

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

**December 20, 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, December 20, 2011 at 4:01 P.M.

**BOARD MEMBERS PRESENT:**

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

**OTHERS AT MEETING:**

Ken Robbins, General Manager  
Robert Housley, Finance/HR Director  
Tom Nixon, District Counsel  
Danielle Gerardo, Board Secretary  
Steve Northcote, Partner Leaf & Cole, LLP  
Russell Bushby, Auditor Leaf & Cole, LLP

**PLEDGE AND INVOCATION**

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

**APPROVAL OF THE MINUTES OF THE MEETING OF DECEMBER 2, 2011**

A motion was made by Director Neugebauer, seconded by Director Diep to approve the minutes of the meeting of December 2, 2011. The motion was approved by a 5-0 vote.

**APPROVAL OF THE MINUTES OF THE MEETING OF DECEMBER 6, 2011**

A motion was made by Director Cobo, seconded by Director Neugebauer to approve the minutes of the meeting of December 6, 2011, with one correction. The motion was approved by a 5-0 vote.

## PUBLIC COMMENTS

None

## APPROVAL OF EXPENDITURES

### A. Demands in the amount of \$338,205.72

#	CK #	CK AMOUNT	VENDOR
1			
2	5014	129.00	<b>Advanced Gas Products</b> - Cylinder Rental Fee for November 2011 & Restock Liquid Propane
3	5015	42,933.11	<b>Bodyworks Equipment, Inc.</b> - Restock Rocker (20) & Pressure (3) Switches, Main Relief (1);
4			Arm Lift Conversions for T55 & T60.
5	5016	23,531.90	<b>CalPERS Retirement</b> - Retirement Contributions for November 2011
6	5017	8,000.00	<b>CASA</b> - Agency Membership Dues for 2012
7	5018	1,151.28	<b>Chemsearch</b> - Restock Maxi-Lube Ultra (120lbs @ 8.46 per unit)
8	5019	1,012.00	<b>CRC</b> - Maintenance & Support for January 2012; SCADA repair; Laptop configured for GM
9	5020	300.00	<b>Country City Towing</b> - Tow for T53 on Nov. 28, 2011
10	5021	25,291.43	<b>CR Transfer, Inc.</b> - Tonnage for November 2011
11	5022	452.89	<b>Dartco</b> - Restock Filter Kits (8)
12	5023	195.00	<b>Dial Communications</b> - Repair to District Office Radio System (Front & Back offices)
13	5024	296.28	<b>G &amp; K Services</b> - Uniform Services for December 2011
14	5025	3,500.00	<b>James F. McConnell, Attorney-At-Law</b> - Lobbying Service Fees for November 2011
15	5026	270.00	<b>Konecranes, Inc.</b> - Fee for Annual Inspection of Crane & Hoist in Shop
16	5027	1,268.70	<b>Los Alamitos Auto Parts</b> - Restock 3-W30 Oil (12), Fuel & Oil Filters (38), Hydraulic Hoses (50ft),
17			Cap Exchanges (3)- Two Restock & One for T59
18	5028	170.00	<b>Memorial Prompt Care Med. Grp., Inc.</b> - Employee Drug Screens, DMV & Pre-Employment Exams
19	5029	222.26	<b>OfficeMax</b> - Restock Office Supplies for December 2011
20	5030	1,631.02	<b>OCSD - [\$997.37]</b> Fog/BMP Inspections for 2011-2012 Qtr 1; <b>[\$633.65]</b> Permit Fees for November 2011
21			(MCSD 5% = \$33.35)
22	5031	293.51	<b>Plumber's Depot, Inc.</b> - Restock 2" Clear PVC Hoses (40)
23	5032	91,399.85	<b>Rainbow Environmental Services</b> - Tonnage for November 2011
24	5033	3,536.22	<b>Ray Gaskin Service</b> - Restock Seal Kits (13)
25	5034	1,053.83	<b>Tarulli Tire, Inc.</b> - Restock Tires, Retread (6)
26	5035	8,142.97	<b>Tec of California, Inc.</b> - Repairs to T53, Restock for Shop (Sealant, Delve Lines, Injector)
27	5036	100.00	<b>Community Services &amp; Recreation Department</b> - Application Fee for TET Parade on January 28, 2012
28	5037	300.00	<b>TerraStar Media, Theresa Kasprzyk</b> - Services Rendered from May through December 2011

29	5038	15.00	<b>Underground Service Alert of Southern California</b> - (10) Ten New Ticket Charges
30	5039	514.00	<b>Wespac Security Services</b> - Burglar & Fire Alarm Services from October through December 2011
31			
32		<b>215,710.25</b>	<b>SUBTOTAL</b>
33			
34			<b>ADD HANDCUT CHECKS:</b>
35			
36	5007	3,068.15	<b>MetLife</b> - First Month Estimated Premium for Dental Insurance, effective January 1, 2012
37	5008	555.22	<b>AT&amp;T Mobility</b> - (KR) 714 310-2313, (NC) 714-310-8653, (DGr) 714-325-3606
38			Sewer 714-310-8654, Emergency 714-310-9004
39	5009	86.99	<b>Direct TV</b> - Services for December 2011
40	5010	9,036.00	<b>Zenith Insurance Company</b> - Worker's Compensation Progressive Monthly Payment
41	5011	5,556.95	<b>US Bank - (NC)</b> \$284.03- Replacement Camera (S-1), Restock Fuses (2), Sympathy Flowers (PS),
42			Replacement Safety Vests (4), Key Copy; <b>(KR)</b> \$1,289.12- Joint Meeting with CMSD,
43			Earthquake Kit for District Office, Board Refreshments, Waircom November Service, Office Supplies;
44			<b>(RH)</b> \$3,516.26- CSMFO 2012 Membership Dues and Conference Registration, Temporary Admin.
45			Services, Service on Copier; Remington Pure for November 2011; <b>(Dge)</b> \$187.52- Certified Mail
46			Postage, Board Refreshments; <b>(DGr)</b> \$280.02- CHP Training Luncheon, Sewer Maintenance Supplies.
47	5012	462.68	<b>Verizon Business</b> - Internet Connection for SCADA System November 2011
48	5013	100.00	<b>Ron Ruano</b> - Mariachi Band Deposit for TET Parade January 28, 2012
49			
50		<b>234,576.24</b>	<b>SUBTOTAL PLUS HANDCUTS</b>
51			
52			<b>Payroll</b>
53		102,084.97	Payroll Date 12/13/11 Staff Chk # 15192-15201 Taxes & Direct Deposits
54		1,544.51	Payroll Date 12/13/11 Nationwide Deferred Compensation
55		<b>338,205.72</b>	<b>TOTAL EXPENDITURES W/PAYROLL</b>

A motion was made by Director Diep, seconded by Director Neugebauer to approve the expenditures in the amount of \$ 338,205.72. The motion was approved by a 5-0 vote.

## REPORTS

### Report of President

President Rice reported that she conducted a conference call with CASA and that the consensus of the call was that CASA would be hiring a full time executive director.

### Report of General Manager

GM Robbins reported that the District calendars would be going out in the mail in the next day or so.

Director Krippner stated that he felt that there should be some discussion right away regarding who to use for the printing of next year's calendar.

GM Robbins reported that the City of Westminster RDA (Redevelopment Agency) pass through monies came through in the amount of \$349,616.72.

GM Robbins reported that Optisource is scheduled to start the digital document management scanning for the District next week.

### **Report from Orange County Sanitation District Meeting (OCSD)**

Director Neugebauer reported that the Operations Committee met on December 7, 2011, and there were several staff reports, but the major one gave an overview of key proposed regulatory initiative facing the District which is Assembly Bill 32 regarding greenhouse gas. There was also an update regarding arbitration with SWAPA.

Director Neugebauer reported that there will be a Board of Directors meeting on December 21, 2011, and the Operations Committee will be dark in January 2012.

### **CONSENT CALENDAR**

#### **A. Investment Report November 2011**

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

### **OLD BUSINESS**

#### **A. Confirm Attendance to the California Association of Sanitation Agencies (CASA) Conference March 12-14, 2012 in Washington D.C.**

President Rice, Directors Neugebauer and Cobo, and GM Robbins confirmed that they would be attending the CASA conference in Washington D.C. in March. Not going are Directors Diep and Krippner.

#### **B. Confirm Attendance to the California Special Districts Association (CSDA) Event- 2012 Special Districts Legislative Days – Being Held in Sacramento on Wednesday and Thursday, May 16 and 17, 2012**

President Rice, Director Neugebauer and GM Robbins confirmed that they will be attending the CSDA event in Sacramento in May 2012. Not going are Directors Diep, Krippner and Cobo.

### **NEW BUSINESS**

#### **A. Fiscal Year 2010-11 Independent Audit Report**

Director Neugebauer asked Steve Northcote if the presentation of the audit could be done before December.

Discussion ensued and HR Director Housley stated that all parties need to be present in order for the audit to be presented.

More discussion ensued and began to intensify, and then President Rice called a brief recess to the meeting at 4:28 P.M.

The meeting was reconvened at 4:32 P.M. and Mr. Steve Northcote gave a brief overview of the audit to the Board and explained that the slight change in assets was due to increased tonnage and refuse containers purchased by the District.

A motion was made by Director Diep, seconded by Director Cobo to approve the Fiscal Year 2010-11 Independent Audit Report. The motion was approved by a 5-0 vote.

## **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.

## **BOARD CONCERNS/COMMENTS**

Director Krippner stated that he feels that the District should contract with a different auditor in the future.

## **GM/STAFF CONCERNS/COMMENTS**

None

## **GENERAL COUNSEL CONCERNS/COMMENTS**

None

## **INFORMATIONAL ITEMS**

There was no discussion regarding the 2012 ISDOC meeting schedule provided.

## **ADJOURNMENT**

President Rice adjourned the meeting at approximately 4:41 P.M.

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Joy Neugebauer, Secretary