

**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 18, 2012

CALL TO ORDER

President Cobo 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 18, 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

PLEDGE AND INVOCATION

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

APPROVAL OF THE MINUTES OF THE MEETING OF DECEMBER 4, 2012

A motion was made by Director Neugebauer, seconded by Director Diep to approve the minutes of the meeting of December 4, 2012. The motion was approved by a 5-0 vote.

APPROVAL OF THE MINUTES OF THE MEETING OF DECEMBER 7, 2012

A motion was made by Director Rice, seconded by Director Krippner to approve the minutes of the meeting of December 7, 2012, with a change. The motion was approved by a 5-0 vote.

APPROVAL OF THE MINUTES OF THE MEETING OF DECEMBER 11, 2012

A motion was made by Director Diep, seconded by Director Neugebauer to approve the minutes of the meeting of December 11, 2012, with a change. The motion was approved by a 5-0 vote.

PUBLIC COMMENTS

None

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$284,709.07

#	CK #	Date	AMOUNT	VENDOR
1				
2	5754	12/12	2,000.00	The Bank of New York Mellon - Administration Fee for the Period Nov. 01, 2012 to Aug. 01, 2013
3	5755	12/12	7,444.14	Bodyworks Equipment - (1) RR Pump for Restock; (1) In/Out Cylinder for T60; (1) Middle Wire Harness
4				for T62; (1) Track Weldment, (2) Limit Switches, (2) Plungers, (2) Coils for T61.
5	5756	12/12	12,425.99	CalPERS Retirement - Retirement Contributions for December 2012
6	5757	12/12	8,000.00	CASA - 2013 Agency Membership Dues for District
7	5758	12/12	737.00	Computer Research Center - Maintenance & Support for January 2013
8	5759	12/12	175.00	Country City Towing - Tow for T55 on 12/07/2012
9	5760	12/12	27,094.58	CR Transfer - Tonnage Fees for November 2012
10	5761	12/12	2,213.04	Daniel's Tire Service - (12) Recaps & (1) Nail Repair for Restock
11	5762	12/12	302.36	G & K Services - Uniform Services for November & December 2012
12	5763	12/12	536.91	Los Alamitos Napa Auto Parts - (20) Bulbs, (20) Signal Bulbs, (7) Flashers for Restock; (2) Strobe Lights,
13				(1) Amber Lens, (1) Flash Tube for T9; (1) A/C Belt for T57; (2) Air Filters for M63 & M64.
14	5764	12/12	562.71	Maxx Air - Labor & Repair of Damaged Filter; (1) Power Cable for T62
15	5765	12/12	70.00	Memorial Care Medical Group - Random Drug Testing (RG, TG)
16	5766	12/12	VOID	Check Printed Incorrectly
17	5767	12/12	971.90	Orange County Sanitation District - FOG Inspections 1st Quarter 2012-2013
18	5768	12/12	95.34	Pitney Bowes/Purchase Power - Postage Machine Ink Restock/Refill
19	5769	12/12	191.80	Plumber's Depot - (2) Grease/Debris Chopper Heads for M64 & T4
20	5770	12/12	95,277.31	Rainbow Transfer Recycling - Tonnage Fees for November 2012
21	5771	12/12	712.10	Reyes Alternators - (2) A/C Compressors for Restock
22	5772	12/12	967.46	Rush Truck Center - Labor & Repair of Leaking Air Compressor for T65
23	5773	12/12	2,623.97	Tec of California - (1) Seat Belt for T52; (1) Turbocharger & Parts for T55
24	5774	12/12	602.50	Tech Air Mobile Services - Labor & Parts on Compressor Repair for T57
25	5775	12/12	97.64	TrucPar Company - (2) Control Valves for Restock

26	5776	12/12	1.50	Underground Service Alert - (1) New Ticket for November 2012
27	5777	12/12	276.00	Wespac Security Services - Burglar & Fire Alarm Monitoring for October 2012 through December 2012
28	5778	12/12	2,040.00	Woodruff, Spradlin & Smart - Legal Services for October 2012
29	5779	12/12	7,553.45	Orange County Sanitation District - Permit Fees for November 2012 (MCSD 5% = \$397.55)
30	5780	12/13	215.23	Griffith, Randy - Replaced Lost Check #5476 dated 07/25/2012
31	5781	12/13	39.00	Quintero, Jesus - DMV License Renewal
32				
33			173,226.93	SUBTOTAL
34				
35				ADD HANDCUT CHECKS:
36	5748	12/7	674.06	AT&T Mobility - Service for November 2012: (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606,
37				Sewer 714-310-8654, Emergency 714-310-9004.
38	5749	12/7	224.16	City of Westminster - District Water, Maintenance Shop, & Wash Rack Fees for October & November 2
39	5750	12/7	89.99	DirectTV - Service for December 2012
40	5751	12/7	2,001.15	US Bank - \$848.48 (KR) Flowers for Castro Family 10/26; Internet Connection for GM; Software to
41				Link iPad to Outlook; CWEA Membership Renewal 2013; 11/29 ISDOC Meeting (AK, RH); Wiacom
42				Monthly Service. \$191.45 (DGe) Board Meeting Refreshments for 11/06, 11/13, 11/20.
43				\$162.94 (DGr) Restock Sewer Maintenance Operating Supplies. \$157.39 (NC) Lunch for Driver Training;
44				Restock Front Office Kitchen Supplies. \$640.89 (RH) Hotel & Food for CalPERS Educational Forum,
45				Indian Wells, CA 10/22-24/2012; Service Call on Ricoh C2500; Remington Monthly Service Charge.
46	5752	12/7	10,226.00	Zenith Insurance Company - Worker's Compensation Progressive Monthly Payment December 2012
47	5753	12/12	82.82	The Gas Company - District Office & Maintenance Yard Fees for November 2012
48				
49			186,525.11	SUBTOTAL PLUS HANDCUTS
50				
51				PAYROLL
52		12/11	96,970.96	Payroll - Staff Check # 15401 -15408 Taxes & Direct Deposits
53		12/11	1,213.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
54			284,709.07	TOTAL EXPENDITURES W/PAYROLL

A motion was made by Director Rice, seconded by Director Neugebauer to approve the expenditures in the amount of \$284,709.07. The motion was approved by a 5-0 vote.

REPORTS

Report of President

President Cobo stated that he enjoyed the groundbreaking ceremony in Huntington Beach for the Van's Skate Park and he feels that the residents of Westminster will be able to enjoy it too.

Director Neugebauer stated that the residents of Westminster will be able to enjoy it without any of the expense.

Director Krippner reported that the Huntington Beach police will be responsible for the park and not Westminster.

Report of General Manager

GM Robbins reported that the District's insurance broker, the Rule Group, is merging with Intergrow as of December 11, 2012.

GM Robbins reported that the District is still waiting for SDRMA because the underwriters are doing a review per the Board's direction.

GM Robbins reported that the District has been quoted 4-6 weeks for the new signature plate for the Hedman check signing machine, which happens every year, and that, for now, the signatures must remain the same.

GM Robbins reported that the annual calendar was delivered to residents of the District last week.

GM Robbins reported that staff would like to purchase a vacuum type sweeper for the District yard which will cost approximately \$1,600. There were no objections.

Report from Orange County Sanitation District Meeting (OCSD)

Director Neugebauer stated that this will be her final report from OCSD, thanked the Board for allowing her to represent the District there for so many years, and congratulated Director Diep, the District's new appointee. She reported on the December 5, 2012 meeting at which the Board approved the replacement of the 24 year old tour bus with a new CNG model which will hold 30 people. There was also a presentation on the sludge, dewatering and odor control for Plant Two, which the Operations Committee recommended approval of after the Board expressed their concern with air quality, noise abatement and aesthetics.

Director Diep stated that he will take his seat as the new representative for OCSD on Wednesday, December 19, 2012 and thanked the Board for appointing him to the position.

Director Neugebauer stated that although she only missed one meeting during all her years as OCSD representative, Director Krippner, who is the alternate representative, also attended at least 80% of the meetings and she commended him for that.

Report from Van's Skate Park Groundbreaking Ceremony

A report was given by each Director who attended under Report of the President.

CONSENT CALENDAR

A. Investment Report for November 2012

B. Consider Attendance for Midway City Sanitary District Board Secretary to the Board Secretary/Board Clerk Conference in Anaheim, February 28-March 1, 2013

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

OLD BUSINESS

A. Consider an Agreement between Midway City Sanitary District and Nationwide Retirement Solutions, Inc. to Continue to Provide Administrative, Recordkeeping and Educational Services for the Districts 457 Deferred Compensation Plan & Rescind Prior Authorizations to Enter Into Agreements with the United States Conference of Mayors and Great West Retirement Services Regarding Administration of the Districts 457 Plan

A motion was made by Director Rice, seconded by Director Diep to follow staff's recommendation in its entirety. The motion was approved by a 5-0 vote.

NEW BUSINESS

A. Consider Scheduling a Workshop on District Communications Systems

A motion was made by Director Neugebauer, seconded by Director Diep to continue this item and set a date at the next regular Board meeting. The motion was approved by a 5-0 vote.

B. Consider Attendance of General Manager, Director of Operations, and Board of Directors at 2013 Waste Expo in New Orleans, Louisiana May 20-23, 2013

A motion was made by Director Neugebauer, seconded by Director Rice to approve subject to receiving additional information. The motion was approved by a 5-0 vote.

BOARD CONCERNS/COMMENTS

Director Neugebauer stated that she was impressed with the continual large number of hits the District gets on its website. She also requested that the other informational items be put on the next meetings' agenda for consideration, and wished everyone a happy holiday.

Director Rice wished everyone a happy holiday and informed the Board that Katherine Smith's (former Executive Director for CASA) mother passed away.

Director Krippner wished everyone a Merry Christmas and thanked everyone for the gifts.

GM/STAFF CONCERNS/COMMENTS

GM Robbins stated that anyone interested in carpooling to the ACCOC event on Thursday morning, please be at the District at 8:45 A.M., and that they would proceed to the Rainbow Holiday Party after.

GM Robbins reminded the Board that the next regular meeting would be on Thursday, January 3, 2013 at 4 P.M. due to the holiday, and he also wished everyone a happy holiday.

Finance/HR Director Housley thanked everyone for the great year and that he looks forward to the next.

President Cobo thanked everyone for their help, guidance and patience.

GENERAL COUNSEL CONCERNS/COMMENTS

District Counsel Nixon reported to the Board that the FPPC did amend the Form 806 regulation to provide that the Board could consider appointments to standing or ad hoc committees without going through the room exiting that occurred at the December 7, 2012 reorganization meeting, and wished everyone a happy holiday.

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. Web Site Activity for the Month of November 2012(38,073 Successful Hits)

B. California Association of Sanitation Agencies (CASA) 2013 Annual Membership Dues

C. California Special Districts Association (CSDA) Training Workshop for Special District Board Members – How to be an Effective Board Member on Tuesday, January 22, 2013 from 9am-4pm at MWDOC/OCWD Board Room in Fountain Valley, CA

D. Association of California Cities of Orange County (ACCOC) Newly Elected Officials Orientation & Public Policy Makers Academy 2-Day Training Session February 7-8, 2013

ADJOURNMENT

President Cobo adjourned the meeting at approximately 4:42 P.M.

Margie Rice, Secretary