOCATION

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

APPROVAL OF THE MINUTES OF THE MEETING OF JUNE 6, 2011

A motion was made by Director Neugebauer, seconded by Director Diep to approve the minutes of the meeting of June 6, 2011. The motion was approved by a 5-0 vote.

APPROVAL OF THE MINUTES OF THE MEETING OF JUNE 7, 2011

A motion was made by Director Neugebauer, seconded by Director Diep to approve the minutes of the meeting of June 7, 2011, as amended. The motion was approved by a 5-0 vote.

PUBLIC COMMENTS

None

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 330,534.78

#	CK #	CK AMOUNT	VENDOR
1	4616	60.68	Advanced Gas Products - Monthly Cylinder Rental, Compressed Gas, Restock Acetylene
2	4617	99.96	Battery Systems - Replace Battery on T4
3	4618	9,948.40	California Suspension - Replace Suspension on T55, T53, T52, T51
4	4619	5,340.57	CalPERS - Retirement for Service Period 05-2011-05
5	4620	1,487.81	Computer Research Center - Maintenance & Support for July 2011 , Trouble Shooting
6			and Replacement of Router
7	4621	26,442.22	CR Transfer, Inc. - Tonnage for May 2011
8	4622	43.50	DJ Printing - Business Cards for Al Krippner
9	4623	240.00	DMV - Motor Carrier Permit Fees
10	4624	5,317.25	Flo-Systems, Inc. - Preventive Maintenance for April 2011
11	4625	286.90	G & K Services - Uniform Rental Services for May 2011
12	4626	225.00	Hedman L.A. - Annual Maintenance for Check Signer Machine
13	4627	7,285.99	Hydraforce, Inc. - Replaced Grabber Assembly on T61, T62, Restock Bearings with Seals and
14			Rod Assembly, Complete Dump Cyl., Valve Harness, Replace Gripper Cyl. On T62
15	4628	VOID	Printer Malfunction
16	4629	3,500.00	James F. McConnell Attorney At Law - Fee for Lobbying Services for May 2011
17	4630	1,431.85	Los Alamitos Auto Parts - Hoses, Fuel Kits
18	4631	185.00	Memorial Prompt Care - Drug & Alcohol Testing (SP,JQ,MH)
19	4632	94,494.51	Rainbow Disposal - Tonnage Fee for May 2011
20	4633	13,375.43	Rehrig Pacific Company - 256 95-Gallon Blue Cans with Lids
21	4634	32.34	Housley, Robert - 2011 SDI Conference Reimbursement for Meals

22	4635	894.80	Rosemead Oil Products - Restock ATF C4 10W (85)
23	4636	193.52	TrucPar Co - Inspect Camera
24	4637	16.50	Underground Service Alert - 11 New Tickets May 2011 Services
25	4638	74,693.79	Instituform Technologies, Inc. - Balance of Rehabilitation & Repair of Sewer
26		245,596.02	SUBTOTAL
27			
28			ADD HANDCUT CHECKS:
29	4604	100.00	Cobo, Frank - SDI Conference in San Diego Per Diem June 9-10, 2011
30	4605	150.00	Krippner, Allan - SDI Conference in San Diego Per Diem June 8-10, 2011
31	4606	100.00	Neugebauer, Joy - SDI Conference in San Diego Per Diem June 9-10, 2011
32	4607	100.00	Rice, Margie - SDI Conference in San Diego Per Diem June 9-10, 2011
33	4608	100.00	Robbins, Kenny - SDI Conference in San Diego Per Diem June 9-10, 2011
34	4609	VOID	Diep, Tyler - SDI Conference in San Diego Per Diem June 9-10, 2011
35	4610	86.99	DirecTV - Monthly Service May 2011
36	4611	2,678.96	The Standard Dental Insurance - Premiums for May 2011
37	4612	7,397.56	US Bank CalCard - May 2011
38			(KR) \$6,461.41 Keyed Entry Lever & Return Door Knob Plates & Adapter for Front Office, Refreshments
39			for Board Mtg (4-22-11), Business Letterhead, Hyatt Hotel Indian Wells SDI Conference
40			(KR, MR, FC, TD, JN, AK), Admin. Prof. Day Luncheon @ Riviera Restaurant, Flowers for JN,
41			Westminster Chamber Annual Award Dinner Table for 8, SDI Conf. San Diego (KR, MR, FC, JN, TD, AK)
42			(RH) \$654.31 Flash Drive , Remington Water Monthly
43			Service, SDI Conf. Indian Wells (RH)
44			(D. Gerardo) \$136.65 Refreshments for Board Meetings
45			(D. Grimes) \$145.19 6 Office Keys, 4 Shop Keys, Batteries, Concrete Mix, Permanent & EZ Pothole
46			Umbrella
47	4613	5,610.00	Zenith Insurance Company - Worker's Compensation/Progressive Payment
48	4614	30.61	City of Westminster - Maintenance Shop Water (\$16.77), Hammon Lift Station (\$13.84)
49	4615	491.86	Verizon Business - Internet Connection for Scada System Jun 2011
50			
51		262,442.00	SUBTOTAL PLUS HANDCUTS
52			
53			Payroll
54		66,444.81	Payroll Date 6/14/11 Staff Chk #15062 - 15071 Taxes & Direct Deposits
55		1,647.97	Payroll Date 6/14/11 Nationwide Deferred Compensation
56			
57		330,534.78	TOTAL EXPENDITURES W/PAYROLL

A motion was made by Director Diep, seconded by Director Cobo to approve the expenditures in the amount of \$ 330,534.78. The motion was approved by a 5-0 vote.

REPORTS

Report of President

President Rice reported that she received a thank you note from Ed Fleming, Division Chief from the Orange County Fire Authority, for being hosted at the District's table at the Westminster Prayer Breakfast on May 5, 2011.

President Rice stated that CSDA will be holding their elections. She requested that it be put on the next agenda. The CSDA bylaws and amendments need to be approved by the Board prior to July 29, 2011, so they need to be on the next agenda as well.

Report of Assistant General Manager

AGM Robbins reported that truck T-54, which has been having major electrical and transmission problems, will be scrapped for parts and the metal recycled, and the body sold at auction because CR&R only offered the District \$2,200 for the truck.

California Air Resources Board (CARB) will be doing an audit on the District's fleet in the near future. According to AGM Robbins, the District is ready and in compliance.

AGM Robbins reported a possible fueling issue next year when the City corporate yard will be under construction. He informed the Board that using Rainbow Disposal might be an option.

The claim from last December at 14712 Bushard was settled by Service Masters but one resident is complaining that the District did not replace their furniture. AGM Robbins informed them that they need to come in and file a claim, which they still have not done.

AGM Robbins contacted Orange County Water District to ask for any extra promotional shopping bags to give away at Westminster's Safety Day as the Board instructed, but they are now contemplating having their own booth for the event.

AGM Robbins reported that the District is being audited for the \$100,000 grant received from FEMA for sink holes in 2005. He was able to locate all documentation for the audit in order to not have to pay any of the money back. The District will receive a certificate which will need to be kept on file for three years. The District will send a thank you note to former GM Liddell for being so diligent with the paperwork on that project.

AGM Robbins reported that he contacted WEROC (Water Emergency Response Organization of Orange County) and that they will now allow the District to join their

organization. AGM Robbins stated that he will also present the new 2011 Emergency Preparedness Plan to the Board at the next Board meeting.

AGM Robbins requested July 6-8 off for a short vacation, and reassured the Board that Finance Director Housley would be at the District in his absence.

Report from Orange County Sanitation District Meeting (OCSD)

Director Neugebauer reported that OCSD will be meeting on Wednesday, June 22 in order to approve the second of their two year budget.

On August 16, 2011, there will be a Fuel Cell Dedication Ceremony which is for the grant funded by AQMD.

Report from SDI Conference in San Diego, CA

Director Krippner handed out a written summary of the SDI conference.

Director Diep reported that he learned a lot from the workshops on the history and makeup of LAFCO and another on human resources.

Director Cobo especially enjoyed the lecture on human resources, laws and guidelines.

Director Neugebauer thanked Director Krippner for his handout and commented that it was very well done. She felt that the lecture on the 4 P's of Disaster Preparedness was pertinent, and she enjoyed the breakout session called Making Board Meetings Productive.

President Rice found most of the lectures interesting, but especially Effective Agency Policies, since she wants to have a policy workshop to produce a Policy and Plan for the District.

CONSENT CALENDAR

- A. Investment Report for May 2011
- B. Consider Attendance to the California Association of Sanitation Agencies (CASA) Conference in San Diego on August 10-12, 2011

A motion was made by Director Neugebauer, seconded by Director Diep to approve the items on the consent calendar. The motion was approved by a 5-0 vote.

OLD BUSINESS

None

NEW BUSINESS

A. Review and Discuss Options for 2012 Midway City Sanitary District Outreach Program

The calendar versus door hangers was discussed at length. It will be brought back onto the next agenda after more information is obtained by staff regarding cost of distribution of the door hangers as well as more quotes from local printers.

B. Consider Scheduling a District Luncheon

A date of Wednesday, August 3, 2011 at 11:30 A.M. was agreed upon for a District Luncheon. Staff will bring suggestions for catering back onto the next agenda.

A motion was made by Director Neugebauer, seconded by Director Diep to schedule the luncheon as directed by the Board. The motion was approved by a 5-0 vote.

C. Consider MCSD's Participation in the City of Westminster's Annual Safety Day on Wednesday, July 27, 2011

A motion was made by Director Neugebauer, seconded by Director Cobo to have the District participate in the City of Westminster's Safety Day. The motion was approved by a 5-0 vote.

AGM Robbins confirmed with the Board that the District would give away the t-shirts that the District still has as well as 2011 calendars.

D. Review of Midway City Sanitary District 2003 Emergency Action Plan

Director Krippner handed out Ready OC earthquake preparedness information to the Board and AGM Robbins provided an updated District Emergency Action Plan that he and Director Krippner have been working on together.

The Board instructed AGM Robbins to order one deluxe office kit on wheels and two 55 gallon drums of water for the District immediately.

E. Approval of Memorandum of Understanding with American Federation of State, County and Municipal Employees, Local 1734-01

A motion was made by Director Cobo, seconded by President Rice to accept the MOU which will become effective July 1, 2011. The motion was approved by the following vote:

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

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS AND RESCINDING RESOLUTION NO. 2010-08

A motion was made by Director Neugebauer, seconded by Director Cobo to adopt Resolution No. 2011-07. The motion was approved by the following roll call vote:

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

CLOSED SESSION

President Rice convened the meeting to closed session at 5:20 P.M. pursuant to Government Code Sections 54957.6 and 54957.9

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 5:41 P.M.

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

BOARD CONCERNS/COMMENTS

Director Neugebauer asked if her being Executive Director of the Westminster Historical Museum could be a Conflict of Interest during the public hearing portion of the next agenda, and was assured by Legal Counsel that there was not since she received no financial gain.

President Rice stated that Jim Ferryman from the City of Costa Mesa would like to have a meeting with the Board.

AGM/STAFF CONCERNS/COMMENTS

Finance Director Housley thanked the Board for allowing him the opportunity to participate in the SDI Conference in San Diego.

GENERAL COUNSEL CONCERNS/COMMENTS

District Counsel Nixon discussed the issues still concerning the Board regarding LAFCO since they will be attending an ISDOC meeting on June 30, 2011.

INFORMATIONAL ITEMS

- A. Receive and File the 2010-2011 Orange County Grand Jury's Compensation Survey of Orange County Water and Sanitation Districts

Finance Director Housley explained that the District needs to respond to the Orange County Grand Jury's recommendations within 60 days. Legal Counsel was asked to put together a response and bring it back to the Board for approval.

A motion was made by Director Diep, seconded by Director Neugebauer to receive and file the survey and bring the response back onto the next agenda. The motion was approved by a 5-0 vote:

ADJOURNMENT

President Rice adjourned the meeting to June 23, 2011 at 4 P.M. at approximately 6:01 P.M.

Joy Neugebauer, Secretary