

**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**

December 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, December 4, 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
Robert Housley, Finance/HR Director
Tom Nixon, District Counsel
Danielle Gerardo, Board Secretary
Luis Gomez, City of Huntington Beach

PLEDGE AND INVOCATION

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

APPROVAL OF THE MINUTES OF THE MEETING OF NOVEMBER 20, 2012

A motion was made by Director Diep, seconded by Director Cobo to approve the minutes of the meeting of November 20, 2012. The motion was approved by a 5-0 vote.

PUBLIC COMMENTS

Louis Gomez, from the City of Huntington Beach gave the Board an update on the Van's Skate Park that will be built in Huntington Beach, for which the Board previously approved supplying sewer services. The H.B. Planning Commission has approved the skate park and there is a groundbreaking ceremony tentatively set for Thursday, December 13, 2012 at 10am, which he invited the Board to attend. Mr. Gomez stated

that a more formal invitation will be sent out once the date and time are confirmed with Van's.

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$185,599.85

#	CK #	Date	AMOUNT	VENDOR
1				
2	5732	12/4	139.90	Neugebauer, Joy - Health Insurance Reimbursement for December 2012
3	5733	12/4	62.00	Advanced Gas Products - Cylinder Rental Activity for October 2012
4	5734	12/4	57.00	Advanced Workplace Strategies, Inc. - Random Drug Test (TG)
5	5735	12/4	12,425.99	CalPERS Retirement - Retirement Contributions for November 2012
6	5736	12/4	4,925.00	CSDA - 2013 Membership Dues for District
7	5737	12/4	49.55	Dave's Flowers - Flower Arrangement for C. Enciso (10/11/12)
8	5738	12/4	301.62	G & K Services - Uniform Services for November 2012
9	5739	12/4	151.54	Grainger - (4) Wash Brushes & (2) Wood Handles for Wash Rack
10	5740	12/4	4,253.95	Los Alamitos Napa Auto Parts - (4) Brake Kits, (2) Brake Hardware Kits, (24) Cans of Brakeleen, (6)
11				Headlights, & (2) Turn Signal Switches for Restock. (3) Batteries, (2) Brake Kits & (2) Brake Drums for T61
12				(6) Brake Kits & (6) Brake Drums for T57; (4) Brake Kits & (4) Brake Drums for T56.
13	5741	12/4	448.65	Los Angeles Freightliner -Labor & Parts to Repair Fuel Leak on M63
14	5742	12/4	78.34	Nikki's Flag Shop - (2) California Flags to Replace & Restock
15	5743	12/4	26,498.56	Rehrig Pacific Company - (648) 65 Gallon Black Carts with Lids
16	5744	12/4	1,219.67	TEC of California - (1) Fan Hub, (1) Fan Belt & (1) Fan Clutch for T57
17	5745	12/4	345.00	Theresa Kaszyk - Services Rendered from May 2012 through November 2012
18	5746	12/4	139.32	TrucParCo - (7.5) Feet of Link Wire & (4) Grounds for M64
19	5747	12/4	1,893.68	Daniel's Tire Service - (8) Rear Retread, (2) Front Retread, (3) Nail Repairs for Restock
20				
21			52,989.77	SUBTOTAL
22				
23				ADD HANDCUT CHECKS:
24	5722	11/21	99.98	AT&T - Brookhurst Lift Station Service for November 2012
25	5723	11/21	1,285.00	Crystal Rose Catering - Remaining Balance on District's Holiday Dinner Party for 2012
26	5724	11/27	249.47	Office Max - District Office Supplies for November 2012
27	5725	11/27	2,113.13	Southern California Edison - Archives & Parking Garage \$47.37, District Office \$492.05,
28				Maintenance Shop \$272.17, Brookhurst Lift Station \$157.65, Westminster Lift Station \$463.63,
29				Willow Lift Station \$251.58, Hammon Lift Station \$440.82 .
30	5726	11/27	223.19	First Bankcard (NC) - Restock Office and Kitchen Supplies
31	5727	11/27	853.51	Verizon CA - District Office Phones & Lift Stations for November 2012; \$423.02 District Office,
32				\$132.82 Willow Lift, \$143.34 Westminster Lift, \$145.33 Hammon Lift.

33	5728	12/3	46,751.18	CalPERS Health Premium - Healthcare Premium for December 2012
34	5729	12/3	13,195.00	D J Printing - Remaining Balance on District 2013 Calendars
35	5730	12/3	3,245.19	MetLife - Monthly Dental Premium for December 2012
36	5731	12/3	729.45	The Standard Life Insurance - Premium Coverage for December 2012
37				
38			121,734.87	SUBTOTAL PLUS HANDCUTS
39				
40				PAYROLL
41		11/27	59,293.13	Payroll - Staff Check # 15392 - 15396 Taxes & Direct Deposits
42		11/27	1,188.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
43		11/30	3,119.89	Board of Director's Payroll for the Month of November 2012 Chk # 15398 - 15400
44		11/30	263.96	Board of Director's Nationwide Deferred Compensation for November 2012 (100% Paid By Directors)
45			185,599.85	TOTAL EXPENDITURES W/PAYROLL

A motion was made by Director Neugebauer, seconded by Director Diep to approve the expenditures in the amount of \$185,599.85. The motion was approved by a 5-0 vote.

REPORTS

Report of President

President Rice stated that she enjoyed the District's holiday dinner party held at the Rose Center on Sunday, December 2, 2012, and she felt that it seemed that it was enjoyed by everyone in attendance as well.

Report of General Manager

GM Robbins reported that truck #T61 had a new lift arm track replaced at a cost of approximately \$3,700 and #T65 needed coolant and radiator repairs totaling approximately \$900. Those costs should be on the next meeting's expenditures.

GM Robbins stated that the District has applied for the beverage and recycling grant from CalRecycle in the amount of \$23,789. Approximately \$15,000 is to go toward the District's 2014 calendar, approximately \$8,000 for additional carts, and approximately \$781 to go toward Safety Day.

Report from Orange County Sanitation District Meeting (OCSD)

Director Neugebauer reported on the Directors meeting that took place on November 28, 2012. The meeting was lengthy due to another protest of the award of a bid for the odor control problem.

Director Neugebauer reported that OCSD received an award from the National Water Research Institute and an Award of Excellence for the completion of the ten year secondary treatment program.

Report from Independent Special Districts of Orange County (ISDOC) Quarterly Meeting and Election of Executive Board

Director Krippner felt that it was an interesting meeting with the second half devoted to financial information and stated that he will bring a full written report to the next meeting.

Finance/HR Director Housley reported that it was a very interesting meeting and that the Board would have enjoyed the political speaker.

Report from Westminster Chamber of Commerce Holiday Luncheon

President Rice, Directors Neugebauer and Cobo and GM Robbins attended the event and all agreed that the Chamber is outgrowing the Outback Steakhouse as a venue for their annual holiday party.

Report from Oversight Committee

President Rice updated the Board on the successor agency to the Westminster Redevelopment Agency (RDA), stating that nothing has been done as of yet because the California State Department of Finance is disallowing funds and has not yet provided their final determination on the requested items. They will not commit to a response date but tentatively anticipate a response on December 15, 2012. The next meeting will be on Thursday, December 13, 2012 and President Rice will report to the Board after that time.

CONSENT CALENDAR

- A. Consider Attendance at the CASA Conference in Indian Wells, CA January 16-19, 2013
- B. Consider Attendance at the CASA Conference in Washington D.C. February 25-27, 2013
- C. Consider Approval of Attendance at the Association of California Cities of Orange County (ACCOC) Election 2012: Important Political Takeaways for Orange County Leaders in Costa Mesa, CA on December 20, 2012

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

None

NEW BUSINESS

A. Consider Attendance of Finance/HR Director, Robert Housley to the California Society of Municipal Finance Officers (CSMFO) Annual Conference Scheduled for February 19-22, 2013

A motion was made by Director Diep, seconded by Director Cobo to approve attendance for Finance/HR Director Housley to the CSMFO Annual Conference in February 2013. The motion was approved by a 5-0 vote.

BOARD CONCERNS/COMMENTS

Director Krippner asked about the results of the study he requested on the cost of cell phones with service from Sprint for the District drivers. The request was made after GM Robbins reported on a change in the hands-free (cellphone) law on the current two-way radio used in the trucks by the District.

GM Robbins stated that he had not yet checked into the cell phones because at this time they are against the law and the law will be changing again on January 1, 2013. Rainbow Environmental also has not yet made a decision what they are going to do.

Director Neugebauer reminded the Board that at one time employees did have cell phones, but they were abused and were taken away.

Director Krippner stated that he was very disappointed that this wasn't looked into because it is his experience that the Sprint system is very effective and can cover 40 or 50 different truckers without any interference and can be a loudspeaker attached to the windshield. He asked that this be investigated without any further delay.

Director Neugebauer stated that this issue is important enough to schedule a special meeting to discuss and go over all the different data and alternatives.

GM Robbins stated that he will contact Sprint and check all alternatives for the two-way radios.

President Rice thanked everyone for the great Christmas party.

GM/STAFF CONCERNS/COMMENTS

Finance/HR Director Housley thanked the Board for the holiday party from him and his wife, Anne.

GENERAL COUNSEL CONCERNS/COMMENTS

Tom Nixon stated that he and his wife, Danie also had a great time at the District party.

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

None

ADJOURNMENT

President Rice adjourned the meeting to Friday, December 7, 2012 at 4 P.M. at the District office at approximately 4:43 P.M.

Joy Neugebauer, Secretary