

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

December 6, 2013

CALL TO ORDER

President Cobo called the adjourned regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, on Friday, December 6, 2013 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
Tom Nixon, District Counsel
Danielle Gerardo, Board Secretary

PLEDGE AND INVOCATION

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

PUBLIC COMMENTS

None

NEW BUSINESS

Board Reorganization and Appointment of representatives to other agencies, organizations and committees.

District Counsel Nixon stated that due to changes within the FPPC ruling, Board members would not need to step out of the room when nominated for a position and

for voting of that position with the exception of the Westminster Chamber of Commerce positions because those are not a public agency position.

District Counsel Nixon then opened the floor for nominations for the office of President.

Director Neugebauer, seconded by Director Diep, nominated Director Cobo for the office of President.

District Counsel Nixon asked if there were any other nominations for the position of President of the Board.

A motion was made by Director Diep, seconded by Director Rice to close the nominations for the office of President. The motion was carried by a 5-0 vote.

The appointment of Director Cobo to the office of President was then approved by a 5-0 vote.

District Counsel Nixon relinquished the conduct of the proceedings back to the President. President Cobo took over the conduct of the meeting.

President Cobo opened the floor for nominations for the office of President Pro-Tem.

Director Rice nominated Director Diep for the office of President Pro-Tem.

President Cobo closed the nominations for the office of President Pro-Tem.

The appointment of Director Diep to the office of President Pro-Tem was approved by a 5-0 vote.

President Cobo opened the floor for nominations for the office of Secretary.

Director Rice nominated Director Krippner for the office of Secretary.

Director Neugebauer nominated Director Rice for the office of Secretary. Director Rice stated that she would prefer to let Director Krippner be appointed Board Secretary but that she would gladly be Secretary/Treasurer Pro Tem.

President Cobo closed the nominations for the office of Secretary.

The appointment of Director Krippner to the office of Secretary was approved by a 5-0 vote.

President Cobo opened the floor for nominations for the office of Treasurer.

Director Rice nominated Director Neugebauer for the office of Treasurer. Director Neugebauer stated that she would prefer not to continue but that she would if there was nobody else for the position.

Director Krippner nominated himself for the office of Treasurer.

President Cobo closed the nominations for the office of Treasurer.

The appointment of Director Neugebauer to the office of Treasurer was approved by a 4-1 vote, with Directors Cobo, Diep, Rice and Neugebauer voting yes.

Director Krippner voted for himself and was not appointed due to a lack of support.

President Cobo opened the floor for nominations for the office of Secretary/Treasurer Pro-Tem.

Director Neugebauer nominated Director Rice for the office of Secretary/Treasurer Pro-Tem.

Director Krippner nominated himself for the office of Secretary/Treasurer Pro-Tem.

The appointment of Director Rice was then approved by a 4-1 vote, with Directors Cobo, Diep, Neugebauer and Rice voting yes.

Director Krippner voted for himself and was not appointed due to lack of support.

President Cobo stated that the next office for discussion was the Orange County Sanitation District (OCSD) Representative which is the President or the President's appointee. President Cobo appointed Director Diep to serve as the representative.

Director Diep accepted President Cobo's appointment and the appointment was passed by a 5-0 vote.

President Cobo appointed Director Krippner as the Alternate Representative to OCSD.

President Cobo opened the floor for nominations for the District's representative to the Independent Special Districts of Orange County (ISDOC).

Director Diep nominated Director Neugebauer for the office of ISDOC Representative. The appointment was approved by a 5-0 vote.

Director Rice nominated Director Krippner for the office of ISDOC Representative Alternate. The appointment was approved by a 5-0 vote.

President Cobo opened the floor for nominations for the appointment as the Westminster Chamber of Commerce Representative.

Director Diep nominated Director Rice for the office of Westminster Chamber of Commerce Representative.

Director Krippner nominated himself for the office of Westminster Chamber of Commerce Representative.

Directors Rice and Krippner left the meeting.

The appointment of Director Rice was approved by a 3-0-2 vote, with Directors Neugebauer, Diep and Cobo voting yes, and Directors Rice and Krippner absent.

The appointment of Director Krippner failed due to a lack of support.

Director Neugebauer nominated Director Diep for the office of Westminster Chamber of Commerce Representative Alternate.

Director Krippner nominated himself for the office of Westminster Chamber of Commerce Representative Alternate.

Directors Diep and Krippner left the meeting.

The appointment of Director Diep was approved by a 3-0-2 vote, with Directors Cobo, Rice and Neugebauer voting yes and Directors Diep and Krippner absent.

The appointment of Director Krippner failed due to a lack of support.

There was a consensus of the Board of Directors that no change would be made to the full Board serving as the Budget and Audit Committee, therefore no action was taken on this matter.

Director Rice nominated Director Neugebauer, with Director Rice (herself) as the alternate, to the Calendar committee.

The appointment of Directors Neugebauer and Rice to the Calendar Committee was approved by a 5-0 vote.

There was a consensus of the Board of Directors that no change be made to the full Board serving as the Negotiating Committee, therefore no action was taken on this matter.

Director Rice nominated President Cobo and Director Diep to the Franchise Agreement Committee.

Director Krippner nominated himself to the Franchise Agreement Committee.

The appointment of President Cobo was approved by a 4-1 vote, with Directors Diep, Cobo, Rice and Neugebauer voting in favor and Director Krippner voting no.

The appointment of Director Diep was approved by a 3-2 vote with Directors Diep, Cobo and Rice voting in favor and Directors Neugebauer and Krippner voting no.

The appointment of Director Krippner failed due to a 2-3 vote, with Directors Krippner and Neugebauer voting in favor and Directors Cobo, Diep and Rice voting no.

President Cobo opened the floor for discussion as to future Board meeting dates and time.

Director Neugebauer stated that if meetings were later, constituents might attend, but the Board consensus was to continue to meet on the first and third Tuesday of each month at 4 P.M., unless otherwise declared by the Board. The motion was passed by a 5-0 vote.

BOARD CONCERNS/COMMENTS

None

GM/STAFF CONCERNS/COMMENTS

GM Robbins stated that he received notice of a lawsuit between CR&R and Rainbow. There was discussion and the Board directed GM Robbins to gather information and keep the Board informed.

GM Robbins reported that he has been asked to participate in a roundtable discussion regarding "Creative Ideas for Improving the Bottom Line" at CASA's January conference and will provide the Board with more details as they emerge.

DISTRICT COUNSEL CONCERNS/COMMENTS

None

ADJOURNMENT

President Cobo adjourned the meeting to Tuesday, December 17, 2013 at 4 P.M. at the District office at approximately 4:42 P.M.

Al Krippner, Secretary