

**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 4, 2015**

**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 4, 2015 at 5:00 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  
James Eggart, General Counsel  
Danielle Gerardo, Board Secretary  
Anita and Robert Spencer, Residents

**PLEDGE AND INVOCATION**

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

**PUBLIC COMMENTS**

None

**NEW BUSINESS**

**A. Consider the Annual Board Reorganization**

General Counsel Eggart stated that he would handle calling nominations in the vote for President and then turn the meeting over to the new President but before doing so,

reminded the Board that the two Chamber of Commerce representative positions are unique and his recommendation was that if someone is nominated to either of the two positions, that they leave the Board room for the vote.

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

Director Neugebauer stated that she would like to preface a nomination with some remarks. She stated she would be nominating Director Rice because in her many years on the Board of which Director Rice is her senior, she has yet to attend a meeting that Director Rice did not come fully prepared to participate at each meeting in spite of her busy schedule over the years and she was very pleased to nominate Director Rice as President for Midway City Sanitary District for 2016.

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

General Counsel Eggart asked if there were any further nominations for the position of President of the Board.

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

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

The appointment of Director Rice 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 Eggart congratulated Director Rice and relinquished the conduct of the proceedings back to the President. President Rice agreed to accept and took over the meeting.

Director Neugebauer stated that as Director Rice assumes the Presidency she would be remise if she did not state her admiration as to the efficiency that President Cobo demonstrated over the past two years as President of the Board.

President Rice stated that she thought the whole Board would agree that President Cobo did a good job.

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

President Rice, seconded by Director Neugebauer, nominated Director Diep for the office of President Pro-Tem.

President Rice asked if there were any other nominations for President Pro-Tem. Hearing none, the nominations for the office of President Pro Tem were closed.

The nomination of Director Diep 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 Rice opened the floor for nominations for the office of Secretary.

Director Cobo nominated Director Neugebauer for the office of Secretary.

Director Neugebauer declined the nomination.

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

President Rice asked if there were any other nominations for Secretary. Hearing none, the nominations for the office of Secretary were closed.

The appointment of Director Cobo 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 Rice opened the floor for nominations for the office of Treasurer.

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

Director Krippner stated that he wanted to make some remarks before making a nomination. He stated that he felt short changed last year in that he didn't get any meaningful assignments and that it hurt him.

Director Krippner then nominated himself for the office of Treasurer. Director Diep seconded the motion.

President Rice stated that she would prefer to appoint Director Krippner as the District's OCSD Representative since he had been the alternate there for years and never got a chance at that position.

Director Krippner stated that was his nomination.

President Rice called for a vote on the nomination of Director Neugebauer for Treasurer.

Directors Cobo and Rice voted AYE.

President Rice stated that if Director Krippner wanted to be Treasurer, she would appoint Director Neugebauer as the District's OCSD Representative.

Director Neugebauer withdrew her nomination for the office of Treasurer.

The nominations for the office of Treasurer were closed.

The appointment of Director Krippner 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 Rice opened the floor for nominations for the office of Secretary/Treasurer Pro-Tem.

Director Cobo, seconded by Director Diep nominated Director Neugebauer for the office of Secretary/Treasurer Pro-Tem.

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

The nomination of Director Neugebauer was then approved by the following 5-0 vote:

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

NOES:

ABSTAIN:

ABSENT:

President Rice 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 Rice appointed Director Neugebauer to serve as the District's Representative to Orange County Sanitation District (OCSD).

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

Directors Neugebauer and Krippner accepted President Rice's appointments.

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

Director Neugebauer, seconded by Director Krippner nominated Director Cobo for the office of ISDOC Representative.

President Rice asked if there were any other nominations for ISDOC Representative. Hearing none, the nominations for the office of ISDOC Representative were closed.

The nomination of Director Cobo for the office of ISDOC Representative was approved by the following 5-0 vote:

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

NOES:

ABSTAIN:

ABSENT:

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

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

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

NOES:

ABSTAIN:

ABSENT:

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

Director Neugebauer, seconded by Director Cobo nominated President Rice for the office of Westminster Chamber of Commerce Representative.

President Rice left the room.

President Pro-Tem Diep took over the meeting.

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

AYES: Directors Cobo, Diep, Krippner, and Neugebauer

NOES:

ABSTAIN:

ABSENT: President Rice

President Rice returned and took over the meeting.

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

Director Neugebauer, seconded by President Rice nominated Director Cobo for the office of Westminster Chamber of Commerce Representative Alternate.

Director Cobo left the room.

President Rice asked if there were any further nominations. Hearing none, President Rice closed the nomination.

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

AYES: Directors Diep, Krippner, Neugebauer and Rice

NOES:

ABSTAIN:

ABSENT: Director Cobo

Director Cobo returned to the meeting.

President Rice stated the full Board would continue for the Budget and Audit Committee.

President Rice opened the floor for nominations for the Calendar Committee.

Director Neugebauer, seconded by Director Cobo nominated Directors Cobo and Director Krippner, with President Rice as Alternate, to the Calendar Committee.

The appointment of Directors Cobo and Krippner, with President Rice as Alternate to the Calendar Committee was approved by the following 5-0 vote:

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

NOES:

ABSTAIN:

ABSENT:

President Rice stated the full Board was on the Negotiating Committee.

President Rice opened the floor for nominations for the Franchise Agreement Committee.

President Rice and Director Neugebauer both stated that they would like to remain on that committee.

Director Cobo, seconded by Director Neugebauer nominated President Rice to the Franchise Agreement Committee.

The appointment of President Rice was approved by the following 5-0 vote:

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

NOES:

ABSTAIN:

ABSENT:

Director Cobo, seconded by Director Krippner nominated Director Neugebauer to the Franchise Agreement Committee.

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

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

NOES:

ABSTAIN:

ABSENT:

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

Board consensus was to continue 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 and was approved by the following 5-0 vote:

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

NOES:

ABSTAIN:

ABSENT:

### **INFORMATIONAL ITEMS**

None

### **BOARD CONCERNS/COMMENTS**

Director Neugebauer stated that she was looking forward to working with everyone next year and that it doesn't matter to her what position she holds as long as she has one seat and one vote, and that vote is the same no matter which office you hold. She thanked everyone for the positions entrusted to her. She commended President Cobo for two outstanding years of leadership.

President Rice agreed and stated that he did a great job and kept the peace and she hoped for the same cooperation and that she would like the Board to work together as a team.

Director Krippner agreed and stated that Director Cobo is a decent guy and made things happen just right.

Director Cobo thanked the Board.

Director Neugebauer asked if Director Diep would continue with OCSD through December and when the transition would take place and she asked Director Diep to attend the meeting on December 9, 2015.

General Counsel Eggart stated that the appointment is effective immediately.

Director Diep stated that there is a meeting scheduled for next Wednesday, December 9, 2015 and that there is also a Public Affairs meeting at 8 A.M.



President Rice stated that she thought that if Director Neugebauer could not go, her new Alternate should go as the appointments are effective immediately.

Director Neugebauer asked Director Diep if he would prep her for the meeting and provide her with the information packet.

Director Diep stated that he would drop the agenda packet off at the District for Director Neugebauer.

General Counsel Eggart stated that OCSD would need to be notified and the new Representatives will need to be sworn in at their meeting.

GM Robbins stated that they would also need a copy of the signed and approved minutes from tonight's meeting.

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

GM Robbins reported that the City of Westminster contacted him about a blight issue at 15440 Beach Blvd., Westminster that has been ongoing. He contacted Rainbow and they state that the problem is not that the bins are overflowing but that they are simply throwing trash over the enclosure and not into the dumpsters and it is not their responsibility to pick it up. It is the property owner's responsibility. GM Robbins has emailed the City of Westminster Code Enforcement to make them aware of the issue. He stated he would provide the Board with reports on his weekly newsletter.

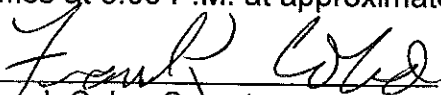
Finance/HR Director Housley stated that each Board member was provided with a copy of the most recent annual audit.

### **GENERAL COUNSEL CONCERNS/COMMENTS**

General Counsel Eggart congratulated each Board member on their new positions.

### **ADJOURNMENT**

President Rice adjourned the meeting to Tuesday, December 15, 2015 at the District office at 5:00 P.M. at approximately 5:25 P.M.

  
Frank Cobo, Secretary