

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

September 12, 2016

CALL TO ORDER

President Rice called the special meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Monday, September 12, 2016 at 5:00 P.M.

BOARD MEMBERS PRESENT:

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

OTHERS AT MEETING:

Ken Robbins, General Manager
Robert Housley, Finance/HR Director
James Eggart, General Counsel
Danielle Gerardo, Board Secretary
Jeff Snow, Rainbow Environmental Services
Dean Ruffridge, CR&R Environmental Services
John Kinley, Env.Compliance Inspection Services
Patricia Robbins, Resident

PLEDGE AND INVOCATION

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

PUBLIC COMMENTS

None

NEW BUSINESS

A. Discussion of Implementation of Unfunded State Mandate Assembly Bill 1826 – Organic Waste Diversion Strategies

GM Robbins advised that no decisions would be made at tonight's meeting and that anything presented would be reviewed by the Franchise Committee and legal counsel, who would then make recommendations to the full Board at a later date. He stated that the District also needs to update its solid waste ordinance.

Jeff Snow of Rainbow Environmental Services and Dean Ruffridge of CR&R Environmental Services provided an overview of the requirement of AB 1826 and related stated laws and presented the Board with a cost and rate impact model for implementation of a proposed compliance program for commercial customers. The proposed program would include source separated food waste cart and vin service for commercial food waste generators and utilization of CR&R's new anaerobic digestion facility in Perris, California. Mr. Snow explained that Mariposa Eco Consulting was provided with a list of the commercial accounts in the District and determined that there was 5,000 tons of food waste going into dumpsters per year, mostly from the Little Saigon area of the District. He indicated that this is high when compared to the amount of food waste generated in the City of Huntington Beach, which is significantly larger in size and population, but only produces 4,000 tons per year.

Director Neugebauer asked for clarification as to whether AB 1826's mandates apply to businesses or the District.

General Counsel Eggart explained that AB 1826 imposes the mandate on the commercial businesses that produce a certain amount of food waste and who must find a way to recycle it, but also requires the collectors to develop a program to make sure that happens and gives discretion to CalRecycle to evaluate the efficacy of the program.

Director Neugebauer stated that the District should consider having a joint meeting with the Costa Mesa Sanitary District because they have already started diverting organics and might have some advice for the District.

Director Diep asked if the Board should have a follow up study session with staff to discuss how the District should move forward.

GM Robbins stated that the Board should meet after the Franchise Committee meeting and invite Soroosh Rahbari from the City of Westminster Building and Planning Department because the City needs to be involved.

Discussion only. No action was taken.

B. Discuss and Consider Ways to Teach and Encourage the Residents of the Midway City Sanitary District Correct Recycling in Order to Lower the District's Tonnage in Black Containers

GM Robbins stated that the Ad Hoc Committee (Directors Diep and Cobo) met again and determined that approximately \$10,000 was needed for the first year's budget to get started. He suggested that they meet again after the budget is approved by the Board in order to decide which option to choose for advertising the message.

A motion was made by Director Diep, seconded by Director Cobo, to direct staff to bring back an item to appropriate \$10,000 for community outreach for recycling on the next regular agenda for Board approval. The motion was approved by the following 5-0 vote:

AYES: Cobo, Diep, Krippner, Neugebauer and Rice

NAYS:

ABSTAIN:

ABSENT:

INFORMATIONAL ITEMS

None

BOARD CONCERNS/COMMENTS

Director Neugebauer stated that she received the newsletter today from the General Manager informing them of the minor accident that occurred due to a blind spot and asked what the District could do to prevent any further accidents from happening.

GM Robbins stated that the trucks are already equipped with mirrors, cameras and GPS tracking but that the small vehicle had attempted to go around the truck and was on the opposite side of the road when the incident occurred.

GM/STAFF CONCERNS/COMMENTS

GM Robbins thanked the Board for sending the edible fruit basket for his family and for the sympathy cards and apologized for his recent absences due to health and family issues.

President Rice stated that she knew that he had called the District daily even when he was out and still took care of the District when he was not physically in the office.

GENERAL COUNSEL CONCERNS/COMMENTS

General Counsel Eggart offered to attend the Franchise Committee meeting on Tuesday, September 13, 2016.

The Board consensus was that he should attend the Franchise Committee meeting if he was able to.

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.

ADJOURNMENT

President Rice adjourned the meeting to Tuesday, September 20, 2016 at 5 P.M. at the District office at approximately 6:10 P.M.



Frank Cobo, Secretary