

**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 28, 2016**

**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 28, 2016 at 5:00 P.M.

**BOARD MEMBERS PRESENT:**

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

**OTHERS AT MEETING:**

Ken Robbins, General Manager  
Robert Housley, Finance/HR Director  
James Eggart, District Counsel  
Julia Book, Board Secretary

**PLEDGE AND INVOCATION**

Finance/HR Director Housley led the Pledge of Allegiance. Director Neugebauer gave the Invocation.

**PUBLIC COMMENTS**

None

**OLD BUSINESS**

None

## **NEW BUSINESS**

### **A. Public Hearing and Adoption of RESOLUTION NO. 2016-07 (*Roll Call Vote*)**

A RESOLUTION NO. 2016-07 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, 2016 THROUGH JUNE 30, 2017 SECURED TAX ROLL PURSUANT TO ORDINANCE NO. 26 AND ORDINANCE NO. 67

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

There were no public comments.

President Rice closed the public hearing.

Finance/HR Director Housley stated that this resolution is the adoption of all the special sewer permits, sewer agreements and property values as well as for those properties that the District is serving, that are not included in the original District jurisdiction and that have special agreements in or outside the District's jurisdiction as well, for example the Vans Skate Park in Huntington Beach.

President Rice asked if the mobile home parks are included in this Resolution.

Finance/HR Director Housley and GM Robbins answered 'no,' that the mobile home parks are already included on the tax roll.

Finance/HR Director Housley stated that this is a special Resolution for the special agreements to be included in the tax roll.

Director Neugebauer asked if since these appear to be in varying degrees of use and since the different fees are charged, does Midway City Sanitary District do any assessments to determine if the use has changed on these properties and become more intense.

Finance/HR Director Housley confirmed that Midway City Sanitary District does check many properties throughout the year and looks at changes, and that MCSD is on top of all developments within the area. He stated that a lot of services stay the same, and when we are made aware through routine driving through the community, residential requests and drivers report changes on properties, that yes, MCSD staff will go and make a new assessment of the property.

A motion was made by Director Neugebauer, seconded by Director Cobo to approve and adopt Resolution No. 2016-07. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

B. Public Hearing and Adoption of RESOLUTION NO. 2016-08 (*Roll Call Vote*)

A RESOLUTION NO. 2016-08 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, APPROVING A REPORT ON SANITATION AND SEWER USER FEES AND DIRECTING THE COUNTY AUDITOR TO ADD SUCH USER CHARGES TO THE JULY 1, 2016 THROUGH JUNE 30, 2017 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 were no public comments.

President Rice closed the public hearing.

GM Robbins clarified that the dollar amount is fixed and hasn't changed since 2006.

A motion was made by Director Cobo, seconded by Director Diep to approve and adopt Resolution No. 2016-08. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

C. Public Hearing and Adoption of RESOLUTION NO. 2016-09 (*Roll Call Vote*)

A RESOLUTION NO. 2016-09 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, 2016 THROUGH JUNE 30, 2017

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

There were no public comments.

Director Neugebauer asked if there was any written, email or phone communications regarding this public hearing item since it was published for two consecutive weeks in the newspaper.

GM Robbins stated that there were no communications.

President Rice closed the public hearing.

Director Neugebauer asked why the percentages on page nine were different when they should match and that the last number was different from the chart .

Finance/HR Director Housley assured the Board that he will correct the last line to reflect the correct percentage in both locations.

A motion was made by Director Cobo, seconded by Director Neugebauer to approve the legal appropriation of \$10,695,750.00 for operating expenses and \$1,668,000.00 for capital outlay & improvements for the fiscal year 2016-2017 budget and adopt Resolution No. 2016-09 with the correct percentage on page nine. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

Director Cobo asked for clarification on the percentage numbers and the dates on the front page of Resolution No. 2016-09.

D. RESOLUTION NO. 2016-10

*(Roll Call Vote)*

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY  
SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA FOR EMPLOYER  
PAID MEMBER CONTRIBUTIONS AND RESCINDING RESOLUTION NO.  
2015-12

President Rice read the title of the Resolution.

President Rice asked Staff to provide the background of Resolution No. 2016-10.

Finance/HR Director Housley highlighted that this Resolution only affects the employer paid member contributions and reducing the District from paying the employee's portion to paying zero by July 1, 2017.

Director Neugebauer announced her concern that this item was on the public hearing agenda, but stated that she understands that the timeline for approval was before July 1, 2016 and warrants this item at this time

District Counsel Eggart stated that this is a policy issue and not a legal issue and that the agenda was posted in compliance with the Brown Act.

A motion was made by Director Cobo, seconded by Director Diep to adopt Resolution No. 2016-10. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

### **CLOSED SESSION**

None

### **INFORMATIONAL ITEMS**

None

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

GM Robbins provided the Board with the Little Hoover Commission's New Special Districts Study, who will conduct a hearing on August 25, 2016.

Receive and file.

### **BOARD CONCERNS/COMMENTS**

Director Neugebauer stated that she was looking forward to the ISDOC meeting on Thursday and was wishing a safe and sane 4<sup>th</sup> of July to everyone and hopes there will be no problems impacting the District's solid waste or sewage.

President Rice thanked Finance/HR Director Housley and Staff for the District's good fortune.

Director Diep asked Staff if the District should look at changing the residential user fee.

GM Robbins explained that it will all depend on new mandates and how new organics waste is handled, but probably not until the year 2020.

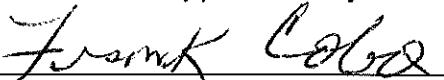
There was more discussion on the Little Hoover Commission's New Special Districts Study and GM Robbins assured the Board that he will keep them up to date.

**GENERAL COUNSEL CONCERNS/COMMENTS**

None

**ADJOURNMENT**

President Rice adjourned the meeting to Tuesday, July 5, 2015 at the District office at 5:00 P.M. at approximately 5:23 P.M.

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Frank Cobo, Secretary