

**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**

January 15, 2013

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, January 15, 2013 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 Krippner led the Pledge of Allegiance. Director Neugebauer gave the Invocation.

APPROVAL OF THE MINUTES OF THE MEETING OF JANUARY 3, 2013

A motion was made by Director Rice, seconded by Director Diep to approve the revised minutes of the meeting of January 3, 2013. The motion was approved by a 5-0 vote.

PUBLIC COMMENTS

None

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$489,773.86

#	CK #	Date	AMOUNT	VENDOR
1				
2	5819	01/09/13	62.00	Advanced Gas Products - Cylinder Rental Activity for December 2012
3	5820	01/09/13	2,275.68	Bodyworks - Restock (2) Grip Gears, (4) Bearings, (1) Loader Harness, (1) Crank Gear, (1) Limit Switch,
4				and (1) Middle Wire Harness.
5	5821	01/09/13	55,000.00	CalPERS Fiscal Services Division - FY 2012-13 GASB 45 OPEB Contribution
6	5822	01/09/13	12,425.99	CalPERS Retirement - Retirement Contributions for December 2012
7	5823	01/09/13	737.00	Computer Research Center - Maintenance & Support for February 2013
8	5824	01/09/13	30,358.49	CR Transfer - Tonnage Fees for December 2012
9	5825	01/09/13	437.01	Daniels Tire Service - (2) Recaps for Restock
10	5826	01/09/13	400.00	Frog Environmental - 2012-2013 3rd Quarter Storm Water Services
11	5827	01/09/13	301.72	G & K Services - Uniform Services for December 2012 & January 2013
12	5828	01/09/13	6.46	Hillco Fastener Warehouse - (1) Fitting to T61
13	5829	01/09/13	200.00	ISDOC - District Membership Dues for 2013
14	5830	01/09/13	634.66	Los Alamitos Napa Auto Parts - (1) Wrench for Service Truck, (3) Batteries for T60, (1) Air-Dryer for Resto
15	5831	01/09/13	160.00	Memorial Care Medical Group - Random Drug Testing (RG,TG); DMV Exam (JQ, KR)
16	5832	01/09/13	17,323.95	OCSD - Permit Fees for December 2012 (MCSD 5% = \$911.79)
17	5833	01/09/13	82,642.49	Rainbow Transfer Recycling - Tonnage Fees for December 2012
18	5834	01/09/13	847.09	Ray Gaskin Service - (1) Grip Cylinder & (1) In/Out Cylinder for Restock
19	5835	01/09/13	183.75	Reyes Alternators - (1) Alternator for Restock
20	5836	01/09/13	311.19	Tec of California - (6) Air Switches & (2) Air Filters for Restock; (1) XCHB Radio for T62
21	5837	01/09/13	151,931.55	The Bank of New York Mellon - February 2013 COP Interest Payment
22	5838	01/09/13	12.00	Underground Service Alert - (8) New Tickets for December 2012
23	5839	01/09/13	3,678.00	Woodruff, Spradlin & Smart - Legal Services for November 2012
24	5840	01/09/13	100.00	Neugebauer, Joy - Per Diem for CASA Indian Wells 01/16-01/18/2013
25				
26			360,029.03	SUBTOTAL
27				
28				ADD HANDCUT CHECKS:
29	5804	01/03/13	666.76	AT&T Mobility - Service for December 2012: (KR) 714-310-2313, (NC) 714-310-8653, (DGr) 714-325-3606,
30				Sewer 714-310-8654, Emergency 714-310-9004.
31	5805	01/03/13	48,761.16	CalPERS Health Premium - Healthcare Premium for January 2013
32	5806	01/03/13	3,569.81	MeLife - Monthly Dental Premium for January 2013
33	5807	01/03/13	283.39	Pitney Bowes - Lease Payment for Postage Machine January through April 2013
34	5808	01/03/13	729.45	The Standard Life Insurance - Premium Coverage for January 2013
35	5809	01/03/13	996.14	First Bankcard (NC) - (1) Television & Blu-Ray Player for Drivers Break room; Restock Kitchen Supplies
36	5810	01/03/13	842.22	Verizon CA - District Office Phones & Lift Stations for December 2012; \$445.11 District Office,
37				\$132.96 Willow Lift, \$143.52 Westminster Lift, \$145.51 Hammon Lift.

38	5811	01/09/13	150.00	Cobo, Frank - Per Diem for CASA Indian Wells 01/16-01/18/2013
39	5812	01/09/13	150.00	Krippner, Al - Per Diem for CASA Indian Wells 01/16-01/18/2013
40	5813	01/09/13	VOID	Printed with Incorrect Dollar Amount
41	5814	01/09/13	200.00	Rice, Margie - Per Diem for CASA Indian Wells 01/16-01/18/2013
42	5815	01/09/13	150.00	Robbins, Kenneth - Per Diem for CASA Indian Wells 01/16-01/18/2013
43	5816	01/09/13	89.99	DirectV - Service for January 2013
44	5817	01/09/13	4,218.24	US Bank - \$2,777.67 (KR) Westminster Chamber of Commerce Holiday Luncheon 11/29/12 (MR, FC, JN
45				Decorations for Holiday Party; Picture Frames for District; CASA Conference Registration Indian Wells
46				01/16-01/18/2013 (KR, FC, MR, JN, AK); WiarCom Monthly Service. \$289.36 (Dge) Board Meeting
47				Refreshments for 12/4, 12/7, 12/11 & 12/18. \$109.59 (DGr) (1) Replacement Mailbox; Sewer Maintenance
48				Supplies. \$153.52 (NC) Vehicle First Aid Kit; Ratchet, Socket, Sledge Hammer for Station & T5; Signs
49				for Sewer Crew; Windshield Wiper Fluid for Restock. \$888.10 (RH) Service Call for Ricoh Printer;
50				Registration & Flight Ticket for CSMFO Conference 2/19-2/22/2013 (RH); CSMFO Membership
51				Dues 2013; Remington Monthly Service Charge.
52	5818	01/09/13	10,226.00	Zenith Insurance Company - Worker's Compensation Progressive Monthly Payment January 2013
53				
54			431,062.19	SUBTOTAL PLUS HANDCUTS
55				
56				PAYROLL
57		01/08/13	57,498.67	Payroll - Staff Check # 15419 - 15423 Taxes & Direct Deposits
58		01/08/13	1,213.00	Payroll - Nationwide Deferred Compensation (100% Paid By Employees)
59			489,773.86	TOTAL EXPENDITURES W/PAYROLL

A motion was made by Director Neugebauer, seconded by Director Diep to approve the expenditures in the amount of \$489,773.86. The motion was approved by a 5-0 vote.

REPORTS

Report of President

President Cobo reported that he attended the Legislative Days event on January 9, 2013 at the Westminster Chamber of Commerce. Teresa James, Environmental Sustainability Representative for Commercial Recycling Sales at Rainbow Environmental Services was there to explain the new commercial recycling program in detail that will apply to businesses within the City of Westminster.

Report of General Manager

GM Robbins reported that the District received notice of an Independent Special Districts of Orange County (ISDOC) meeting on January 31, 2013. The notice was received after the January 15, 2013 agenda was posted and is before the next regular meeting on February 5, 2013, so it would need to be brought onto the agenda in order to take action on it.

GM Robbins stated that he looked into a Westec membership in order to save money on the 2013 Waste Expo at Director Neugebauer's request. He reported that the Westec membership would cost the District \$3,600 annually, so the savings to the District would not be substantial enough to join.

GM Robbins reported that District receptionist, Julia Sales' computer crashed so the District would be purchasing her a new one for approximately \$1,200. The information from her computer was backed up to the server, so no information was lost.

GM Robbins reported that he, along with Finance/HR Director Housley and legal counsel attended a meeting with County representatives regarding the County's Van Buren Avenue storm drain project and its impact on the parallel District sewer line. It has been estimated that the cost to the District will be approximately \$450,000. GM Robbins stated that he is still working to negotiate to lower that cost with the County.

GM Robbins reported that staff is still in the process of reviewing the commercial recycling program from Rainbow Environmental before bringing a recommendation to the Board.

A motion was made by Director Neugebauer, seconded by Director Rice to bring the Independent Special Districts of Orange County (ISDOC) quarterly meeting attendance onto the agenda since the District received the notice after the January 15, 2013 agenda was posted and there is a need for immediate action. The motion was approved by a 5-0 vote.

Report from Orange County Sanitation District Meeting (OCSD)

Director Diep stated that there has been no meeting since the last one on December 19, 2012, so he had nothing to report.

Director Rice reported that she attended an Oversight Committee meeting and reported that the City of Westminster received a demand from the State of California to send the State almost \$15 million from the low to moderate housing fund. She also reported that the District should be receiving a portion of those funds.

CONSENT CALENDAR

- A. Approval of the Request of Sewer Maintenance Employee Cody Ranslem to Receive 32 Hours of Vacation Pay in Lieu of Time Off
- B. Consider General Manager's Vacation Request – September 23rd through October 4, 2013 (Total of Ten Days)
- C. Investment Report for December 2012

D. Consider Attendance to the Business to Business Table Top Expo with Tri Ta, Mayor of the City of Westminster, on Tuesday, January 29, 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

None

NEW BUSINESS

A. Consider the California Public Employees' Retirement System (CalPERS) Certification of Memorandum of Understanding (MOU) Impairment Certification Form

A motion was made by Director Neugebauer, seconded by Director Diep to authorize the President of the Board of Directors to sign the CalPERS Certification of MOU Impairment Certification form. The motion was approved by a 5-0 vote.

B. Consideration and Adoption of a District Reserve Fund Policy

Staff was commended for a job well done on the supplemental information provided to the Board.

A motion was made by Director Diep, seconded by Director Neugebauer to approve the policy as recommended by staff. The motion was approved by a 5-0 vote.

C. Consider Scheduling a District Luncheon for Recognition of Employees of the Year and Five Year Safety Award

A motion was made by Director Neugebauer, seconded by Director Rice to schedule a District luncheon for Wednesday, March 20, 2013 at 12:30 P.M. and have staff arrange for the menu. The motion was approved by a 5-0 vote.

D. Discuss and Consider Participation in the City of Westminster's Tet Parade Which is Tentatively Scheduled for Saturday, February 9, 2013 or Sunday February 10, 2013

A motion was made by Director Neugebauer, seconded by Director Krippner to approve of participation in the TET Parade and provide the mariachi band, which is tentatively set for Sunday, February 10, 2013 and is being sponsored by the Vietnamese American Federation of Southern California. The motion was approved by a 5-0 vote.

E. Independent Special Districts of Orange County (ISDOC) Quarterly Meeting

A motion was made by Director Neugebauer, seconded by Director Diep to take action to approve attendance of the Board and staff to the ISDOC quarterly meeting on January 31, 2013. The motion was approved by a 5-0 vote.

BOARD CONCERNS/COMMENTS

Director Krippner provided the Board and staff with copies of information regarding proposed access to the District's facility and asked that an entrance to the District yard from Hazard be put on the next agenda for discussion again.

Director Neugebauer commended staff for the supplemental information on District reserves and stated that she also appreciated the follow through with the information regarding Westec.

Director Rice stated that she appreciated the nice letter in the newspaper that Director Krippner wrote, but commented there was still nobody in attendance, even though the letter invited the public to attend meetings.

GM/STAFF CONCERNS/COMMENTS

GM Robbins stated that he would begin picking up Board members for the CASA conference in Indian Wells, CA at 8:30 A.M. on Wednesday, January 16, 2013.

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. Web Site Activity for the Month of December 2012 (38,765 Successful Hits)
- B. Over-The-Top Program Fourth Quarter 2012 Report

ADJOURNMENT

President Cobo adjourned the meeting at approximately 4:31 P.M.

Margie Rice, Secretary

HAPPY BIRTHDAY DIRECTOR DIEP!