

**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**

**December 7, 2018**

**CALL TO ORDER**

President Nguyen called the special meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Friday, December 7, 2018 at 5:10 P.M.

**BOARD MEMBERS PRESENT:**

Al P. Krippner  
Margie L. Rice (arrived at 5:10 P.M.)  
Frank A. Cobo  
Chi Charlie Nguyen  
Andrew Nguyen, Board Member Elect  
Sergio Contreras, Board Member Elect

**OTHERS AT MEETING:**

Kenneth Robbins, General Manager  
Robert Housley, Finance/HR Director  
James Eggart, General Counsel  
Danielle Gerardo, Board Secretary  
Assemblyman Tyler Diep, Former Board Member  
City of Westminster Mayor, Tri Ta  
Congressman, Lou Correa  
Community Members

**PLEDGE AND INVOCATION**

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

**PUBLIC COMMENTS**

None

## **OLD BUSINESS**

### **A. CONSIDERATION OF READOPTION ORDINANCE NO. 69 *(Roll Call Vote)***

Consideration of Re-adoption of Ordinance No. 69 – An Ordinance of the Board of Directors of the Midway City Sanitary District Establishing Consolidated and Updated Solid Waste Regulations

General Counsel James Eggart stated that, for the record, the reason this was being brought back to the Board was that the first two pages, which were the whereas' and adoption language were inadvertently excluded from the previous agenda packet, so in order to make sure there were no legal issues with the adoption of the ordinance, it was being presented and brought back to the Board for re-adoption.

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director Rice, seconded by Director Cobo, to readopt Ordinance No. 69, establishing consolidated and updated solid waste regulations. The motion was approved by the following 4-0 roll call vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

## **NEW BUSINESS**

### **A. RESOLUTION NO. 2018-13**

*(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 report of a summary of Staff's recommendation was provided and considered by the Board. A copy of the Certificate of Election Results from the County Clerk/Registrar of Voters was provided to the Board at the time of the meeting. A motion was made by Director Rice, seconded by Director Cobo, to adopt Resolution No. 2018-13 declaring the election of District Directors. The motion was approved by the following 4-0 roll call vote:

AYES: Cobo, Krippner, Nguyen and Rice

NAYS:

ABSTAIN:

ABSENT:

## B. Oath of Office Ceremony for Newly Elected and Re-elected District Directors

The Oath of Office ceremony was conducted for newly elected District Directors Andrew Nguyen and Sergio Contreras and re-elected District Director Margie L. Rice. City of Westminster Mayor Tri Ta administered the Oath of Office to newly elected Director Andrew Nguyen and Congressman Lou Correa administered the Oath of Office to newly elected Director Sergio Contreras and to re-elected Director Margie L. Rice.

President C. Nguyen thanked Congressman Lou Correa and Mayor Tri Ta and welcomed the newly elected, re-elected and installed Board members.

President C. Nguyen thanked Directors Diep and Cobo for their many years of service and presented them with a jacket and hat.

President C. Nguyen called a brief recess to the meeting at 5:29 P.M.

President C. Nguyen called the meeting back to order at 5:45 P.M. and turned the meeting over to General Counsel James Eggart.

## C. Consider the Annual Board Reorganization

General Counsel Eggart stated that he would handle the conduct of the meeting for a few minutes while the Board elected a new President. Once the new President was elected, he would turn the proceedings back over to that individual for the purpose of electing and appointing the rest of the Board positions. He stated that the Orange County Sanitation District representative and alternate representative were appointed by the President. He stated that the Chamber of Commerce representative and alternate representative positions were previously the full Board but that if they were to vote otherwise, for specific and unique legal reasons, the nominees for those positions would need to leave the room and not vote on their own nomination.

General Counsel Eggart opened the floor for nomination for the office of President.

Director Krippner, seconded by Director Rice nominated Director C. Nguyen for the office of President.

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

Hearing none, General Counsel Eggart closed the nominations for the office of President and by acclamation, congratulated President C. Nguyen on his appointment to the office of President.

General Counsel Eggart relinquished the conduct of the proceedings back to the President.

President C. Nguyen took over the conduct of the meeting and thanked the Board.

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

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

Director Rice declined the nomination.

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

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

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

AYES: Contreras, Krippner, A. Nguyen, C. Nguyen, Rice

NAYS:

ABSTAIN:

ABSENT:

President C. Nguyen opened the floor for nominations for the office of Secretary.

Director Rice, seconded by Director Contreras nominated Director Krippner for the office of Secretary.

Director Krippner declined the nomination.

Director Contreras, seconded by Director Rice nominated Director A. Nguyen for the office of Secretary.

The nominations for the office of Secretary were closed.

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

AYES: Contreras, Krippner, A. Nguyen, C. Nguyen, Rice

NAYS:

ABSTAIN:

ABSENT:

President C. Nguyen opened the floor for nominations for the office of Treasurer.

Director Contreras, seconded by Director Rice nominated Director Rice for the office of Treasurer.

President C. Nguyen, seconded by Director Krippner nominated Director Krippner for the office of Treasurer.

The nominations for the office of Treasurer were closed.

The appointment of Director Rice to the office of Treasurer failed by the following 2-3 vote:

AYES: Contreras, Rice  
NAYS: Krippner, A. Nguyen, C. Nguyen  
ABSTAIN:  
ABSENT:

The appointment of Director Krippner to the office of Treasurer was approved by the following 3-2 vote:

AYES: Krippner, A. Nguyen, C. Nguyen  
NAYS: Contreras, Rice  
ABSTAIN:  
ABSENT:

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

Director Contreras, seconded by President C. Nguyen nominated Director Rice for the office Secretary/Treasurer Pro-Tem.

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

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

AYES: Contreras, Krippner, A. Nguyen, C. Nguyen, Rice  
NAYS:  
ABSTAIN:  
ABSENT:

President C. Nguyen 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 C. Nguyen appointed Director A. Nguyen to serve as the District's Representative to Orange County Sanitation District (OCSD).

President C. Nguyen appointed Director Krippner as the Alternate Representative to OCSD.

Directors A. Nguyen and Krippner accepted President C. Nguyen's appointments.

President A. Nguyen stated that the full Board would continue as the District's representative to Independent Special Districts of Orange County (ISDOC), the Westminster Chamber of Commerce, and the Budget and Audit Committee, so no action was necessary.

President C. Nguyen stated that he was on the Calendar Committee with Director Diep last year and would like to continue to be on that committee.

Director Rice stated that she would like to serve on the Calendar Committee with him.

President C. Nguyen nominated Director Rice to the Calendar Committee.

Director Rice nominated President C. Nguyen to the Calendar Committee.

The appointment of President Nguyen and Director Rice to the Calendar committee was approved by the following 5-0 vote:

AYES: Contreras, Krippner, A. Nguyen, C. Nguyen, Rice

NAYS:

ABSTAIN:

ABSENT:

Director Krippner, seconded by Director Contreras nominated Director Krippner as Alternate to the Calendar Committee.

The appointment of Director Krippner as Alternate to the Calendar Committee was approved by the following 5-0 vote:

AYES: Contreras, Krippner, A. Nguyen, C. Nguyen, Rice

NAYS:

ABSTAIN:

ABSENT:

President Nguyen stated that the full Board would continue to act for the Negotiating Committee.

Director Rice nominated President Nguyen to the Franchise Agreement Committee.

Director Contreras nominated Director Rice to the Franchise Agreement Committee.

The appointment of President Nguyen to the Franchise Agreement Committee was approved by the following vote:

AYES: Contreras, Krippner, A. Nguyen, C. Nguyen, Rice  
NAYS:  
ABSTAIN:  
ABSENT:

The appointment of Director Rice to the Franchise Agreement Committee was approved by the following vote:

AYES: Contreras, Krippner, A. Nguyen, C. Nguyen, Rice  
NAYS:  
ABSTAIN:  
ABSENT:

President C. Nguyen, seconded by Director Rice nominated Director Contreras as Alternate to the Franchise Agreement Committee. The appointment of Director Contreras was approved by the following vote:

AYES: Contreras, Krippner, A. Nguyen, C. Nguyen, Rice  
NAYS:  
ABSTAIN:  
ABSENT:

President C. Nguyen opened the floor for discussion as to future Board meeting dates and time. He stated that it is currently set at 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. There was no recommendation for changes, so Director Rice, seconded by Director Krippner made a motion to keep the meeting date and time the same. The motion was approved by the following 5-0 vote:

AYES: Contreras, Krippner, A. Nguyen, C. Nguyen, Rice  
NAYS:  
ABSTAIN:  
ABSENT:

## **INFORMATIONAL ITEMS**

None

## **BOARD CONCERNS/COMMENTS**

Director Rice welcomed newly elected Directors Andrew Nguyen and Sergio Contreras to the Board.

Director Contreras thanked everyone including family, friends and volunteers for all their support and stated that he was looking forward to working with everyone.

Director A. Nguyen thanked his family and friends for their support.

Director C. Nguyen congratulated re-elected Director Rice and newly elected Directors Contreras and A. Nguyen to the Board and said that he was looking forward to working together.

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

GM Robbins congratulated everyone and reminded everyone of the District's Christmas luncheon on Saturday, December 15, 2018.

GM Robbins stated that the previous Board elected to move the Tuesday, January 1, 2019 Board meeting to Wednesday, January 2, 2019 due to the New Year's Day holiday and that he would place it on the next agenda for consideration since there might be some conflicts with the new Board members.

Finance/HR Director Housley congratulated the new Directors on the Board.

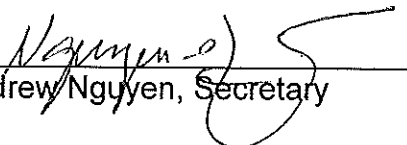
### **GENERAL COUNSEL CONCERNS/COMMENT**

General Counsel James Eggart congratulated all the newly elected Directors and stated that he had letters for new Directors A. Nguyen and Contreras, relating to new laws that would apply to them as public officials, and that he would mail to them. He stated that the Board had adopted procedures over the years and that they should look at them and keep them handy.

GM Robbins stated that he would be providing the Board with new policy handbooks.

### **ADJOURNMENT**

President C. Nguyen adjourned the meeting to Tuesday, December 18, 2018 at 5:00 P.M. at the District office at approximately 6:10 P.M.

  
Andrew Nguyen, Secretary