

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

**June 26, 2012**

**CALL TO ORDER**

President Rice called the adjourned regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Tuesday, June 26, 2012 at 4:00 P.M.

**BOARD MEMBERS PRESENT:**

Al P. Krippner  
Joy L. Neugebauer  
Frank Cobo (absent)  
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.

**PUBLIC COMMENT**

None

**CONSENT CALENDAR**

None

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **A. Public Hearing and Consideration of RESOLUTION NO. 2012-09 (Roll Call Vote)**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, APPROVING A REPORT ON SANITATION AND SEWER USER FEES PURSUANT TO SPECIAL USAGE PERMIT AGREEMENT AND COVENANT DOCUMENTS AND DIRECTING THE COUNTY AUDITOR TO ADD SUCH USAGE FEES TO THE JULY 1, 2012- JUNE 30, 2013 SECURED TAX ROLL PURSUANT TO ORDINANCE NO. 26 AND ORDINANCE NO. 67

GM Robbins stated that this resolution pertains to the 334 special agreements that the District provides service to. The total revenues total \$218,554.67 for this year. Both Resolution No. 2012-09 and Resolution No. 2012-10 direct the county auditor to add user fees to the tax roll.

President Rice read the title of the resolution and opened the public hearing.

There was no public comment.

President Rice closed the public hearing.

A motion was made by Director Krippner, seconded by Director Diep to approve and adopt Resolution No. 2012-09, and waive further reading. The motion was approved by a 4-0 roll call vote.

### **B. Public Hearing and Consideration of RESOLUTION NO. 2012-10 (Roll Call Vote)**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, APPROVING A REPORT ON SANITATION AND SEWER USER CHARGES AND DIRECTING THE COUNTY AUDITOR TO ADD SUCH USER CHARGES TO THE JULY 1, 2012 THROUGH JUNE 30, 2013 SECURED TAX ROLL PURSUANT TO ORDINANCE NO. 64 AND ORDINANCE NO. 67.

President Rice read the title of the resolution and opened the public hearing.

There was no public comment.

Director Neugebauer asked if there had been any communication in any form from the public.

GM Robbins stated that there was only one phone call.

President Rice closed the public hearing.

A motion was made by Director Neugebauer, seconded by Director Diep to approve and adopt Resolution No. 2012-10 and waive further reading. The motion was approved by a 4-0 roll call vote.

C. Public Hearing and Consideration of RESOLUTION NO. 2012-11  
**(Roll Call Vote)**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY  
CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA,  
ADOPTING THE SPECIAL DISTRICT GENERAL FUND BUDGET FOR  
THE FISCAL YEAR JULY 1, 2012 THROUGH JUNE 30, 2013

Director Neugebauer made a few suggestions for change, which the Board supported.

Finance/HR Director Housley reported that the only financial change is on page 48, line 17 (Claims Expense). The original amount of \$25,000 was doubled due to the two claims against the District.

President Rice read the title of the resolution and opened the public hearing.

There was no public comment.

Director Neugebauer asked if there had been any communication from the public concerning the budget.

GM Robbins stated that there were none.

Director Neugebauer stated that this indicates a great degree of satisfaction with the District and its operations.

President Rice closed the public hearing.

A motion was made by Director Neugebauer, seconded by Director Diep to approve and adopt Resolution No. 2012-11 and waive further reading. The motion was approved by a 4-0 roll call vote.

## **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.

## **BOARD CONCERNS/COMMENTS**

Director Neugebauer asked if there was any certain order to the roll call because she recalled that at one time it was alphabetical.

GM Robbins stated that the roll call is taken from the outside of the dais inward with the President always called last.

President Neugebauer stated that the Orange County Register would be running a story about Midway City Sanitary District on Wednesday, June 27, 2012 regarding the Orange County Grand Jury awarding a gold seal and honor roll status to MCSD for its transparency. MCSD is the only water or sewer/sanitation agency in Orange County to receive that status.

## **GM/STAFF CONCERNS/COMMENTS**

None

## **GENERAL COUNSEL CONCERNS/COMMENTS**

None

## **ADJOURNMENT**

President Rice adjourned the meeting at approximately 4:32 P.M.

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Joy Neugebauer, Secretary