

**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**

December 5, 2014

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, California on Friday, December 5, 2014 at 5:30 P.M.

BOARD MEMBERS PRESENT:

Al P. Krippner
Joy L. Neugebauer
Tyler Diep
Margie L. Rice
Frank Cobo

OTHERS AT MEETING:

Ken Robbins, General Manager
Robert Housley, Finance/HR Director
Tom Nixon, General Counsel
Danielle Gerardo, Board Secretary
Lou Correa, California State Senator
Asia Thanh Cunningham, Assistant to Lou Correa
Tony & Frances Nguyen, residents
Suzanne and Joseph Cobo

PLEDGE AND INVOCATION

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

PUBLIC COMMENTS

None

NEW BUSINESS

A. RESOLUTION NO. 2014-15

(Roll Call Vote)

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, DECLARING ELECTION OF DISTRICT DIRECTORS

A motion was made by Director Neugebauer, seconded by Director Rice to adopt amended Resolution No. 2014-15, declaring the election of District Directors, and waive further reading. The motion was approved by the following roll call vote:

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice

NOES:

ABSTAIN:

ABSENT:

B. Oath of Office Ceremony for Newly Reelected District Directors

The Oath of Office Ceremony was conducted for the newly reappointed District Directors. California State Senator Lou Correa administered the Oath of Office to Directors Frank A. Cobo, Tyler Diep and Margie L. Rice.

President Cobo called a brief recess to the meeting at 5:40 P.M.

President Cobo called the meeting back to order at 6:09 P.M.

C. Consider the Annual Board Reorganization

General Counsel Nixon opened the floor for nominations for the office of President.

Director Neugebauer, seconded by Director Rice, commended and nominated Director Cobo for the office of President.

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

Hearing none, General Counsel Nixon closed the nominations for the office of President.

General Counsel Nixon asked if there was any discussion regarding the nomination of for the office of President. Hearing none, General Counsel Nixon called for a vote.

The reappointment of Director Cobo to the office of President was then approved by the following 5-0 vote:

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice

NOES:

ABSTAIN:

ABSENT:

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

The nominations for the office of President Pro Tem were closed.

The appointment of Director Rice to the office of President Pro-Tem was approved by the following 5-0 vote:

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice

NOES:

ABSTAIN:

ABSENT:

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

Director Rice nominated Director Krippner for the office of Secretary.

The nominations for the office of Secretary were closed.

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

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice

NOES:

ABSTAIN:

ABSENT:

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

Director Rice nominated Director Neugebauer for the office of Treasurer.

The nominations for the office of Treasurer were closed.

The appointment of Director Neugebauer to the office of Treasurer was approved by the following 5-0 vote:

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice

NOES:

ABSTAIN:

ABSENT:

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

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

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

The nominations for the office of Secretary/Treasurer Pro-Tem were closed.

The appointment of Directors Neugebauer and Rice were then approved by the following 5-0 vote:

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice

NOES:

ABSTAIN:

ABSENT:

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 District's Representative to Orange County Sanitation District (OCSD).

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

Directors Diep and Neugebauer accepted President Cobo's appointment and the appointments were passed by the following 5-0 vote:

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice

NOES:

ABSTAIN:

ABSENT:

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

President Cobo asked Director Krippner if he would like to be nominated for the office of ISDOC Representative.

Director Krippner stated that he would decline the nomination.

Director Neugebauer nominated Director Rice for the office of ISDOC Representative. The appointment was approved by the following 5-0 vote:

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice

NOES:

ABSTAIN:

ABSENT:

Director Diep nominated President Cobo for the office of ISDOC Representative Alternate. The appointment was approved by the following 5-0 vote:

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice

NOES:

ABSTAIN:

ABSENT:

General Counsel Nixon stated that the two Chamber of Commerce positions are unique and reminded the Board that a few years ago, there were additional requirements of posting positions on the District's website to enable Directors to be able to vote for themselves for a position that could generate income. He stated that the two Chamber of Commerce positions do not fall into the same category because they are not appointments to a public agency and it was his recommendation that if someone is nominated to either of the two positions, that they leave the Board room for the vote.

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

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

Director Rice left the room.

The appointment of Director Rice was approved by a 4-0 vote, with Director Rice absent.

AYES: Directors Cobo, Diep, Krippner, and Neugebauer

NOES:

ABSTAIN:

ABSENT: Director Rice

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

Director Diep left the room.

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

Director Krippner declined the nomination.

Director Neugebauer moved to close the nomination.

The appointment of Director Diep was approved by a 4-0 vote, with Director Diep absent.

AYES: Directors Cobo, Krippner, Neugebauer and Rice

NOES:

ABSTAIN:

ABSENT: Director Diep

A motion was made by Director Neugebauer, seconded by Director Rice to continue the full Board for the Budget and Audit Committee. The appointment of the full Board to the Budget and Audit Committee was approved by the following 5-0 vote:

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice

NOES:

ABSTAIN:

ABSENT:

Director Diep nominated Director Cobo and Director Krippner to the Calendar Committee.

Director Cobo declined the nomination.

Director Diep nominated Director Krippner and Director Rice to the Calendar Committee.

The appointment of Directors Krippner and Rice to the Calendar Committee was approved by the following 5-0 vote:

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice
NOES:
ABSTAIN:
ABSENT:

A motion was made by Director Neugebauer, seconded by Director Diep to continue the full Board for the Negotiating Committee. The appointment of the full Board to the Negotiating Committee was approved by the following 5-0 vote:

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice
NOES:
ABSTAIN:
ABSENT:

Director Diep nominated Directors Neugebauer and Rice to the Franchise Agreement Committee.

The appointment of Directors Neugebauer and Rice was approved by the following 5-0 vote:

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice
NOES:
ABSTAIN:
ABSENT:

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

A motion was made by Director Neugebauer, seconded by Director to meet on the first and third Tuesday of each month at 5:00 P.M. unless otherwise declared by the Board and enable language to give the Board the authority to change the time as necessary. The motion was approved by the following 5-0 vote:

AYES: Directors Cobo, Diep, Krippner, Neugebauer and Rice

NOES:

ABSTAIN:

ABSENT:

BOARD CONCERNS/COMMENTS

Director Neugebauer asked staff to provide the Board with a complete updated list of the new Board reorganization positions.

Director Neugebauer stated that she received a card from Ruben Duran who she met at the CSDA Special District Leadership Academy conference in Anaheim. Directors Cobo, Krippner and Rice also received a card and felt that they must have made an impact on him.

GM/STAFF CONCERNS/COMMENTS

None

GENERAL COUNSEL CONCERNS/COMMENTS

None

ADJOURNMENT

President Cobo adjourned the meeting to Tuesday, December 9, 2014 at the District office at 4:00 P.M. at approximately 6:35 P.M.

Al Krippner, Secretary