

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

February 7, 2012

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, February 7, 2012 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, General Manager (absent)
Robert Housley, Finance/HR Director
Tom Nixon, District Counsel
Danielle Gerardo, Board Secretary

PLEDGE AND INVOCATION

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

APPROVAL OF THE MINUTES OF THE MEETING OF JANUARY 17, 2012

A motion was made by Director Neugebauer, seconded by Director Krippner to approve the minutes of the meeting of January 17, 2012, to include two amendments. The motion was approved by a 5-0 vote.

PUBLIC COMMENTS

None

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 215,795.85

CK #	CK AMOUNT	VENDOR
5112	137.10	Neugebauer, Joy - February 2012 Insurance Reimbursement
5113	93.85	Robbins, Kenneth - Travel and Expense for CASA Mid Year Conference, Desert Springs 2012
5114	1,960.59	Bodyworks Equipment, Inc. - Restock Pressure (4) & Rocker (10) Switches; Restock Rollers (10)
5115	48,308.79	City of Westminster - Fuel for October through December 2011
5116	500.00	Crystal Rose Catering - Deposit for Holiday Dinner on December 2, 2012
5117	5,317.25	Flo-Systems, Inc. - Lift Stations Preventative Maintenance for January 2012
5118	446.67	G & K Services - Uniform Services for January 2012
5119	115.40	Hillco - Restock Nuts (100), Bolts (25) & Fasteners (120)
5120	78.20	Huntington Beach Ford - Tank Repair for T9
5121	200.00	ISDOC - Membership Dues for 2012
5122	990.00	Konecranes, Inc. - Quadrennial Load Test on Crane in Shop
5123	3,607.74	Los Alamitos Auto Parts - Restock Hydraulic Hose(50ft)Ends(21);(2)Batteries&(4)Brake Drum Kits for T56; Restock Brakleen (24); Restock A/C Belt (3); (6) Batteries for T51 & T55; (2) Fog Lamps for M4.
5124	220.89	Plumber's Depot - Swivel Assembly for M63
5125	2,461.70	Ray Gaskin Service - Restock (4) Grip Cylinders, (3) Dump Cylinders, (1) Packer & (1) Lift Cylinder
5126	14,068.47	Rehrig Pacific Company - (272) 95 Gallon Blue Carts & (272) 95 Gallon Blue Lids
5127	1,050.57	Reyes Alternators - (3) Alternators for M63, T60, & T61; (1) A/C Compressor & Dryer for T52
5128	610.66	Rosemead Oil Products, Inc. - Delo Extended Life 50/50 (Drum) for Restock
5129	3,059.50	Santa Ana Diesel - Engine Repair (Labor & Parts) for M64
5130	4,258.45	Tarulli Tire, Inc. - (8) New Tires & (8) Retreads
5131	261.24	TEC of California, Inc. - Restock Fan Wheels(4)&Motor Fans(2);(1)Hose for T56;Labor & Parts for A/C on T53
5132	1,233.17	Tech Air Mobile Services - Service Call, Labor & Parts to Repair A/C for T53 & T60
5133	1,159.45	Top Mobile Vision - (10) Heavy Duty Monitor Mounting Brackets (T51,52,53,55,56,57,59,60,61,62,65)
5134	3,980.00	Woodruff, Spradlin & Smart - Legal Services Rendered through December 2011
	94,119.69	SUBTOTAL
		ADD HANDCUT CHECKS:
5097	28.23	City of Westminster - Water Fees for January 2012 Hammon & Westminster Lift Stations
5098	174.64	The Gas Company - District Offices & Maintenance Yard Fees for January 2012
5099	400.00	Pitney Bowes - Postage for January 2012
5100	46.64	Standard Insurance Company - Ending Balance for Former Dental Insurance for 2011
5101	466.68	Verizon Business - Internet Connection for SCADA System December 2011
5102	97.23	AT&T - Brookhurst Lift Station Service for January 2012
5103	46,106.24	CalPERS Health Premium - Health Premium for February 2012

5104	3,068.15	MetLife Dental Insurance - Premium Coverage for February 2012
5105	2,095.92	Southern California Edison - Archives & Parking Garage \$55.33, District Office \$452.63, Maintenance Shop \$194.06, Brookhurst Lift Station \$168.52, Westminster Lift Station \$485.62, Willow Lift Station \$226.33, Hammon Lift Station \$513.43
5106	689.37	The Standard Life Insurance - Premium Coverage for February 2012
5107	559.26	AT&T Mobility - (KR) 714 310-2313, (NC) 714-310-8653, (DGr) 714-325-3606 Sewer 714-310-8654, Emergency 714-310-9004
5108	250.35	Office Max - 1099 Forms for 2011, Restock Office Supplies for District Office
5109	208.33	Union Bank (N. Castro) - Restock Kitchen and Bathroom Supplies for District Office
5110	7,735.92	US Bank - (NC) \$666.47- Replacement Emergency Phone, Fuel Cap for T9, Smog Tests for M6 & T10. (KR) \$7066.27- CWEA 2012 Membership Renewal; 03/11-03/14/12- Washington DC Flight Tickets; 05/16-05/17/12- SDI Conference Sacramento Hyatt, Flight Tickets (MR, JN, KR); WiarCom Monthly Service; 01/17-01/20/12- CASA Conference Palm Desert Marriot(FC,KR,JN,MR,AK). (RH)\$64.00- Remington Monthly Service. (Dge)\$133.28- Board Meeting Refreshments for 01/03&01/17. (DGr)\$291.42- Sewer Maintenance Supplies, Smog Tests for T4 & M5.
5111	868.37	Verizon CA - District Office Phones & Lift Stations for January 2012; (714) 897-5368 Dst. Office/ 903-1863 Willow/ 903-6154 Westminster/ 903-6274 Hammon
	156,915.02	SUBTOTAL PLUS HANDCUTS
		Payroll
	51,599.65	Payroll Date 01/24/2012 Staff Chk # 15221-15226 Taxes & Direct Deposits
	1,545.46	Payroll Date 01/24/2012 Nationwide Deferred Compensation
	5,316.16	Board of Director's Payroll for the Month of January 2012 Chk # 15228-15230
	419.56	Board of Director's Nationwide Deferred Compensation for the Month of January 2012
	215,795.85	TOTAL EXPENDITURES W/PAYROLL

A motion was made by Director Diep, seconded by Director Cobo to approve the expenditures in the amount of \$ 215,795.85. The motion was approved by a 5-0 vote.

REPORTS

Report of President

President Rice reported that the public attending the TET Parade seemed to really enjoy the mariachi band that the District hired for the event and were on the truck along with the Board members and staff.

Report of General Manager

Finance Director Housley reported that on February 22, 2012, he and GM Robbins will be attending a CalRecycle AB341 Mandatory Commercial Recycle Workshop.

The County Flood Control District has notified GM Robbins that they are in the planning stages of doing some proposed channel construction at Edinger and Newland streets and a siphon may possibly need to be relocated in that area. If that is the case they will notify the District.

Finance/HR Director Housley stated that the District has applied for the annual grant with CalRecycle in the amount of \$23,710. A little over \$12,000 is for the calendar, \$10,000 for the blue recycling carts, and 1,324 for Safety Day Outreach.

The Public Service Awards are on February 28, 2012 and at the end of the meeting, the Board will be asked if they plan to attend.

Report from Orange County Sanitation District Meeting (OCSD)

Director Neugebauer reported that OCSD met on February 1, 2012. She reported that it was a very brief meeting other than a lengthy presentation on procurement procedures.

Report from CASA Conference, Desert Springs

Director Cobo stated that he enjoyed the California business and real estate speaker at the conference. He also enjoyed the achievement and scholarship award program for kids who will educate the community on recycling. He spoke in support of the idea of the teacher grant program that was presented.

Director Neugebauer stated that she also enjoyed those speakers as well as the one on the clean water act that is currently stalled and another regarding the green economy.

President Rice reported on the clean water and storm water discussions and the candidates who seem not to be doing anything. As a CASA Board member, President Rice was in a long meeting that consisted mainly of discussion on whether or not to hire certain personnel. She was asked to be, and will be on the CASA Scholarship Board, and she stated that she strongly supports the teacher grant program as well.

Director Krippner asked whether any of the Directors liked the Jeopardy game. Several of the other Directors felt that the questions were very informative.

Report from MWDOC Water Policy Forum and Dinner

President Rice stated that Director Ed Royce, Sr. will be retiring from his position as Director of Division 3 at MWDOC.

Director Diep stated that they are looking for interested candidates to apply for the position.

Director Krippner reported that the speaker at the Water Policy Forum was Pat Mulroy who is General Manager of the Southern Nevada Water Authority. She reported that some of the water from the Colorado River supply is being sent east. Director Krippner agreed with her feeling that it should be coming west, and that we shouldn't be giving water away.

CONSENT CALENDAR

- A. Approval of the request of Solid Waste Employee Robert Mayfield to receive 40 hours of vacation pay in lieu of time off.
- B. Approval of the request of Fleet Maintenance Lead Worker Juan Salce to receive 80 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 a 5-0 vote.

OLD BUSINESS

- A. Consider Scheduling a Joint Meeting With the Costa Mesa Sanitary District (CMSD)

A motion was made by Director Neugebauer, seconded by Director Diep to schedule a joint luncheon meeting with Costa Mesa Sanitary District on February 29, 2012 from 12 P.M. until 2 P.M. The motion was approved by a 5-0 vote.

NEW BUSINESS

- A. 2nd Quarter Financial Reports – Fiscal Year 2011-12 (07/01-11 through 12/31/11)

A motion was made by Director Neugebauer, seconded by Director Cobo to receive and file the report. The motion was approved by a 5-0 vote.

- B. Consider Calendar Year 2011 Compensation and Benefit Information to Post on the Districts Website

A motion was made by Director Neugebauer, seconded by Director Diep to receive and file the information. The motion was approved by a 5-0 vote.

- C. Confirm Attendance to the California Association of Sanitation Agencies (CASA) Spring Conference in Napa, CA – April 25-27, 2012

President Rice and Director Neugebauer confirmed that they would be attending the CASA conference in Napa. Directors Krippner, Diep and Cobo confirmed that they would not be able to attend.

D. Consider a Slogan for Midway City Sanitary District to Adopt on Outreach Coloring Books

A motion was made by Director Diep, seconded by Director Cobo to use the familiar slogan that includes the 3 R's – Reduce, Reuse, Recycle! The motion was approved by a 5-0 vote.

E. Consider Planned Generator Maintenance Agreement

A motion was made by President Diep, seconded by Director Neugebauer to approve the annual service agreement with Cummins Cal Pacific in the amount of \$1,871.17. The motion was approved by a 5-0 vote.

F. Consider Proposal for Lobbying Services from Lobbyist James F. McConnell

A motion was made by Director Neugebauer, seconded by Director Cobo to instruct legal counsel to write up an agreement with a time line, to be returned to the Board for consideration. The motion was approved by a 4-1 vote, with Director Krippner voting no.

BOARD CONCERNS/COMMENTS

Director Neugebauer referenced the General Manager's most recent weekly newsletter for the week of January 30-February 3, 2012, regarding the complaint from the resident who lives on Marquette. The resident and her husband did not like the District calendar because of the black and white photographs. Director Neugebauer would like for staff to get a quote for color printing as well as black and white prior to next year's calendars being printed.

Director Cobo reported that a resident told him that Midway City Sanitary District refuse containers are being stolen and are being used to make go carts. Staff was asked to look into it.

GM/STAFF CONCERNS/COMMENTS

Finance/HR Director Housley reminded the Board of the Public Service Award ceremony on February 28, 2012, where employee Darrell Grimes will be honored. Directors Neugebauer, Cobo and Krippner confirmed their attendance, and President Rice and Director Diep confirmed their attendance, but through the City of Westminster.

Finance/HR Director Housley also stated that GM Robbins wanted to remind the Board that he would be leaving early on Mondays and Wednesdays for a while due to his son's baseball practice season.

GENERAL COUNSEL CONCERNS/COMMENTS

None

INFORMATIONAL ITEMS

None

CLOSED SESSION

Closed session was deferred to the next regular Board meeting.

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 LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code section 54956.9(b) (One potential case)

- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957(b)) Title: General Manager

ADJOURNMENT

President Rice adjourned the meeting at approximately 5:22 P.M.

Joy Neugebauer, Secretary