

MIDWAY CITY SANITARY DISTRICT  
REGULAR MEETING  
BOARD OF DIRECTORS  
DISTRICT OFFICE  
14451 CEDARWOOD AVENUE  
WESTMINSTER, CA

TELECONFERENCE MEETING CALL IN  
<https://global.gotomeeting.com/join/720326069>  
#1-571-317-3122/ACCESS #720326069

AGENDA PACKETS ARE AVAILABLE AT THE DISTRICT OFFICE ADDRESS ABOVE.  
YOU MAY ALSO OBTAIN A COPY OF THE AGENDA PACKET BY EMAILING US AT  
[INFO@MCSANDST.COM](mailto:INFO@MCSANDST.COM) OR BY CALLING THE DISTRICT AT (714)893-3553

Tuesday, December 7, 2021  
5:30 P.M.

**COVID-19 PUBLIC SERVICE ANNOUNCEMENT**

THIS MEETING WILL BE CONDUCTED BOTH IN-PERSON AND VIA TELECONFERENCING PURSUANT TO THE PROVISIONS OF ASSEMBLY BILL 361 AND GOVERNMENT CODE SECTION 54953(e). MEMBERS OF THE PUBLIC WHO WISH TO COMMENT ON MATTERS BEFORE THE BOARD, IN LIEU OF DOING SO TELEPHONICALLY OR IN PERSON, MAY SUBMIT COMMENTS BY EMAILING [INFO@MCSANDST.COM](mailto:INFO@MCSANDST.COM) NO LATER THAN 3:00 P.M. THE DAY BEFORE THE MEETING. THE COMMENTS WILL BE PROVIDED TO THE BOARD AS PART OF THE MEETING RECORD AND MADE AVAILABLE TO THE PUBLIC. IN LIGHT OF HEALTH RISKS ASSOCIATED WITH COVID-19, MEMBERS OF THE PUBLIC ARE STRONGLY ENCOURAGED TO PARTICIPATE IN THIS MEETING TELEPHONICALLY AND TO CONSIDER VERY CAREFULLY BEFORE ATTENDING THIS MEETING IN PERSON. MEMBERS OF THE PUBLIC ATTENDING IN PERSON WILL BE ASKED TO MAINTAIN A SIX-FOOT DISTANCE FROM OTHERS. PLEASE DO NOT ATTEND THIS MEETING IN PERSON IF YOU HAVE TESTED POSITIVE FOR CORONAVIRUS (COVID-19), IF YOU ARE EXPERIENCING SYMPTOMS SUCH AS COUGHING, SNEEZING, FEVER, DIFFICULTY BREATHING OR OTHER FLU-LIKE SYMPTOMS, OR IF YOU HAVE HAD DIRECT CONTACT WITH SOMEONE WHO HAS TESTED POSITIVE FOR CORONAVIRUS OR IS EXPERIENCING SUCH SYMPTOMS.

**AGENDA**

**OUR MISSION STATEMENT**

***THE BOARD OF DIRECTORS AND EMPLOYEES OF MIDWAY CITY SANITARY DISTRICT WORK DILIGENTLY TO PROVIDE SEWER AND SOLID WASTE SERVICES TO THE RESIDENTS OF THE DISTRICT. OUR TOP PRIORITY IS TO ACCOMPLISH THIS IN AN ETHICAL, EFFICIENT, AND COST-EFFECTIVE MANNER THAT WILL PROTECT THE HEALTH AND SAFETY OF THOSE WE SERVE.***

In accordance with the requirements of California Government Code Section 54954.2, this Agenda is posted not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the Board Secretary.

In the event any matter not listed on this agenda is proposed to be submitted to the Board for discussion and/or action, it will be done in compliance with Section 54954.2, or as set forth on a Supplemental Agenda posted not less than 72 hours prior to the meeting.

Please Note: The District complies with the provisions of the Americans with Disabilities Act (ADA). Anyone needing special assistance please contact the District's Secretary at (714) 893-3553, at least one business day prior to the meeting so that we may accommodate you.

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE AND INVOCATION**

**2. ROLL CALL**

**3. PUBLIC COMMENTS:**

All persons wishing to address the Board on specific Agenda items or matters of general interest should do so at this time. As determined by the President, speakers may be deferred until the specific item is taken for discussion and remarks may be limited to three (3) minutes.

**4. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF NOV. 16, 2021**  
*(Roll Call Vote)*

**5. APPROVAL OF EXPENDITURES**

A. Approval of Demands in the Amount of \$ 618,198.29 *(Roll Call Vote)*

**6. REPORTS**

The President, General Manager, General Counsel and other staff present verbal reports on miscellaneous matters of general interest to the Directors. These reports are for information only and require no action by the Directors.

- A. Report of President
- B. Report of General Manager
- C. Report from the Orange County Sanitation Meeting on Nov. 17, 2021
- D. Report from the VNCR Radio Show on Nov. 18, 2021
- E. Report from Ad Hoc Committee Meeting on Nov. 24, 2021
- F. Report from the Radio Shows on Nov. 29 & 30, 2021
- G. Report from the Franchise Committee Meeting on Dec. 6, 2021

**7. CONSENT CALENDAR**

All matters listed on the Consent Calendar are considered routine and will be acted upon at the same time unless separate discussion and/or action is requested by a Board Member, the public, or staff. *(Roll Call Vote)*

- A. Approve Request of Fleet Maintenance Lead Worker Raul Martinez to Receive 40 Hours of Vacation Pay in Lieu of Time Off Due to Financial Hardship

**8. OLD BUSINESS**

None

**9. NEW BUSINESS**

- A. Consider the Annual Board Reorganization *(Roll Call Vote)*
- B. Approve Budget Calendar for Fiscal Year 2022-2033 (July 1, 2022 through June 30, 2023) *(Roll Call Vote)*
- C. Consider Amendment to Legal Agreement with Rutan & Tucker, LLP Providing for Increased Hourly Billing Rates for Legal Counsel Services Commencing on January 1, 2022 *(Roll Call Vote)*
- D. Approval of Notice to Bidders for the Addition and Remodel of the Midway City Sanitary District Office *(Roll Call Vote)*
- E. Consideration of Adoption of Ordinance #71 Amending the District's Solid Waste Regulations to Comply with SB1383 Organics Recycling Mandates *(Roll Call Vote)*
- F. Consideration of Approval of Enforcement Authority Agreement with the City of Westminster for the Education, Compliance and Enforcement Pursuant to Senate Bill 1383 *(Roll Call Vote)*
- G. RESOLUTION NO. 2021-13 *(Roll Call Vote)*

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, MAKING SPECIFIED FINDINGS AND REAUTHORIZING THE USE OF TELECONFERENCING IN ACCORDANCE WITH ASSEMBLY BILL 361 AND GOVERNMENTS CODE SECTION 54953 (e) FOR MEETINGS OF THE MIDWAY CITY SANITARY DISTRICT BOARD OF DIRECTORS AND OTHER DISTRICT COMMITTEES SUBJECT TO STATE OPEN MEETINGS LAWS

**10. INFORMATIONAL ITEMS**

- A. CalPERS Employer News – ALM Decision: Board Holds Discount Rate and Selects New Investment Allocation

**11. BOARD CONCERNS/COMMENTS**

**12. GM/STAFF CONCERNS/COMMENTS**

**13. GENERAL COUNSEL CONCERNS/COMMENTS**

**14. 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.

None

**15. ADJOURNMENT TO TUESDAY, DECEMBER 21, 2021**