

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

September 4, 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, September 4, 2012 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
James Eggart, 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 AUGUST 21, 2012

A motion was made by Director Diep, seconded by Director Neugebauer to approve the minutes of the meeting of August 21, 2012. The motion was approved by a 5-0 vote.

PUBLIC COMMENTS

None

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$180,517.35

#	CK #	Date	AMOUNT	VENDOR
1				
2	5544	9/3	139.90	Neugebauer, Joy - Health Insurance Reimbursement for September 2012
3	5545	9/3	150.00	Rice, Margie - Per Diem CASA Retreat Pardee 09/10-09/12/2012
4	5546	9/3	204.00	Advanced Workplace Strategies - Random Drug Tests (RG, MJ, TG)
5	5547	9/3	2,122.88	Bodyworks - (1) Hydro Pump for T55 & (1) Main Relief for Restock
6	5548	9/3	37,103.19	CalPERS Retirement - Retirement Contributions for July & August 2012
7	5549	9/3	597.09	Cummins Cal Pacific, LLC - (2) Thermostats for T57 & T59; (1) Water Pump & Seal Kit for T59
8	5550	9/3	150.00	Environmental Outsource, Inc. - Forklift Operator Safety Evaluation on New 2006 Toyota Forklift
9	5551	9/3	300.00	G & K Services - Uniform Services for August 2012
10	5552	9/3	179.10	HB Auto & AC - Radiator Rod-Out, Clean & Test for T59
11	5553	9/3	2,512.14	Los Alamitos Auto Parts - (8) Hose-Ends, (50 Ft) Hydraulic Hose, (50 Ft) Heat Hose, (4) Cab Lights,
12				(25) Mini Fuses, (2) Mirrors, (4) Relays, (4) Belts for Restock; (4) Brake Drums & (4) Brake Kits for T51.
13	5554	9/3	405.00	Memorial Care Medical Group - Random Drug Tests (SG, AG, NC, RM, TG, RG, MJ)
14	5555	9/3	1,597.72	OCSO - OCHA FOG/BMP Inspections 4th Qtr 2011-2012
15	5556	9/3	116.91	Plumbers Depot, Inc. - (1) High Pressure Valve for M64
16	5557	9/3	542.51	Rosemead Oil Products - (1) Drum of HD Antifreeze for Restock
17	5558	9/3	276.00	Wespac Security Services - Burglar & Fire Alarm Services from July to September 2012
18	5559	9/3	10,331.86	Woodruff, Spradlin & Smart - Legal Services Rendered for July 2012
19				
20			56,728.30	SUBTOTAL
21				
22				ADD HANDCUT CHECKS:
23				
24	5536	8/23	97.20	AT&T - Brookhurst Lift Station Service for August 2012
25	5537	8/23	2,969.70	Southern California Edison - Archives & Parking Garage \$48.58, District Office \$953.94,
26				Maintenance Shop \$279.13, Brookhurst Lift Station \$162.27, Westminster Lift Station \$575.87,
27				Willow Lift Station \$324.65, Hammon Lift Station \$625.26 .
28	5538	8/23	299.27	First Bankcard (NC) - Restock Office Kitchen Supplies
29	5539	9/3	45,857.70	CalPERS Health Premium - Healthcare Premium for September 2012
30	5540	9/3	3,156.67	MetLife - Monthly Dental Premium for September 2012
31	5541	9/3	725.45	The Standard Life Insurance - Premium Coverage for September 2012

32	5542	9/3	8,982.99	US Bank - \$8534.02 (KR) CASA Monterey 08/07-08/11/2012 Gasoline, Marriot Hotel (MR, JN, FC, KR);
33				CSDA San Diego 09/24-09/27/2012 Westin Hotel Deposit (MR, JN, AK, FC, KR, RH), CSDA Conference
34				Registration (MR, JN, AK, FC, KR, RH); Salute to Seniors Luncheon 08/21/2012 (JN, AK, FC);
35				Wiarcom Monthly Service Charge for 08/2012. \$273.35 (DGe) Final Budget Printing & Binding
36				for FYE 2011-2012 (RH); Board Meeting Refreshments for 08/06 & 08/21. \$238.01 (NC) Repair Material
37				for Incident on 07/23 at 5251 Auburn Circle; (6) Brooms for Restock; (2) Earmuffs for Sewer Crew;
38				(2) Relays for T61. \$84.00 (RH) Remington Monthly Service Charge for 08/2012; Salute to Seniors
39				Luncheon 08/21/2012 (RH).
40	5543	9/3	850.41	Verizon CA - District Office Phones & Lift Stations for August 2012; \$428.82 District Office,
41				\$132.50 Willow Lift, \$143.55 Westminster Lift, \$145.54 Hammon Lift.
42				
43			119,667.69	SUBTOTAL PLUS HANDCUTS
44				
45				Payroll
46		8/21	53,958.82	Payroll - Staff Check # 15342 - 15347 Taxes & Direct Deposits
47		8/21	1,348.77	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
48		8/31	5,138.07	Board of Director's Payroll for the Month of August 2012 Chk # 15349 - 15351
49		8/30	404.00	Board of Director's Nationwide Deferred Compensation for August 2012 (100% Paid By Directors)
50			180,517.35	TOTAL EXPENDITURES W/PAYROLL

A motion was made by Director Diep, seconded by Director Cobo to approve the expenditures in the amount of \$180,517.35. The motion was approved by a 5-0 vote.

REPORTS

Report of President

President Rice reported that she had a conference call with Bobbi Larson from CASA regarding the topics to be discussed at the retreat she will be attending next week. President Rice requested that there be at least one workshop pertaining to solid waste since the District is one of several waste haulers and CASA members that pay membership fees. Bobbi Larson said she would bring it up at the workshop.

Report of General Manager

GM Robbins reported that Senate bills 1156 and 1002 were amended last week to ensure the protection of Special District funding. In regards to the public employees' retirement reform (AB340) the District will be adding a third tier to the annual CalPERS Resolutions.

GM Robbins reported that the District will be the sponsor for the last Concert in the Park this Sunday, September 9, 2012 from 1 - 4 P.M. for Family Day or La Dia de la Familia.

Report from Orange County Sanitation District Meeting (OCSD)

Director Neugebauer reported that the Board of Directors met on August 22, 2012 and followed the recommendation from the Operations Committee and awarded the bio-solids contract to Tulle Ranch. The Operations Committee will be meeting again on September 5, 2012.

Report from Independent Special Districts of Orange County (ISDOC)

Director Neugebauer reported that there were budget reports from Local Agency Formation of Orange County (LAFCO), an Orange County Council of Governments (OCCOG) report from Phil Anthony, Bill Nelson reported on the California Special District Association (CSDA), and a report from Chief Keith Richter of the Orange County Fire Authority (OCFA).

Director Neugebauer reported that they did announce the elections for ISDOC will be November 29, 2012 and they did invite people who want to be considered as a candidate to notify David Cordero by 4 P.M. on Thursday, September 21, 2012.

President Rice stated that a member of the Board should run in order to represent the District.

Staff was asked to put it on the next agenda for consideration.

Director Krippner reported that the Orange County Fire Authority (OCFA) work in some very remote areas.

Director Cobo stated that he found the retirement reform information interesting.

CONSENT CALENDAR

None

OLD BUSINESS

None

NEW BUSINESS

A. Consider the Orange County Board of Supervisors' Letter Inviting Midway City Sanitary District to Provide Input into the Development of the County of Orange 2013 Legislative Platform

Director Neugebauer recommended that number eight (#8) under Policy Statements be moved to the number one (#1) spot, and to state the District's full support of number 17 and number 28 when providing input and responding.

A motion was made by Director Neugebauer, seconded by Director Cobo to respond and share the Board's priorities as they relate to their legislative platform. The motion was approved by a 5-0 vote.

B. Consideration of RESOLUTION 2012-14 *(Roll Call Vote)*

A RESOLUTION 2012-12 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT, OF ORANGE COUNTY, CALIFORNIA, CONGRATULATING AND COMMENDING RON SHENKMAN, RETIRING CHAIRMAN OF RAINBOW ENVIRONMENTAL SERVICES

A motion was made by Director Neugebauer, seconded by Director Diep to adopt Resolution No. 2012-14 and waive further reading. The motion was approved by a 5-0 roll call vote.

C. Consider Approval of the Midway City Sanitary District 2013 Facility Improvement Project Design and Specifications

Discussion ensued regarding this item.

A motion was made by Director Neugebauer, seconded by Director Cobo to approve the MCSD 2013 Facility Improvement Project Design and Specifications and put the project out to bid. The motion was approved by a 4-1 vote, with Director Krippner strenuously voting no.

D. Consider Approval of Quotation from DJ Printing for the Printing and Delivery of the 2013 Midway City Sanitary District Calendar

A motion was made by Director Neugebauer, seconded by Director Diep to approve the quotation from DJ Printing as presented. The motion was approved by a 3-1-1 vote, with Director Diep abstaining and Director Krippner voting no.

BOARD CONCERNS/COMMENTS

Director Cobo shared information about a company called Waxie Sanitary Supply that distributes the BigBelly Solar Intelligent Waste & Recycling Compactor Collection System.

Director Neugebauer restated that by approving the proposal for maintenance and improvements to the District yard that were deferred for too long the District is taking a step forward and it will improve access to the facility and provide safety. She stated that it is prudent of the Board to utilize the additional funds received from Rainbow and from Redevelopment funds in order to do the necessary improvements rather than put the funds in reserve.

GM/STAFF CONCERNS/COMMENTS

None

GENERAL COUNSEL CONCERNS/COMMENTS

None

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.

INFORMATIONAL ITEMS

A. Cease and Desist Letter from Rainbow Disposal to Ware Disposal Company Regarding Franchise Violation

There was some discussion regarding this informational item. Receive and file.

ADJOURNMENT

President Rice adjourned the meeting at approximately 5:00 P.M.

Joy Neugebauer, Secretary

HAPPY BIRTHDAY DIRECTOR KRIPPNER!