

# **MIDWAY CITY SANITARY DISTRICT**

## **BOARD OF DIRECTORS REGULAR MEETING AGENDA DISTRICT OFFICE BOARD ROOM 14451 CEDARWOOD STREET WESTMINSTER, CA 92683**

**Tuesday, June 4, 2024  
5:30 P.M.**

### **OUR MISSION STATEMENT**

**THE BOARD OF DIRECTORS AND EMPLOYEES OF THE 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 AND DECLARATION OF QUORUM**

#### **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**

A. Approval of the Minutes of the Regular Meeting on May 21, 2024

## 5. REPORTS

The President, General Manager, Legal 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 of Director of Services & Program Development
- D. Report of Westminster Public Works Open House on May 18, 2024
- E. Report of District Employee Luncheon on May 22, 2024
- F. Report of OC San District Board of Directors/ Ribbon Cutting Meeting on May 22, 2024

## 6. 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.

- A. Receive and File the Register of Demands in the Amount of \$597,367.48
- B. Approve Fiscal Year 2023-2024 Budget Adjustments No. 2

## 7. OLD BUSINESS

None.

## 8. NEW BUSINESS

- A. A **RESOLUTION NO. 2024-11** OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE FISCAL YEAR 2024-2025 FOR THE DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF DIVISION 9 OF TITLE 1 OF THE CALIFORNIA GOVERNMENT CODE **(Roll Call Vote)**
- B. A **RESOLUTION NO. 2024-12** OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY AUTHORIZING AND MAKING FINDINGS FOR CONTINUED EMERGENCY ACTION FOR THE REPAIR, REPLACEMENT, AND LINING OF DAMAGED SEWER LINES, REMOVAL AND REPLACEMENT OF A MANHOLE, AND RELATED STREET REPAIRS IN WEBBER PLACE BETWEEN MANHOLE 2006 AND MANHOLE 2005 AND IN PEMBROOK LANE BETWEEN MANHOLE 2006 AND MANHOLE 2019 **(Roll Call Vote)**
- C. Consider Approval of Amendment No. 3 to the Existing Professional Services Agreement with AKM Consulting Engineering for the Sewer System Master Plan Project to Include Conducting an Audit of the District's Sewer System Master Plan at an Additional Cost Not to Exceed \$53,996 and Authorize the General Manager to Enter Into and Execute the Amendment

**9. INFORMATIONAL ITEMS**

None.

**10. BOARD CONCERNS AND COMMENTS**

**11. GM/STAFF CONCERNS AND COMMENTS**

**12. GENERAL COUNSEL CONCERNS AND COMMENTS**

**13. CLOSED SESSION ITEMS**

None.

**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.

**14. ADJOURNMENT TO TUESDAY, JUNE 18, 2024**

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

**May 21, 2024**

**CALL TO ORDER:**

President M. Nguyen called the regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Street, Westminster, California on Tuesday, May 21, 2024 at 5:31 P.M.

**BOARD MEMBERS PRESENT:**

Mark Nguyen  
Tyler Diep  
Chi Charlie Nguyen  
Andrew Nguyen

**STAFF MEMBERS PRESENT:**

Ashley Davies, Acting General Manager  
Milo Ebrahimi, District Engineer, P.E  
Cynthia Olsder, Executive/Board Secretary

**BOARD MEMBERS ABSENT:**

Sergio Contreras

**OTHERS PRESENT:**

James H. Eggart, General Counsel Woodruff & Smart  
Brian Hamblet, Burke, Williams, Sorensen, LLP

**PLEDGE OF ALLEGIANCE AND INVOCATION:**

Director C. Nguyen led the Pledge of Allegiance. Director T. Diep gave the Invocation.

**PUBLIC COMMENTS:**

None.

**APPROVAL OF THE MINUTES OF THE SPECIAL MEETING ON APRIL 11, 2024, THE REGULAR MEETING ON APRIL 16, 2024, AND THE SPECIAL MEETING ON APRIL 30, 2024**

A motion was made by Director C. Nguyen, seconded by Director A. Nguyen, to approve the minutes of the special meeting on April 11, the regular meeting on April 16, 2024, and the special meeting on April 30, 2024. The motion was approved by the following 4-0 vote:

AYES: A. Nguyen, M. Nguyen, T. Diep, C. Nguyen

NAYS:

ABSTAIN:

ABSENT: S. Contreras

**REPORTS:**

**Report of President**

None.

**Report of the Acting General Manager**

Acting GM A. Davies provided updates on events occurring at the District. She reported that all drivers had a great chance to receive a refresher during this year's biennial driver safety training session last weekend. In addition, she gave an update on SB1383, the customer satisfaction survey, and the District's future outreach events.

**Report of Radio Outreach with Me Vietnam on April 12, 2024**

Director A. Nguyen and Director C. Nguyen invited CR&R to attend the meeting with them. Together they discussed SB1383, current and future outreach opportunities.

**Report of Radio Outreach with VietLink on April 18, 2024**

President M. Nguyen and Director S. Contreras attended the meeting to discuss current and future outreach opportunities with CR&R staff.

**Report of Westminster Earth Day Event on April 20, 2024**

Staff attended the event and reported that it was a great opportunity to engage with the community.

**Report of District Employee Luncheon on April 24, 2024**

President M. Nguyen and Director S. Contreras attended the meeting to discuss SB1383, current and future outreach opportunities.

**Report of OC San District Board of Directors Meeting on April 24, 2024**

Director A. Nguyen reported that he attended the meeting and gave an update on the most recent OC San news. He reminded the Board that OC San will be having a Ribbon Cutting Event on May 22, 2024.

**Report of ISDOC Quarterly Luncheon Meeting on April 25, 2024**

Director S. Contreras and Director A. Nguyen attended the event and shared that it was well-attended and an excellent opportunity to reconnect with peers and community.

**Report of District Community Workshop on April 27, 2024**

President M. Nguyen and Director A. Nguyen attended the event and stated that we should look for other approaches to engage the community.

**Report of Westminster Black April Remembrance Ceremony on April 30, 2024**

President M. Nguyen, Director A. Nguyen, and Director C. Nguyen attended the event and said that it was a good turnout despite the event's length. Director C. Nguyen expressed gratitude to the Board for supporting this event.

**Report of WasteExpo Conference on May 7-9, 2024**

President M. Nguyen, Director C. Nguyen and Director A. Nguyen attended the conference and they all agreed that it was a great opportunity to see all the newest technology associated with the waste sector.

**Report of Radio Outreach with Radio Bolsa on May 14, 2024**

Director A. Nguyen and Director C. Nguyen attended the radio recording to provide information on SB 1383, the District's services and upcoming events.

**Report of Radio Outreach with VNCR on May 16, 2024**

Director A. Nguyen and Director C. Nguyen participated in the radio recording to provide information on SB 1383, the District’s services and upcoming events.

**CONSENT CALENDAR:**

- A. Receive and File the Register of Demands in the Amount of \$3,395,407.45
- B. Approve and File the Treasurer’s Investment Report for April 2024
- C. Received and File the 3<sup>rd</sup> Quarter 2023-2024 Fiscal Year Financial and Budget Reports
- D. Approve the May 1, 2024 Outreach Committee Recommendations
- E. Receive and File the Engineer Report for March 2024
- F. Declare Four Class C Vehicles, One Sewer Vactor Truck, and Three Other Pieces of Equipment to be Surplus Property and Authorize the General Manager to Dispose of said Vehicles and Equipment Pursuant to the Methods Set Fourth in the District’s Purchasing Policy and Procedures
- G. Approve the April 10, 2024 Franchise Committee Report

A motion was made by Director C. Nguyen, seconded by Director A. Nguyen, to approve the Consent Calendar. The motion was approved by the following 4-0 vote:

- AYES: A. Nguyen, M. Nguyen, T. Diep, C. Nguyen
- NAYS:
- ABSTAIN:
- ABSENT: S. Contreras

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

- A. Discuss and Consider the Ballots for Orange County LAFCO Regular Special District Member Seat

A staff report and recommendations were provided to and considered by the Board. A motion was made by Director C. Nguyen, seconded by Director T. Diep, to direct staff to prepare the ballot and vote for James R. Fidler for Orange County LAFCO regular special district member seat. The motion was approved by the following 4-0 vote:

- AYES: A. Nguyen, M. Nguyen, C. Nguyen, T. Diep,
- NAYS:
- ABSTAIN:
- ABSENT: S. Contreras

B. RESOLUTION 2024-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY (1) RATIFYING AND AUTHORIZING CONTINUED EMERGENCY ACTION FOR THE REPAIR, REPLACEMENT, AND LINING OF DAMAGED SEWER LINES, REMOVAL AND REPLACEMENT OF A MANHOLE, AND RELATED STREET REPAIRS IN WEBBER PLACE BETWEEN MANHOLE 2006 AND MANHOLE 2005 AND IN PEMBROOK LANE BETWEEN MANHOLE 2006 AND MANHOLE 2019; (2) RATIFYING AN AGREEMENT WITH PAULUS ENGINEERING, INC. AND RELATED CHANGE ORDER FOR A PORTION OF THE WORK; (3) APPROVING AND AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN AGREEMENT WITH PERFORMANCE PIPELINE TECHNOLOGIES, INC. FOR A PORTION OF THE WORK; AND (4) FINDING THAT THE PROJECT IS STATUTORILY EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

A staff report and recommendations were provided to and considered by the Board. A motion was made by Director C. Nguyen, seconded by Director A. Nguyen, to adopt Resolution No. 2024-10 as presented at the meeting. The motion was approved by the following 4-0 roll call vote:

- AYES: A. Nguyen, M. Nguyen, T. Diep, C. Nguyen
- NAYS:
- ABSTAIN:
- ABSENT: S. Contreras

C. Consider Approval of a Professional Service Agreement with AKM Consulting Engineers for Preparation of Plans and Specifications for Construction of Manholes Upstream and Downstream of the Inverted Siphon at Westminster Boulevard and Springdale Street

A staff report and recommendations were provided to and considered by the Board. A motion was made by Director A. Nguyen, seconded by Director C. Nguyen, to (1) approve waiving the formal procurement requirements for professional services and authorize a negotiated procurement (2) approve the proposed professional service agreement between the District and AKM Consulting Engineers (3) approve and authorize the General Manager to make minor changes to the Agreement as needed and to execute the Agreement on behalf of the District (4) and to approve and authorize the General Manager to approve services or work costing up to \$15, 000 more than the estimated maximum contract amount of \$119,164 pursuant to Section 3.1 of the Agreement, if necessary. The motion was approved by the following 4-0 vote:

- AYES: A. Nguyen, M. Nguyen, C. Nguyen, T. Diep,
- NAYS:
- ABSTAIN:
- ABSENT: S. Contreras

D. Discussion of Election Information for the November 5, 2024 General Election and Transmittal of Election Information Special District

A staff report and recommendations were provided to and considered by the Board. A motion was made by Director T. Diep, seconded by Director A. Nguyen, to approve the use of 200 words in the Candidate's Statement of Qualifications and that the cost be borne by the candidate, not the District. The motion was approved by the following 4-0 vote:

AYES: A. Nguyen, M. Nguyen, C. Nguyen, T. Diep,

NAYS:

ABSTAIN:

ABSENT: S. Contreras

**INFORMATIONAL ITEMS:**

- A. Special District Risk Management Authority (SDRMA) Board of Directors
- B. Final OC LAFCO FY 2024-25 Budget
- C. CalOES Letter of Support for Microgrid Project
- D. California Special Districts Association (CSDA) 2024 Climate Resilience Bond Priorities
- E. Support Request –Special District Grant Accessibility Act (H.R. 7525)

Received and File.

**BOARD CONCERNS AND COMMENTS:**

None.

**ACTING GM/STAFF CONCERNS AND COMMENT:**

None.

**GENERAL COUNSEL CONCERNS AND COMMENTS:**

General Counsel, J. Eggart announced that, due to a conflict of interest, he would not be participating in the closed session, and that the closed session would be handled by the District's outside counsel.

With the consent of the full Board, General Counsel, J. Eggart convened the meeting to closed session at 5:59 P.M. for consideration of the following matter identified on Agenda pursuant to applicable law.

General Counsel, J. Eggart left the room.



**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.

**A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

(Gov Code § 54956.9 (d)) Jonathan H. Cannon et al v. Midway City Sanitary District  
(Case No. 8:21-CV-01072 DOC (ADSx))

President M. Nguyen reconvened the open session portion of the meeting at 6:08 P.M.

President M. Nguyen reported that the Board had met in closed session as identified on Agenda Item 13A, and that no reportable action had been taken.

**ADJOURNMENT:**

President M. Nguyen adjourned the meeting at 6:08 P.M. to the next Board Meeting to be held at the District on Tuesday, June 4, 2024, at 5:30 P.M.

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Andrew Nguyen, Secretary

AGENDA ITEM 6A

Date: June 4, 2024

To: Board of Directors

From: Robert Housley, General Manager

Prepared by: Mariana Sanchez, Accountant

Subject: Receive and File the Register of Demands in the Amount of \$597,367.48

**BACKGROUND**

The laws of the State of California governing Special Districts provide that the Midway City Sanitary District Board of Directors shall review for approval all payments made by the District.

A Register of Demands is provided at each regular Midway City Sanitary District Board Meeting describing each payment made or to be made by the district during the specified period. The report is designed to communicate fiscal activity based on adopted and approved budget appropriations.

The Treasurer has duly reviewed the demands on the attached register.

**FISCAL IMPACT**

The total value of demand for this period is \$597,367.48. This includes expenses, payroll, and payroll-related disbursements.

Sufficient funds are available to process all payments.

**STAFF RECOMMENDATION**

Staff recommends that the Board of Directors review and file the attached Register of Demands.

**ATTACHMENTS:**

1. Disbursement Details for June 4, 2024

**Midway City Sanitary District**  
**Accounts Payable Expenditures, Payments, Payroll, and ACH Payment(s) Report**  
**Prepared for Board Meeting held on June 04, 2024**

Type	Num	Date	Name	Memo	Paid Amount
Check	15667	05/17/2024	Advanced Thermal Products, Inc	VOID:	0.00
Check	15668	05/17/2024	Advanced Workplace Strategies, Inc.	VOID:	0.00
Check	15669	05/17/2024	Akeso Occupational Health	VOID:	0.00
Check	15670	05/17/2024	Andrew Nguyen	VOID:	0.00
Check	15671	05/17/2024	AT&T Mobility (First Net)	VOID:	0.00
Check	15672	05/17/2024	Ayala's Car Wash	VOID:	0.00
Check	15673	05/17/2024	Betts Truck Parts & Service	VOID:	0.00
Check	15674	05/17/2024	City Green Consulting, LLC	VOID:	0.00
Check	15675	05/17/2024	City of Westminster Hydrant	VOID:	0.00
Check	15676	05/17/2024	Daniels Tire Service	VOID:	0.00
Check	15677	05/17/2024	Haaker Equipment Co.	VOID:	0.00
Check	15678	05/17/2024	HB Staffing/Cathyjon Enterprises, Inc.	VOID:	0.00
Check	15679	05/17/2024	Hillco Fastener Warehouse Inc.	VOID:	0.00
Check	15680	05/17/2024	Mark Nguyen	VOID:	0.00
Check	15681	05/17/2024	Motion and Flow Control Products, Inc.	VOID:	0.00
Check	15682	05/17/2024	Orange County Sanitation District	VOID:	0.00
Check	15683	05/17/2024	Pitney Bowes/Purchase Power	VOID:	0.00
Check	15684	05/17/2024	Safety-Kleen Systems, Inc.	VOID:	0.00
Check	15685	05/17/2024	Shannon Frost	VOID:	0.00
Check	15686	05/17/2024	SoCalGas	VOID:	0.00
Check	15687	05/17/2024	Southwest Patrol, Inc.	VOID:	0.00
Check	15688	05/17/2024	Staples Business Credit	VOID:	0.00
Check	15689	05/17/2024	TEC Of California, Inc.	VOID:	0.00
Check	15690	05/17/2024	Underground Service Alert	VOID:	0.00
Check	15691	05/17/2024	UniFirst Corporation	VOID:	0.00
Check	15692	05/17/2024	Wespac Security Services, Inc.	VOID:	0.00
Check	15693	05/17/2024	Advanced Thermal Products, Inc		
Bill	240467	05/01/2024		Fire blankets (3) for NG-19, NG-20, NG-21	1,410.00

Midway City Sanitary District

Accounts Payable Expenditures, Payments, Payroll, and ACH Payment(s) Report

Prepared for Board Meeting held on June 04, 2024

Type	Num	Date	Name	Memo	Paid Amount
Bill	240468	05/01/2024		Fire blanket for NG-18	2,380.00
					3,790.00
<b>Check</b>	<b>15694</b>	<b>05/17/2024</b>	<b>Advanced Workplace Strategies, Inc.</b>	<b>Cust #1973</b>	
Bill	615310	04/30/2024		DOT Random Test Enrollment (3)	213.85
				DOT Random Test Enrollment (1)	58.95
				DOT Random Test Enrollment (1)	58.95
					331.75
<b>Check</b>	<b>15695</b>	<b>05/17/2024</b>	<b>Akeso Occupational Health</b>		
Bill	EM004624	05/13/2024		Drug Screen - DOT Contreras, Juan	50.00
				Breath Alcohol Test - DOT Contreras, Juan	65.00
					115.00
<b>Check</b>	<b>15696</b>	<b>05/17/2024</b>	<b>Andrew Nguyen</b>	<b>2024 Waste Expo Reimbursement</b>	
Bill	2024 WasteExpo	05/16/2024		2024 Waste Expo Reimbursement	1,254.31
					1,254.31
<b>Check</b>	<b>15697</b>	<b>05/17/2024</b>	<b>AT&amp;T Mobility (First Net)</b>		
Bill	287291683611X051024	05/02/2024		April 2024	372.21
				April 2024	137.13
				April 2024	91.42
Bill	287341896497X051024	05/02/2024		April 2024	81.00
					681.76
<b>Check</b>	<b>15698</b>	<b>05/17/2024</b>	<b>Ayala's Car Wash</b>		
Bill	1595	05/06/2024		Fleet Wash (2) 05/06/24	80.00
				Fleet Wash (8) 05/06/24	320.00
Bill	1596	05/07/2024		Fleet wash (2) 5/07/24	60.00
				Fleet wash (1) 5/07/24	30.00
				Fleet wash (3) 5/07/24	90.00
				Fleet wash (3) 5/07/24	90.00
Bill	2149	05/13/2024		Fleet Wash (9) 05/13/24	360.00
					1,030.00
<b>Check</b>	<b>15699</b>	<b>05/17/2024</b>	<b>Betts Truck Parts &amp; Service</b>	<b>PO #28481</b>	
Bill	05P18338	05/09/2024		Taper Spring (1) for NG-7	884.00
					884.00
<b>Check</b>	<b>15700</b>	<b>05/17/2024</b>	<b>City Green Consulting, LLC</b>	<b>SB1383 Program Assistance Services</b>	
Bill	SWC-24-25-1	04/30/2024		Notice to Proceed through April 30, 2024	3,115.00
					3,115.00
<b>Check</b>	<b>15701</b>	<b>05/17/2024</b>	<b>City of Westminster Hydrant</b>	<b>Acct #013-0012-00 Customer #045973</b>	
Bill	87523 05/14/24	05/14/2024		Hydrant Water Service May-2024	84.94
					84.94
<b>Check</b>	<b>15702</b>	<b>05/17/2024</b>	<b>Daniels Tire Service</b>		
Bill	200503648	04/30/2024		Recap Tires (3)	749.03
Bill	200504309	05/08/2024		Recap Tires (2)	461.34
Bill	200504956	05/16/2024		Recap Tires (9)	2,117.89
					3,328.26
<b>Check</b>	<b>15703</b>	<b>05/17/2024</b>	<b>Haaker Equipment Co.</b>	<b>Customer # 129 PO# NG1216</b>	
Bill	C1AD77	05/03/2024		Replacement Harness for remote control for NG-12 & NG-16 Vactor Trucks	316.12
					316.12
<b>Check</b>	<b>15704</b>	<b>05/17/2024</b>	<b>HB Staffing/Cathyjon Enterprises, Inc.</b>		
Bill	4377204	04/25/2024		Administrative Assistant 04/16/24 - 04/18/24	605.15
Bill	4381057	05/02/2024		Administrative Assistant 04/23/24 - 04/25/24	716.63
Bill	4384883	05/09/2024		Administrative Assistant 04/30/24 - 05/02/24	716.63
					2,038.41
<b>Check</b>	<b>15705</b>	<b>05/17/2024</b>	<b>Hillco Fastener Warehouse Inc.</b>	<b>Order No. 01383266</b>	
Bill	5377473	05/06/2024		Restock nuts, washers and bolts	235.71
					235.71
<b>Check</b>	<b>15706</b>	<b>05/17/2024</b>	<b>Mark Nguyen</b>	<b>2024 Waste Expo</b>	
Bill	2024 Waste Expo	05/16/2024		2024 Waste Expo	1,130.81
					1,130.81

Midway City Sanitary District

Accounts Payable Expenditures, Payments, Payroll, and ACH Payment(s) Report

Prepared for Board Meeting held on June 04, 2024

Type	Num	Date	Name	Memo	Paid Amount
Check	15707	05/17/2024	Motion and Flow Control Products, Inc.	PO # 28460 ID#176382	
Bill	9107042	05/07/2024		Parker Female (6)	116.12
					116.12
Check	15708	05/17/2024	Orange County Sanitation District	MCSDD Mar Permit Fees 2024	
Bill	Permit Fees Mar-2024	03/31/2024		Permit Fees Mar-2024	111,610.04
					111,610.04
Check	15709	05/17/2024	Paper, Recycling & Shredding Specialist	VOID:	
					0.00
Check	15710	05/17/2024	Pitney Bowes/Purchase Power	Acct # 80000-90000-0933-5138	
Bill	80009000093351380524	05/10/2024		Postage April-2024	100.00
				Postage May-2024	100.00
					200.00
Check	15711	05/17/2024	Safety-Kleen Systems, Inc.		
Bill	94481132	05/04/2024		Parts washer for shop use	292.53
Bill	94481187	05/06/2024		Anti-freeze	536.17
					828.70
Check	15712	05/17/2024	Shannon Frost	Notary Services	
Bill	05.16.24	05/16/2024		Notary Services (3)	30.00
					30.00
Check	15713	05/17/2024	SoCalGas		
Bill	19170926059 051024	04/30/2024		District Offices April 2024	93.27
Bill	19380926006 05082024	05/09/2024		Maint. Shop & Wash Rack - May 2024	41.83
					135.10
Check	15714	05/17/2024	Southwest Patrol, Inc.		
Bill	75523	04/30/2024		Patrol Service 4/1/24 - 4/30/24	1,197.00
					1,197.00
Check	15715	05/17/2024	Staples Business Credit	Acct # 10181543LA	
Bill	7000440548	04/25/2024		Office Supplies Apr-2024	176.54
				Premium Membership Fee	326.24
					502.78
Check	15716	05/17/2024	TEC Of California, Inc.		
Bill	1444035L	05/01/2024		Seat Belt (2), Nut (10)	121.93
Bill	1445558L	05/09/2024		Kit, Turbo (1) for NG-5	2,669.28
Bill	1445726L	05/10/2024		Clamp (5), Stud (4)	264.45
Bill	1445726LX1	05/10/2024		Clamp (1)	55.17
Bill	1445853L	05/10/2024		Sensor, Oxy (2) for NG-5	843.85
Bill	1446016L	05/13/2024		Tie Rod (4)	1,076.03
					5,030.71
Check	15717	05/17/2024	Underground Service Alert	MCSDDIST	
Bill	420240442	05/01/2024		Underground Dig Alerts April-2024 (5)	18.75
					18.75
Check	15718	05/17/2024	UniFirst Corporation		
Bill	2190167725	05/03/2024		May - 2024	190.85
Bill	2190167726	05/03/2024		May - 2024	111.89
Bill	2190167727	05/03/2024		May - 2024	69.66
Bill	2190167728	05/03/2024		May - 2024	16.23
Bill	2190171204	05/10/2024		May - 2024	190.85
Bill	2190171205	05/10/2024		May - 2024	78.56
Bill	2190171206	05/10/2024		May - 2024	69.66
Bill	2190171207	05/10/2024		May - 2024	16.23
					743.93
Check	15719	05/17/2024	Wespac Security Services, Inc.		
Bill	L6B-0173-B1 May 2024	05/01/2024		Install Alarm System	2,970.00
				Burglar Alarm Monitoring 02/24-03/24	90.00
				Burglar Alarm Monitoring 04/24-06/24	135.00
Bill	L6B-0173-F May 2024	05/01/2024		1-22-24 Cel CPU Battery	185.00
				Fire alarm monitoring 01/24 - 03/24	255.00
				Fire alarm monitoring 04/24 - 06/24	255.00
Bill	L6B-0175-G May 2024	05/01/2024		Gas leak alarm monitoring 01/24 - 03/24	249.00
				Gas leak alarm monitoring 04/24 - 06/24	249.00
					4,388.00
Check	15720	05/24/2024	91 Express Lanes	Violation # 486371607	
Bill	110001649144	05/16/2024		Notice ID 110001649144, Violation # 486371607	30.60
					30.60

**Midway City Sanitary District**  
**Accounts Payable Expenditures, Payments, Payroll, and ACH Payment(s) Report**  
**Prepared for Board Meeting held on June 04, 2024**

Type	Num	Date	Name	Memo	Paid Amount
Check	15721	05/24/2024	Alejandro Gonzalez	Reimbursement for Cell Phone	
Bill	Reimbursement	05/24/2024		Reimbursement for cell phone lost during sewer line cleaning	329.58
					329.58
Check	15722	05/24/2024	AT&T (Brookhurst Lift Station)	Acct # 714 531-0272 115 1	
Bill	7145310272 05/24	05/13/2024		Brookhurst May-2024	599.57
					599.57
Check	15723	05/24/2024	Ayala's Car Wash	Fleet Wash 05/21/24	
Bill	1651	05/21/2024		Fleet Wash (2) 05/21/24	80.00
				Fleet Wash (8) 05/21/24	320.00
					400.00
Check	15724	05/24/2024	Bodyworks Equip. Inc.		
Bill	47294	05/17/2024		Interface Box (2), Husco Control Box (1), Rocker Switch (20)	2,288.88
Bill	47299	05/17/2024		Check & Relief Valve (2), Control Box Harness (1)	2,083.95
Bill	47296	05/17/2024		Tube, 1/2" undump arm (1), Check valve (2), Coil A (4), Spring (10), Connectot, 8 way (2), Prox....	1,754.13
Bill	47295	05/17/2024		4" Cam Follower (10), 2" Cam Follower (32)	3,383.08
Bill	47320	05/21/2024		RR Dump Cylinder (3), Grip Cylinder (2), Arm Raise Cylinder (2)	7,742.18
Bill	47321	05/21/2024		In/Out Cylinder (2)	4,245.21
					21,497.43
Check	15725	05/24/2024	City of Westminster		
Bill	146	04/17/2024		Manhole adjustments (9)	9,000.00
Bill	145	04/17/2024		Manhole adjustments (16)	18,000.00
					27,000.00
Check	15726	05/24/2024	Daniels Tire Service	Cust # 2002338 Ref # 902049	
Bill	200505577	05/22/2024		Recap Tires (2)	461.34
					461.34
Check	15727	05/24/2024	Grainger		
Bill	9109514134	05/06/2024		DC Power Supply (3)	2,424.73
Bill	9113659677	05/09/2024		Power Supply, Redundancy Module (3)	549.24
					2,973.97
Check	15728	05/24/2024	HB Staffing/Cathyjon Enterprises, Inc.	Client# 341347	
Bill	4388741	05/16/2024		Administrative Assistant 05/07/24 - 05/10/24	477.75
					477.75
Check	15729	05/24/2024	Hillco Fastener Warehouse Inc.	Order No. 01383910	
Bill	5378116	05/17/2024		Restock capscrews, washers and retainers	27.82
					27.82
Check	15730	05/24/2024	PeopleSpace	Sales Order# SO1058406	
Bill	INV89585	05/20/2024		Custom bookcase (2)	3,223.88
					3,223.88
Check	15731	05/24/2024	Pre-Paid Legal Services, Inc.	Group #155124	
Bill	155124 052524	05/25/2024		Prepaid Legal May-2023	33.90
					33.90
Check	15732	05/24/2024	Safety Research Consultants, Inc.	Training class for MCSD	
Bill	7291	05/17/2024		Driver's Safety Training on 05/18/2024	2,175.00
					2,175.00
Check	15733	05/24/2024	SDRMA - Claims	Claim # AD2324009456-0001 Ref# C00498	
Bill	C00498	05/20/2024		Claim Incident dated 5/15/2024 - deductible	967.90
					967.90
Check	15734	05/24/2024	SoCal Auto & Truck Parts, Inc.	PO#28475	
Bill	609486	05/03/2024		Chuck (10), Halogen Sealed Beams (7), Carb-Choke cleaner (12), Mobil 5W20 (12), Fab Loom-Split P...	1,607.13
					1,607.13
Check	15735	05/24/2024	Southern California Edison		
Bill	700884706025 5/24	05/17/2024		Cedarwood 4/22/24 - 5/16/24	5,220.86

**Midway City Sanitary District**  
**Accounts Payable Expenditures, Payments, Payroll, and ACH Payment(s) Report**  
**Prepared for Board Meeting held on June 04, 2024**

Type	Num	Date	Name	Memo	Paid Amount
Bill	700472251517 052124	05/21/2024		Willow May-2024	339.36
				Brookhurst May-2024	172.36
				Hammon May-2024	854.18
				Westminster May-2024	1,652.95
					8,239.71
<b>Check</b>	<b>15736</b>	<b>05/24/2024</b>	<b>TEC Of California, Inc.</b>	<b>PO # 28494</b>	
Bill	1446815L	05/17/2024		Lube Filter (4), Fule Filter (5), Air Filter (12) - awaiting credit for (1) filter missing from ...	790.94
					790.94
<b>Check</b>	<b>15737</b>	<b>05/24/2024</b>	<b>UniFirst Corporation</b>		
Bill	2190174734	05/17/2024		May - 2024	190.85
Bill	2190174736	05/17/2024		May - 2024	77.24
Bill	2190174738	05/17/2024		May - 2024	69.66
Bill	2190174739	05/17/2024		May - 2024	16.23
					353.98
<b>Check</b>	<b>15738</b>	<b>05/24/2024</b>	<b>VNCR</b>	<b>0/22/24 - 06/06/24</b>	
Bill	2024 / 05-333	05/21/2024		Radio talkshow 12 min (6) 05/21/24 - 06/06/24	1,998.00
					1,998.00
<b>Check</b>	<b>15739</b>	<b>05/24/2024</b>	<b>Woodcliff Corporation - Contractor</b>	<b>Project No: 202041</b>	
Bill	Solar #05 032024	05/22/2024		Solar Project Pay App #5 03/2024	63,400.85
					63,400.85
<b>Check</b>	<b>15740</b>	<b>05/24/2024</b>	<b>Woodcliff Corporation - Escrow Account</b>	<b>Account No. 3586554618</b>	
Bill	3586554618 042024	04/16/2024		Building Project #16 Apr 2024 - Retention Payment	3,985.55
					3,985.55
<b>Check</b>	<b>15741</b>	<b>05/24/2024</b>	<b>Woodruff &amp; Smart</b>	<b>ID: 2003-JHE</b>	
Bill	76160	04/30/2024		Legal Services Apr-2024	14,453.70
					14,453.70
<b>Check Total</b>					<b>\$298,165.80</b>
<b>ACH Payment</b>		<b>05/16/2024</b>		<b>Funds Transfer 457(b) Salary Reduction</b>	
				Funds Transfer 457(b) Salary Reduction	3,753.22
					3,753.22
<b>ACH Payment</b>		<b>05/16/2024</b>		<b>Funds Transfer 457(b) Roth</b>	
				Funds Transfer 457(b) Roth	2,907.79
					2,907.79
<b>ACH Payment</b>	<b>1002641967</b>	<b>05/17/2024</b>	<b>CalPERS-Retirement</b>	<b>6882866561</b>	
Bill	04/29/24 - 05/12/24	05/12/2024		Earned Period 04/29/24 - 05/12/24	1,858.28
				Earned Period 04/29/24 - 05/12/24	3,081.42
				Earned Period 04/29/24 - 05/12/24	3,564.70
				Earned Period 04/29/24 - 05/12/24	1,359.62
					9,864.02
<b>ACH Payment</b>	<b>1002641968</b>	<b>05/17/2024</b>	<b>CalPERS-Retirement</b>	<b>6882866561</b>	
Bill	04/29/24 - 05/12/24	05/12/2024		Earned Period 04/29/24 - 05/12/24	1,603.13
				Earned Period 04/29/24 - 05/12/24	2,658.31
				Earned Period 04/29/24 - 05/12/24	3,075.24
				Earned Period 04/29/24 - 05/12/24	1,172.93
					8,509.61
<b>ACH Payment</b>	<b>1002641969</b>	<b>05/17/2024</b>	<b>CalPERS-Retirement</b>	<b>6882866561</b>	
Bill	04/29/24 - 05/12/24	05/12/2024		Earned Period 04/29/24 - 05/12/24	132.10
				Earned Period 04/29/24 - 05/12/24	219.05
				Earned Period 04/29/24 - 05/12/24	253.40
				Earned Period 04/29/24 - 05/12/24	96.65
					701.20
<b>ACH Payment</b>	<b>1002646323</b>	<b>05/24/2024</b>	<b>CalPERS - Health Benefits</b>	<b>6882866561</b>	
Bill	17547490	06/01/2024		2024_06	9,527.02
				2024_06	25,747.84
				2024_06	16,076.16
				2024_06	5,997.76
				2024_06	3,000.44
				2024_06	6,708.16
				2024_06	7,263.73
				2024_06	448.15
					74,769.26

Midway City Sanitary District

Accounts Payable Expenditures, Payments, Payroll, and ACH Payment(s) Report

Prepared for Board Meeting held on June 04, 2024

Type	Num	Date	Name	Memo	Paid Amount
ACH Payment	1002646324	05/24/2024	CalPERS - Health Benefits	6882866561	
Bill	17547491	06/01/2024		2024_06	7,035.87
					7,035.87
ACH Payment	FY24M1080	05/24/2024	WEX Health Inc	Customer ID 45927	
Bill	0001948859-IN	04/30/2024		Monthly HRA Admin Fee April - 2024	30.00
				Monthly HRA Admin Fee April - 2024	54.00
				Non-Discrimination Testing	500.00
					584.00
<b>ACH Payments Total</b>					<b>\$108,124.97</b>
Payroll		05/15/2024		Employee Payroll	94,290.90
Payroll		05/29/2024		Employee Payroll	96,785.81
<b>Payroll Total</b>					<b>\$191,076.71</b>
<b>Total Disbursements</b>					<b>\$597,367.48</b>



Midway City Sanitary District

Accounts Payable Expenditures, Payments, Payroll, and ACH Payment(s) Report

Prepared for Board Meeting held on June 04, 2024

Type	Num	Date	Name	Memo	Paid Amount
<b>Transfers</b>					
Transfer		05/17/2024		Funds Transfer MM to CHK	
				Funds Transfer MM to CHK	250,000.00
					250,000.00
<b>Transfers Total</b>					<b>\$250,000.00</b>

AGENDA ITEM 6B

Date: June 4, 2024

To: Board of Directors

From: Robert Housley, General Manager

Prepared by: Robert Housley, General Manager

Subject: Approve Fiscal Year 2023-2024 Budget Adjustments No. 2

**BACKGROUND**

The fiscal year 2023-2024 budget was adopted June 6, 2023. It is the District’s practice to make periodic budget adjustments throughout the fiscal year. This report is an update on the financial condition of the district and recommends budget adjustments to reflect projected resources and expenditures more accurately.

**DISCUSSION**

The District remains fiscally strong and healthy. Investment revenue is exceeding budget estimates, operating expenditures are in alignment with District goals and priorities with a net zero change to overall expenditure estimates. Capital expenditures reflect current board approved projects, and commitments. The District remains very active this fiscal year, with a substantial amount of capital projects, operational upgrades, services, and programs which are fully encompassed within the budget.

The budget to actual report with the recommended budget adjustments is attached thereof.

**FISCAL IMPACT**

Fiscal impact for revenue, expenses, capital outlay and miscellaneous items, is as follows:

Increase to revenues	\$ 867,814
Increase to expenses	\$ 51,350
Increase to capital outlay & miscellaneous	\$ 1,218,300

**STAFF RECOMMENDATION**

Staff recommends that the Board of Directors approve the proposed budget adjustments as presented.

**ATTACHMENTS:**

1. FY 2023-2024 Budget Adjustments No. 2

## MIDWAY CITY SANITARY DISTRICT

BUDGET vs. ACTUAL  
FY 2023-2024 BUDGET ADJ #2

		FY 2023-24	FY 2023-24	PROPOSED	REVISED
		ACTUAL	BUDGET	ADJUSTMENTS	BUDGET
<b>REVENUES</b>					
<b>1</b>	<b>OPERATING REVENUES</b>				
2	Trash & Sewer Collection Fees	7,531,651	7,160,000	371,651	7,531,651
3	Additional Container & Service Fees	14,369	12,000	2,500	14,500
4	Franchise Fees	1,125,702	1,200,000	-	1,200,000
5	Sewer Plan Check & Inspection Fees	52,437	45,000	10,000	55,000
6	Sewer Connection Fees	13,028	14,000	-	14,000
<b>7</b>	<b>OPERATING REVENUES</b>	<b>\$ 8,737,186</b>	<b>\$ 8,431,000</b>	<b>384,151</b>	<b>\$ 8,815,151</b>
<b>8 NON-OPERATING REVENUES</b>					
9	Property Tax Secured	1,278,244	1,336,200	-	1,336,200
10	Property Tax Unsecured	34,074	40,000	-	40,000
11	Property Tax Supplemental	27,378	30,000	-	30,000
12	Homeowner's Property Tax Relief	4,506	6,000	-	6,000
13	Public Utility Tax & Reg. Railroad	64,110	64,000	110	64,110
14	Pass thru Property Taxes County of Orange	334,439	400,000	-	400,000
15	Pass thru Property Taxes City of Westminster	2,000,599	3,200,000	-	3,200,000
16	Investment Income	2,726,428	2,250,000	476,428	2,726,428
17	Interest on Undistributed Taxes	8,925	1,800	7,125	8,925
18	Other Revenue	37,781	200,000	-	200,000
19	Gain/(Loss) on Disposal of Capital Assets	-	-	-	0
<b>21</b>	<b>NON-OPERATING REVENUES</b>	<b>\$ 6,516,482</b>	<b>\$ 7,528,000</b>	<b>483,663</b>	<b>\$ 8,011,663</b>
<b>22</b>	<b>TOTAL REVENUES</b>	<b>\$ 15,253,669</b>	<b>\$ 15,959,000</b>	<b>867,814</b>	<b>\$ 16,826,814</b>

## MIDWAY CITY SANITARY DISTRICT

BUDGET vs. ACTUAL

FY 2023-2024 BUDGET ADJ #2

		FY 2023-24	FY 2023-24	PROPOSED	REVISED
		ACTUAL	BUDGET	ADJUSTMENTS	BUDGET
<b>BOARD OF DIRECTORS</b>					
23	Directors' Fees (salaries)	88,800	115,000	-	115,000
24	Medicare	1,248	1,600	-	1,600
25	Group Insurance	89,223	120,000	-	120,000
26	Workers' Compensation Insurance	400	400	-	400
27	Director Reimbursements	-	-	-	-
28	Board Meeting Expenses	6,324	5,000	2,500	7,500
29	Operating Expense	3,756	3,500	1,500	5,000
30	Services & Supplies	3,285	4,000	750	4,750
31	Board Development & Travel Expenses	11,600	45,000	-	45,000
<b>32</b>	<b>TOTAL BOARD OF DIRECTORS</b>	<b>\$ 204,636</b>	<b>\$ 294,500</b>	<b>4,750</b>	<b>\$ 299,250</b>

## MIDWAY CITY SANITARY DISTRICT

BUDGET vs. ACTUAL  
FY 2023-2024 BUDGET ADJ #2

		FY 2023-24	FY 2023-24	PROPOSED	REVISED
		ACTUAL	BUDGET	ADJUSTMENTS	BUDGET
<b>ADMINISTRATION</b>					
33	Salaries & Wages	772,593	1,200,000	-	1,200,000
34	Medicare	12,513	17,000	-	17,000
35	CalPERS Retirement	93,644	150,000	-	150,000
36	CalPERS CEPPT Trust Reimbursement		-	-	-
37	Group Insurance	167,274	229,500	-	229,500
38	Group Insurance - Retirees	79,249	90,000	-	90,000
39	Group Insurance Retirees Trust Reimbursement	-	(90,000)	-	(90,000)
40	Workers' Compensation Insurance	3,316	4,200	-	4,200
41	Uniforms & Laundry Services	2,348	750	2,100	2,850
42	Employee Reimbursements	3,582	5,500	-	5,500
43	Unemployment Benefits		-	-	-
43	Office Expenses & Supplies	14,702	15,000	2,500	17,500
44	Operating Expenses	4,828	20,000	-	20,000
45	Local Govt. Formation Commission (LAFCO)	21,508	21,508	-	21,508
46	Services & Supplies	42,481	40,000	6,500	46,500
47	Printing & Publications	2,837	2,000	1,500	3,500
48	Permits Fees Testing & Taxes	1,547	3,500		3,500
49	Memberships Dues & Subscriptions	10,800	15,000		15,000
50	Staff Development & Travel	30,498	50,000		50,000
51	Education & Training	6,276	5,000	2,000	7,000
52	Employee Awards Incentives & Recognition	31,975	50,000	-	50,000
53	Medical Exams & Testing	640	2,000	-	2,000
54	Property & Liability Insurance	106,000	106,000	-	106,000
55	Claims Expense	(324)	-	-	-
56	Gasoline & Diesel Fuel	2,388	4,000	-	4,000
57	Repairs & Maintenance	3,147	10,000	-	10,000
58	Audit & Financial Services	25,000	25,000	-	25,000
59	Legal Services Personnel	39,279	55,000	-	55,000
60	Legal Services General Counsel	103,208	120,000	5,000	125,000
61	Information Technology	66,299	70,000	-	70,000
62	Professional & Consulting Services	41,692	55,000	-	55,000
63	Temporary Personnel	30,158	50,000	-	50,000
64	Community Outreach & District Events	51,415	125,000	-	125,000
65	District Calendar	43,571	43,600	-	43,600
66	Media & Program Development	36,063	60,000	-	60,000
67	Newsletters	-	-	-	-
68	Utilities	41,868	35,000	-	35,000
69	Depreciation & Amortization Expenses	-	75,000	-	75,000
<b>70</b>	<b>TOTAL ADMINISTRATION</b>	<b>\$ 1,892,373</b>	<b>\$ 2,664,558</b>	<b>19,600</b>	<b>\$ 2,684,158</b>

## MIDWAY CITY SANITARY DISTRICT

BUDGET vs. ACTUAL

FY 2023-2024 BUDGET ADJ #2

		FY 2023-24	FY 2023-24	PROPOSED	REVISED
		ACTUAL	BUDGET	ADJUSTMENTS	BUDGET
<b>FLEET MAINTENANCE</b>					
71	Salaries & Wages	282,759	<b>357,000</b>	-	<b>357,000</b>
72	Medicare	4,692	<b>5,000</b>	-	<b>5,000</b>
73	CalPERS Retirement	37,370	<b>50,000</b>	-	<b>50,000</b>
74	CalPERS CEPPT Trust Reimbursement	-	-	-	-
75	Group Insurance	69,158	<b>100,000</b>	-	<b>100,000</b>
76	Group Insurance Retirees	4,761	<b>10,000</b>	-	<b>10,000</b>
77	Group Insurance Retirees Trust Reimbursement	-	<b>(10,000)</b>	-	<b>(10,000)</b>
78	Workers' Compensation Insurance	9,000	<b>9,000</b>	-	<b>9,000</b>
79	Uniforms & Laundry Services	3,543	<b>4,500</b>	-	<b>4,500</b>
80	Employee Reimbursements	626	<b>2,000</b>	-	<b>2,000</b>
81	Services & Supplies	3,818	<b>4,000</b>	500	<b>4,500</b>
82	Staff Development & Travel Expenses	1,294	<b>5,000</b>	-	<b>5,000</b>
83	Education & Training	6,636	<b>5,000</b>	2,000	<b>7,000</b>
84	Medical Exams & Testing	680	<b>800</b>	-	<b>800</b>
85	Property & Liability Insurance	79,399	<b>80,000</b>	-	<b>80,000</b>
86	Gasoline & Diesel Fuel	3,271	<b>6,000</b>	-	<b>6,000</b>
87	Tools & Equipment	26,620	<b>40,000</b>	-	<b>40,000</b>
88	Repairs & Maintenance	5,624	<b>15,000</b>	-	<b>15,000</b>
89	Hazardous Waste Used/Mixed Oil	615	<b>3,000</b>	-	<b>3,000</b>
90	Information Technology	509	<b>3,000</b>	-	<b>3,000</b>
91	Utilities	950	<b>2,500</b>	-	<b>2,500</b>
92	Depreciation & Amortization Expenses	-	<b>6,900</b>	-	<b>6,900</b>
<b>93</b>		<b>\$ 541,327</b>	<b>\$ 698,700</b>	<b>2,500</b>	<b>\$ 701,200</b>

## MIDWAY CITY SANITARY DISTRICT

BUDGET vs. ACTUAL  
FY 2023-2024 BUDGET ADJ #2

		FY 2023-24	FY 2023-24	PROPOSED	REVISED
		ACTUAL	BUDGET	ADJUSTMENTS	BUDGET
<b>SOLID WASTE</b>					
94	Salaries & Wages	814,323	1,000,000		1,000,000
95	Medicare	12,596	18,000		18,000
96	CalPERS Retirement	78,218	190,000		190,000
97	CalPERS CEPPT Trust Reimbursement	-	-		-
98	Group Insurance	292,851	335,000		335,000
99	Group Insurance Retirees	61,726	76,000		76,000
100	Group Insurance Retirees Trust Reimbursement	-	(76,000)		(76,000)
101	Workers' Compensation Insurance	54,000	54,000		54,000
102	Uniforms & Laundry Services	8,414	12,000		12,000
103	Employee Reimbursements	3,780	6,000		6,000
104	Operating Expenses	1,468	6,000		6,000
105	Services & Supplies	42,681	66,500		66,500
106	Staff Development & Travel Expenses	2,571	10,000		10,000
107	Education & Training	-	10,000		10,000
108	Medical Exams & Testing	1,338	5,000		5,000
109	Property & Liability Insurance	198,087	196,000	4,000	200,000
110	Claims Expense	2,913	10,000		10,000
111	Gasoline & Diesel Fuel	2,583	7,500		7,500
112	Tonnage Fees Trash (black cart)	1,085,962	1,550,000		1,550,000
113	Tonnage Fees Recycling (blue cart)	-	-		-
114	Tonnage Fees Organics (green cart)	785,081	1,100,000		1,100,000
115	Refuse, Recycling, and Organic Containers	215,218	300,000		300,000
116	Repairs, Maintenance, Tires, and Restock Parts	394,372	425,000	15,000	440,000
117	Repairs & Maintenance CNG Facilities	21,888	75,000	-	75,000
118	Information Technology	2,300	30,000	-	30,000
119	Professional & Consulting Services	7,507	60,000	-	60,000
120	Clean-up Events	17,934	30,000	-	30,000
121	Organics & Compost Giveaway	35,314	40,000	-	40,000
122	Utilities	81,766	85,000	-	85,000
123	Natural Gas Fuel CNG Facilities	98,324	140,000	-	140,000
124	Depreciation & Amortization Expenses	-	850,000	-	850,000
<b>125</b>	<b>TOTAL SOLID WASTE</b>	<b>\$ 4,323,216</b>	<b>\$ 6,611,000</b>	<b>19,000</b>	<b>\$ 6,630,000</b>

**MIDWAY CITY SANITARY DISTRICT**

BUDGET vs. ACTUAL

FY 2023-2024 BUDGET ADJ #2

		FY 2023-24	FY 2023-24	PROPOSED	REVISED
		ACTUAL	BUDGET	ADJUSTMENTS	BUDGET
<b>SEWER DEPARTMENT</b>					
126	Salaries & Wages	347,803	440,000	-	440,000
127	Medicare	5,558	6,000	-	6,000
128	CalPERS Retirement	53,947	125,000	-	125,000
129	CalPERS CEPPT Trust Reimbursement	-	-	-	-
130	Group Insurance	107,298	140,000	-	140,000
131	Group Insurance Retirees	31,141	40,000	-	40,000
132	Group Insurance Retirees Trust Reimbursement	-	(40,000)	-	(40,000)
133	Workers' Compensation Insurance	13,000	15,500	-	15,500
134	Uniforms & Laundry Services	2,951	3,500	500	4,000
135	Employee Reimbursements	1,832	3,000	-	3,000
136	Operating Expenses	3,892	6,000	-	6,000
137	Services & Supplies	8,571	10,500	500	11,000
138	Permits Fees Testing & Taxes	24,160	25,000	-	25,000
139	Memberships Dues & Subscriptions	1,122	2,000	500	2,500
140	Staff Development & Travel Expenses	1,759	10,000	-	10,000
141	Education & Training	2,594	10,000	-	10,000
142	Medical Exams & Testing	950	1,000	-	1,000
143	Property and Liability Insurance	94,000	94,000	-	94,000
144	Claims Expense	1,000	10,000	-	10,000
145	Gasoline & Diesel Fuel	7,861	9,000	500	9,500
146	Repairs & Maintenance	149,885	250,000	-	250,000
147	Emergency Repairs	-	150,000	-	150,000
148	Engineering & Consulting	259,127	500,000	-	500,000
149	Professional & Consulting Services	7,507	500,000	-	500,000
150	Information Technology	3,530	15,000	-	15,000
151	CCTV and Cleaning of District Sewer Lines	515,310	1,200,000	-	1,200,000
152	Fats, Oils & Grease (FOG) Program	17,075	25,000	-	25,000
153	Resident Lateral Assistance Program	-	9,000	-	9,000
154	Utilities	45,338	51,500	3,500	55,000
155	Natural Gas Fuel CNG Station	-	10,000	-	10,000
156	Depreciation & Amortization Expenses	-	588,000	-	588,000
<b>157</b>	<b>TOTAL SEWER</b>	<b>\$ 1,707,211</b>	<b>\$ 4,209,000</b>	<b>5,500</b>	<b>\$ 4,214,500</b>



**MIDWAY CITY SANITARY DISTRICT**

BUDGET vs. ACTUAL  
FY 2023-2024 BUDGET ADJ #2

		FY 2023-24	FY 2023-24	PROPOSED	REVISED
		ACTUAL	BUDGET	ADJUSTMENTS	BUDGET
161	Sewer System Department	1,707,211	4,209,000	5,500	4,214,500
162	Solid Waste Department	4,323,216	6,611,000	19,000	6,630,000
163	Fleet Maintenance Department	541,327	698,700	2,500	701,200
164	Administration Department	1,892,373	2,664,558	19,600	2,684,158
165	Board of Directors	204,636	294,500	4,750	299,250
<b>166</b>	<b>TOTAL SUMMARY BY DEPT</b>	<b>\$ 8,668,763</b>	<b>\$ 14,477,758</b>	<b>51,350</b>	<b>\$ 14,529,108</b>

		FY 2023-24	FY 2023-24	PROPOSED	REVISED
		ACTUAL	BUDGET	ADJUSTMENTS	BUDGET
<b>CAPITAL OUTLAY &amp; IMPROVEMENTS BUDGET</b>					
167	<b><i>District Offices &amp; Yard</i></b>				
168	Solar Project Construction	669,574	<b>735,000</b>		<b>735,000</b>
169	District Building Project Construction	2,810,946	<b>3,362,000</b>		<b>3,362,000</b>
170	District Buildings Facility, Features, & Furnishings	238,629	<b>250,000</b>		<b>250,000</b>
171	District Buildings Technology	31,015	<b>25,000</b>	27,000	<b>52,000</b>
172	New Class C Vehicles	32,549	<b>80,000</b>	(47,451)	<b>32,549</b>
173	<b><i>Fleet Maintenance</i></b>				
174	None				
175	<b><i>Solid Waste</i></b>				
176	3 New Side Loader Trash Trucks	1,358,280	<b>1,400,000</b>		<b>1,400,000</b>
177	Rebuilt Engines & Packers for CNG Trash Trucks	-	<b>60,000</b>		<b>60,000</b>
178	<b><i>Sewer</i></b>		-		
179	Plan and Document Scanner and Plotter	-	<b>10,000</b>		<b>10,000</b>
180	<b><i>Miscellaneous</i></b>		-		
181	Payments Towards Unfunded Liabilities	1,488,751	-	1,488,751	<b>1,488,751</b>
182	Payment Towards 115 CEPPT Trust	-	<b>250,000</b>	(250,000)	-
<b>183</b>	<b>TOTAL CAPITAL OUTLAY &amp; IMPROVEMENTS</b>	<b>\$ 6,629,744</b>	<b>\$ 6,172,000</b>	<b>1,218,300</b>	<b>\$ 7,390,300</b>

AGENDA ITEM 8A

Date: June 4, 2024

To: Board of Directors

From: Robert Housley, General Manager

Prepared by: Robert Housley, General Manager

Subject: **A RESOLUTION NO. 2024-11 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE FISCAL YEAR 2024-2025 FOR THE DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF DIVISION 9 OF TITLE 1 OF THE CALIFORNIA GOVERNMENT CODE**

**BACKGROUND**

The appropriations limit is the maximum expenditure funded by general tax revenues that a local government can legally spend in a fiscal year. It is calculated annually based on the prior year's appropriations limit as adjusted for increases in population and price index growth. Midway City Sanitary District (MCSD) has not exceeded this limit since the appropriation limit was adopted by the voters in 1979.

Article XIII B of the California State Constitution (1979), as amended in 1990 by Proposition 111, specifies that appropriations funded by general taxes may increase annually by a factor of the change in California Per Capita Income and the change in population.

**DISCUSSION**

The California State Department of Finance provides MCSD with information for the appropriations limit calculation each year. The data used to calculate the Midway City Sanitary District's 2024-2025 limit were the increase in California Per Capita Personal Income of 3.62%, and the Orange County's population growth of 0.31%. The application of these growth factors to MCSD's previous year's limit produces MCSD's new 2024-2025 appropriations limit (see Exhibit "A").

**FISCAL IMPACT**

The 2024-2025 appropriations limit is \$8,782,964.15.

**STAFF RECOMMENDATION**

Staff recommends that the Board of Directors adopt Resolution No. 2024-11, establishing the appropriations limit, for the Fiscal Year 2024-2025, in the amount of \$8,782,964.15.

**ATTACHMENTS:**

1. Resolution No. 2024-11
2. April 30, 2024 California Department Finance Price and Population Information Letter

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**RESOLUTION NO. 2024-11**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE MIDWAY CITY SANITARY DISTRICT OF ORANGE  
COUNTY, CALIFORNIA, ESTABLISHING THE  
APPROPRIATIONS LIMIT FOR THE FISCAL YEAR  
2024-2025 FOR THE DISTRICT IN ACCORDANCE  
WITH THE PROVISIONS OF DIVISION 9 OF TITLE 1 OF  
THE CALIFORNIA GOVERNMENT CODE**

**WHEREAS**, Article XIII B of the Constitution of the State of California, as proposed by the Initiative Measure approved by the people at the special statewide election held on November 6, 1979, provides that the total annual appropriations subject to limitation of each local government shall not exceed the appropriation limits of such entity for the prior year adjusted for changes in the cost of living and population, except as otherwise specifically provided for in said Article; and

**WHEREAS**, the State Legislature added Division 9 (commencing with Section 7900) to Title 1 of the Government Code of the State of California to implement Article XIII B of the California Constitution; and

**WHEREAS**, Section 7910 of the Government Code provides that each year the governing body of each local jurisdiction shall, by resolution, establish its appropriations limit for the following fiscal year, pursuant to Article XIII B at a regularly scheduled meeting or a noticed special meeting and that 15 days prior to such meeting, documentation used in the determination of the appropriations limit shall be available to the public; and

**WHEREAS**, Section 7902 (b) of the Government Code, as amended by Article XIII B, Section 8, of the California Constitution, sets forth the method for determining the appropriation limit for each local jurisdiction for the 2024-2025 fiscal year.

1           **NOW THEREFORE**, the Board of Directors of Midway City Sanitary District does  
2 hereby FIND, RESOLVE AND ORDER:

3           **Section 1:**     That it is hereby found and determined that the documentation (attached  
4 hereto as Exhibit "A") used in the determination of the appropriations limit for Midway City  
5 Sanitary District for fiscal year 2024-2025 was available to the public in the office of the District  
6 at least 15 days prior to the date this resolution was adopted.

7           **Section 2:**     That the Board of Directors has determined that for purposes of  
8 calculating the 2024-2025 fiscal year appropriations limit for the District, the Board of Directors  
9 selects the following cost of living factor pursuant to Article XIII B, Section 8(e) (2), of the  
10 California Constitution:  
11

<u><b>Fiscal Year</b></u>	<u><b>Factor</b></u>	<u><b>Percent</b></u>
2024-2025	Change in California per Capita Personal Income	3.62

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16           **Section 3:**     That for purposes of calculating the 2024-2025 fiscal year appropriations  
17 limit for the District, the Board of Directors selects the following change in population factor  
18 pursuant to Revenue and Taxation Code Section 2228:  
19

<u><b>Fiscal Year</b></u>	<u><b>Factor</b></u>	<u><b>Percent</b></u>
2024-2025	Change in Orange County Population	0.31

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23           **Section 4:**     That the appropriations limit for fiscal year 2024-2025 for Midway City  
24 Sanitary District, as established in accordance with Section 7902(b) of the Government Code  
25 and as amended by Article XIII B, Section 8, of the California Constitution, is  
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Eight Million Seven Hundred Eighty-Two Thousand Nine Hundred and Sixty-Four Dollars and Fifteen Cents (\$8,782,964.15) which sum is Midway City Sanitary District's maximum authorized spending limitation, in accordance with Article XIII B, for fiscal year 2024-2025.

**Section 5:** The determination of the appropriation limit is based upon the best and most complete information available at this time. The District reserves the right to review and re-establish a new and different limit in the event that it subsequently determines that a modification of the limit amount is appropriate.

**PASSED AND ADOPTED** at a regular meeting of the Board of Directors of Midway City Sanitary held this 4<sup>th</sup> day of June 2024.

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Mark Nguyen, President

ATTEST:

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Andrew Nguyen, Secretary

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EXHIBIT "A"

**2024-2025 Fiscal Year**

Change in California Per Capita Personal Income		3.62
Civilian population change for Orange County		0.31
Per Capita Personal Income converted to a ratio:	$\frac{3.62 + 100}{100.00} =$	1.0362
Population change converted to a ratio:	$\frac{0.31 + 100}{100.00} =$	1.0031

Calculation of factor for FY 2024-2025: 1.0362 x 1.0031 = 1.0394 (ratio of change)

**2023-2024 Limit \$8,450,032.86 x 1.0394 = \$8,782,964.15 (new 2024-2025 limit)**

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**CERTIFICATION**

I, Andrew Nguyen, Secretary of the Midway City Sanitary District of Orange County, California, do hereby certify that the foregoing Resolution No. 2024-11 was duly adopted at a meeting of the Board of Directors of said District, held on the 4<sup>th</sup> day of June, by the following vote of the members of the Board:

AYES:

NOES:

ABSENT:

and I further certify that, Mark Nguyen, as President, and Andrew Nguyen, as Secretary, signed and approved said Resolution on the 4<sup>th</sup> day of June 2024.

\_\_\_\_\_  
Andrew Nguyen, Secretary

(District Seal)

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss.

I, Andrew Nguyen, Secretary of Midway City Sanitary District of Orange County, California, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 2024-11 passed and adopted by the Board of Directors of said District at a meeting thereof held on the 4<sup>th</sup> day of June 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal of said District on the 4<sup>th</sup> day of June 2024.

\_\_\_\_\_  
Andrew Nguyen, Secretary

(District Seal)  
RES 2024-11 GANN LIMIT

April 30, 2024

Dear Fiscal Officer:

## Price Factor and Population Information

### Appropriations Limit

California Revenue and Taxation Code section 2227 requires the Department of Finance to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2024, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2024-25. Attachment A provides the change in California's per capita personal income and an example for utilizing the factors to calculate the 2024-25 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

### Population Percent Change for Special Districts

Some special districts must establish an annual appropriations limit. [California Revenue and Taxation Code section 2228](#) provides additional information regarding the appropriations limit. [Article XIII B, section 9\(C\) of the California Constitution](#) exempts certain special districts from the appropriations limit calculation mandate. Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

### Population Certification

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2024.** Please note: The prior year's city population estimates may be revised. The per capita personal income change is based on historical data.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

/s Richard Gillihan

RICHARD GILLIHAN  
Chief Operating Officer

Attachment



- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2024-25 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2024-25	3.62

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2024-25 appropriation limit.

**2024-25:**

Per Capita Cost of Living Change = 3.62 percent  
Population Change = 0.17 percent

Per Capita Cost of Living converted to a ratio:  $\frac{3.62 + 100}{100} = 1.0362$

Population converted to a ratio:  $\frac{0.17 + 100}{100} = 1.0017$

Calculation of factor for FY 2024-25:  $1.0362 \times 1.0017 = 1.0379$

Fiscal Year 2024-25

**Attachment B**  
**Annual Percent Change in Population Minus Exclusions\***  
**January 1, 2023 to January 1, 2024 and Total Population, January 1, 2024**

<b>County City</b>	<b>Percent Change</b>	<b>--- Population Minus Exclusions ---</b>		<b>Total Population</b>
	<b>23-24</b>	<b>1-1-23</b>	<b>1-1-24</b>	<b>1-1-24</b>
Orange				
Aliso Viejo	-0.43	50,284	50,068	50,068
Anaheim	0.29	339,105	340,090	340,160
Brea	-0.34	47,886	47,725	47,725
Buena Park	0.07	82,632	82,689	82,689
Costa Mesa	-0.31	109,765	109,423	109,423
Cypress	0.11	49,291	49,345	49,345
Dana Point	-0.38	32,721	32,596	32,596
Fountain Valley	0.18	56,233	56,333	56,333
Fullerton	-0.32	140,756	140,311	140,311
Garden Grove	1.17	169,024	171,002	171,024
Huntington Beach	-0.30	193,078	192,503	192,503
Irvine	0.97	311,537	314,550	314,550
Laguna Beach	0.07	22,433	22,449	22,449
Laguna Hills	-0.42	30,442	30,315	30,315
Laguna Niguel	0.67	63,865	64,291	64,291
Laguna Woods	-0.43	17,222	17,148	17,148
La Habra	-0.21	61,028	60,901	60,901
Lake Forest	0.70	86,311	86,917	86,917
La Palma	-0.40	15,131	15,071	15,071
Los Alamitos	-0.19	11,970	11,947	11,947
Mission Viejo	0.09	91,221	91,304	91,304
Newport Beach	-0.35	82,707	82,419	82,419
Orange	-0.16	138,842	138,621	138,621
Placentia	0.08	52,182	52,226	52,226
Rancho Santa Margarita	-0.43	46,507	46,305	46,305
San Clemente	-0.29	62,481	62,297	62,297
San Juan Capistrano	1.05	34,627	34,992	34,992
Santa Ana	0.89	308,041	310,797	310,797
Seal Beach	-0.37	24,200	24,110	24,350
Stanton	3.55	38,914	40,297	40,297
Tustin	0.42	78,515	78,844	78,844
Villa Park	-0.19	5,716	5,705	5,705
Westminster	0.10	89,400	89,490	89,490
Yorba Linda	-0.27	66,268	66,087	66,087
Unincorporated	0.72	130,381	131,325	131,335
County Total	0.31	3,140,716	3,150,493	3,150,835

\*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

AGENDA ITEM 8B

Date: June 4, 2024

To: Board of Directors

From: Robert Housley, General Manager

Prepared by: Milo Ebrahimi, P.E., District Engineer

Subject: **A RESOLUTION NO. 2024-12 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY AUTHORIZING AND MAKING FINDINGS FOR CONTINUED EMERGENCY ACTION FOR THE REPAIR, REPLACEMENT, AND LINING OF DAMAGED SEWER LINES, REMOVAL AND REPLACEMENT OF A MANHOLE, AND RELATED STREET REPAIRS IN WEBBER PLACE BETWEEN MANHOLE 2006 AND MANHOLE 2005 AND IN PEMBROOK LANE BETWEEN MANHOLE 2006 AND MANHOLE 2019**

**BACKGROUND**

Midway City Sanitary District (District)'s sewer system is aging. Because of the aging of the District's sewer system, there will be a need for immediate attention and remediation in some areas at times.

The City of Westminster (City) discovered a settlement at the intersection of Webber Place and Pembroke Lane in the course of performing a survey for an upcoming Street Improvement Project. The sewer system in this area (Tract No. 1961) was built in the 1950's, and the sewer lines are approximately 70 years old and are not lined. Immediately after the report by the City, District staff started an investigation to see if the damage to the street is related to the public sewer. District asked Empire Pipeline and Equipment to perform emergency CCTV inspection of the sewer mains in Webber Place and Pembroke Lane. After checking the CCTV videos of the sewer lines, the District Engineer observed a broken pipe in Webber Place a few feet north of the manhole at the intersection and cracks in the sewer pipes in Pembroke Lane a few feet east of the manhole, directly under the settlement area at the intersection.

District Staff determined these sewer line segments are at risk of collapse due to their deteriorated condition, which would likely result in a sewer spill and interruption of sewer service in the area. Further subsidence is also possible, creating a potential safety hazard to vehicular traffic at this intersection if the sewer lines are not expeditiously repaired.

In addition, the City was planning to grind and pave Pembroke Lane and Webber Place above the impacted sewers beginning on May 28, 2024, as part of its scheduled Street Improvement Project. Operation of heavy equipment during the Street Improvement Project risks further damage to the sewer lines due to their poor condition, and due to the nature of the City's agreement and type of project funding, the City is not able to postpone or change the date of the project. If the sewer

repairs were to be performed after completion of the City's project, the two streets would need to be completely repaved per City requirements.

Under ordinary circumstances, public works contracts over \$15,000 require the District to follow the public bidding process set forth in the Public Contract Code and the District's Purchasing Policies and Procedures. However, in the event of an emergency, Public Contract Code sections 20806 and 22050 authorize the Board of Directors, by 4/5 vote of its members, to award a contract for a public work over \$15,000 without complying with the public works competitive bidding requirements set forth in the Public Contract Code, or to authorize an employee to do so. The Board has delegated authority to the General Manager to enter into emergency public works contracts pursuant to the District's Purchasing Policies and Procedures, which was adopted by the required 4/5 vote of the Board unanimous vote of the Board on April 4, 2023, pursuant to Resolution No. 2023-09.

Section 10.B.11 of the District's Purchasing Policies and Procedures provides as follows:

In the event of an emergency as defined in Public Contract Code section 1102 as "a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services" or as described in Public Contract Code section 20806 as "work to prepare for national or local defense", the District may enter into a Contract for the construction of a Public Works Project through Negotiated Procurement if the Board of Directors adopts findings by a four-fifths vote of its members declaring that the public interest and necessity demand the immediate expenditure of District funds to safeguard life, health, or property. In the event the Board of Directors is unavailable in an emergency, as defined in this paragraph, the General Manager is authorized to enter into a Contract for the repair or replacement of a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without following the District's procurement procedures set forth herein, including competitive bidding procedures and/or obtaining contracting approval as otherwise normally required. The District shall comply with the requirements set forth in Public Contract Code section 20806 and Public Contract Code sections 22050 et seq., for specified emergencies.

On or about May 9, 2024, pursuant to Sections 3 and 10.B.11 of the District's Purchasing Policy and Procedures, the General Manager executed an Agreement on behalf of the District for Emergency Sewer Repairs with Paulus Engineering, Inc. ("Paulus") for the emergency repair and replacement of 20 linear feet of the damaged sewer mains, removal and replacement of the adjacent manhole, and related improvements to restore the street to its previous condition. Under this Agreement, Paulus agreed to perform the repair work for \$103,231.00, plus the cost of bonds and any additional unanticipated groundwater removal work. Paulus commenced excavation of the area on May 13<sup>th</sup>, but encountered significant groundwater that needs to be removed. On May 14, 2024, the General Manager approved a change order in the amount of \$7,475.00, and Paulus recommenced work on May 15<sup>th</sup>. Paulus has finished the construction work to the satisfaction of the District Engineer.

Since Paulus completed this work, approximately 620 linear feet of the sewer line in Webber Place between Manhole 2006 and Manhole 2005 and in Pembroke Lane between Manhole 2006 and Manhole 2019 will need to be lined to prevent further deterioration and prevent possible collapse. District Staff obtained a proposal from Performance Pipeline Technologies, Inc. to perform the sewer lining portion of the Project and prepared plans, specifications, and a proposed agreement for the Board's consideration.

At its May 21, 2024 meeting, the Board approved Resolution No. 2024-10 by a four-fifths vote of its members (1) finding that there is a continuing need for the emergency repair, replacement, and lining of damaged sewer mains, removal and replacement of a manhole, and related street repairs in Webber Place between Manhole 2006 and Manhole 2005 and in Pembroke Lane between Manhole 2006 and Manhole 2019, which constitutes an unexpected emergency that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property and/or essential sewer services, the emergency will not permit a delay resulting from a competitive solicitation for bids; immediate repairs are necessary to respond to the emergency; and that the public interest and necessity demand immediate expenditures of funds to safeguard life, health or property; (2) ratifying the action regarding the emergency taken by the General Manager; (3) finding a need to continue proceeding with the emergency repair of the damaged sewer main located in Webber Place and Pembroke Lane; (4) ratifying the Agreement for Emergency Sewer Repairs with Paulus Engineering, Inc., dated May 7, 2024, entered into by the General Manager on behalf of the District for the emergency repair of the damaged sewer mains, and the Change Order to said Agreement entered into by the General Manager on May 14, 2024; (5) approving an Agreement for Emergency Sewer Lining Repairs between the District and Performance Pipeline Technologies, Inc. in substantially the same form as presented at the May 21, 2024 meeting and authorizes the General Manager to make minor modifications to the Agreement as needed and to execute the Agreement on behalf of the District; and (6) finding that the Project is statutorily exempt from review under the California Environmental Quality Act (CEQA).

Pursuant to the Board's May 21, 2024 authorization, on May 22, 2024, the General Manager entered into an Agreement for Emergency Sewer Lining Repairs between the District and Performance Pipeline Technologies, Inc. for CIPP lining of the subject sewer main segments in the form attached to the Staff Report for the May 21<sup>st</sup> meeting.

## **DISCUSSION**

Public Contract Code Section 22050 requires that the Board review the need to continue any emergency action taken by the Board or the General Manager at every regular meeting until the emergency action is terminated and either adopt a resolution **by 4/5 vote** finding that there is a need to continue the emergency action or terminate the emergency action and direct that a contract or contracts for further repair work be procured in accordance with standard competitive procurement procedures. Under Section 22050, the Board is required to terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts.

In this case, immediate action was needed to address the emergency as soon as possible and without undertaking a competitive solicitation for bids in order to restore the integrity of the street for the protection of the public and to prevent and mitigate the potential for a sewer spill and interruption

of sewer service due to the collapse of the sewer lines. Sewer line segments including replaced portions by Paulus will need to immediately be lined to prevent soil infiltration into the pipes through the cracks and so that further emergency spot repairs to the pipe due to the age and condition of the pipe will not be needed. The existing sewer pipe is 70 years of age. The rehabilitation of these lines will give an additional 50 years of service. Staff anticipates Performance Pipeline Technologies, Inc. will complete the CIPP lining portion of the Project by June 7, 2024. Therefore, Staff is requesting that the Board find by 4/5 vote that there is a need to continue the emergency action for lining of damaged sewer mains Webber Place between Manhole 2006 and Manhole 2005 and in Pembroke Lane between Manhole 2006 and Manhole 2019. A proposed Resolution with the required findings to continue the emergency action has been prepared for the Board's consideration (Attachment 1).

### **FISCAL IMPACT**

The fiscal impact for this project will be as follows:

1. Repair and replacement of 20 linear feet of damaged sewer lines, removal and replacement of a manhole, groundwater removal, and related street repairs: \$110,706.00.
2. Lining of 620 linear feet of sewer line in Webber Pl between manhole 2006 and manhole 2005 and in Pembroke Ln between manhole 2006 and manhole 2019: \$39,760.00.
3. The cost of surety bonds, required permits, and other reimbursables: \$5,000-\$10,000.

Total fiscal impact is estimated to be approximately \$155,000 to \$160,000 from Sewer Emergency Repairs Account, Account Number 7700.90.

### **STAFF RECOMMENDATION**

Staff recommends that the Board of Director adopt proposed Resolution No. 2024-12 by a 4/5 vote of its members authorizing and making the required findings for continued emergency action for the remaining of the work for the repair and lining of the damaged sewer lines in Webber Place between manhole 2006 and manhole 2005 and in Pembroke Lane between manhole 2006 and manhole 2019.

### **ATTACHMENTS:**

1. Proposed Resolution 2024-12

## RESOLUTION NO. 2024-12

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY AUTHORIZING AND MAKING FINDINGS FOR CONTINUED EMERGENCY ACTION FOR THE REPAIR, REPLACEMENT, AND LINING OF DAMAGED SEWER LINES, REMOVAL AND REPLACEMENT OF A MANHOLE, AND RELATED STREET REPAIRS IN WEBBER PLACE BETWEEN MANHOLE 2006 AND MANHOLE 2005 AND IN PEMBROOK LANE BETWEEN MANHOLE 2006 AND MANHOLE 2019

The Board of Directors of the Midway City Sanitary District hereby finds, determines, declares, and resolves as follows:

**WHEREAS**, District Staff has advised the Midway City Sanitary District Board of Directors of the need for the emergency repair, replacement, and lining of damaged sewer mains, removal and replacement of a manhole, and related street repairs in Webber Place between Manhole 2006 and Manhole 2005 and in Pembroke Lane between Manhole 2006 and Manhole 2019 (the “Project”), constituting an unexpected emergency that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of health, property and/or essential sewer services; and

**WHEREAS**, pursuant to Public Contract Code sections 20806 and 22050 and Section 10.B.11 of the District’s Purchasing Policy and Procedures, in the event of an emergency, the Board of Directors or the General Manager may award a contract for a public work over \$15,000 without complying with the public works competitive bidding requirements set forth in the Public Contract Code and the District’s Purchasing Policies and Procedures; and

**WHEREAS**, on or about May 9, 2024, pursuant to Sections 3 and 10.B.11 of the District’s Purchasing Policy and Procedures the General Manager entered into an Agreement on behalf of the District for Emergency Sewer Repairs with Paulus Engineering, Inc., dated May 7, 2024, for the emergency repair and replacement of the damaged sewer mains, removal and replacement of a manhole, and related street improvements; and

**WHEREAS**, pursuant to the terms of said Agreement, on May 14, 2024, the General Manager approved a Request for Change Order from Paulus Engineering for additional work to cover pumping groundwater from the excavation and disposing of it at the approved Orange County Sanitation District site; and

**WHEREAS**, the Board reviewed the emergency action and a proposed Agreement for Emergency Sewer Lining Repairs between the District and Performance Pipeline, Technologies, Inc. for CIPP lining of the sewer main segments in Webber Place between Manhole 2006 and Manhole 2005 and in Pembroke Lane between Manhole 2006 and Manhole 2019 at its regular meeting of May 21, 2024 and adopted Resolution No. 2024-10 by a four-fifths vote of its members (1) finding that there is a continuing need for the emergency repair, replacement, and lining of damaged sewer mains, removal and replacement of a manhole, and related street repairs in Webber Place between Manhole 2006 and Manhole 2005 and in Pembroke Lane between Manhole 2006 and Manhole 2019, which constitutes an unexpected emergency that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property and/or essential sewer services, the emergency will not permit a delay resulting from a competitive solicitation for bids; immediate repairs are necessary to respond to the emergency; and that the public interest and necessity demand immediate expenditures of funds to safeguard life, health or property; (2) ratifying the action regarding the emergency taken by the General Manager; (3) finding a need to continue proceeding with the emergency repair of the damaged sewer main located in Webber Place and Pembroke Lane; (4) ratifying the Agreement for Emergency Sewer Repairs with Paulus Engineering, Inc., dated May 7, 2024, entered into by the General Manager on behalf of the District for the emergency repair of the damaged sewer mains, and the Change Order to said Agreement entered into by the General Manager on May 14, 2024; (5) approving an Agreement for Emergency Sewer Lining Repairs between the District and Performance Pipeline Technologies, Inc. in substantially the same form as presented at the May 21, 2024 meeting and authorizes the General Manager to make minor modifications to the Agreement as needed and to execute the Agreement on behalf of the District; and (6) finding that the Project is statutorily exempt from review under the California Environmental Quality Act (CEQA); and

**WHEREAS**, pursuant to the Board's May 21, 2024 authorization, on May 22, 2024, the General Manager entered into an Agreement for Emergency Sewer Lining Repairs between the District and Performance Pipeline Technologies, Inc. for CIPP lining of the sewer main segments in Webber Place between Manhole 2006 and Manhole 2005 and in Pembroke Lane between Manhole 2006 and Manhole 2019; and

**WHEREAS**, the emergency sewer lining portion of the Project is ongoing but has not yet been completed; and



**WHEREAS**, the Board of Directors further reviewed the emergency action at its regular meeting of June 4, 2024, and received a report from the General Manager and District Engineer indicating a need to continue the Project.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:**

Section 1. The Board finds, based on substantial evidence presented at its meeting of May 21, 2024, that (a) there is a continuing need for the emergency repair, replacement, and lining of damaged sewer mains, removal and replacement of a manhole, and related street repairs in Webber Place between Manhole 2006 and Manhole 2005 and in Pembroke Lane between Manhole 2006 and Manhole 2019, which constitutes an unexpected emergency that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property and/or essential sewer services; (b) the emergency will not permit a delay resulting from a competitive solicitation for bids; (c) immediate repairs are necessary to respond to the emergency; and (d) that the public interest and necessity demand immediate expenditures of funds to safeguard life, health or property.

Section 2. The Board finds a need to continue proceeding with the emergency repair of the damaged sewer main located in Webber Place and Pembroke Lane.

Section 3. This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED**, at a regular meeting of the Board of Directors of Midway City Sanitary District of Orange County, California, held this 4th day of June, 2024.

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Mark Nguyen, President

ATTEST:

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Andrew Nguyen, Secretary

**CERTIFICATION**

I, Andrew Nguyen, Secretary of the MIDWAY CITY SANITARY DISTRICT of Orange County, California, do hereby certify that the foregoing Resolution No. 2024-12 was duly adopted at a meeting of the Governing Board of said District held on the 4th day of June, 2024 by the following vote of the members of the Board:

AYES:  
NOES:  
ABSENT:

and I further certify that Mark Nguyen, as President, and Andrew Nguyen, as Secretary, signed and approved said Resolution No. 2024-12 on the 4th day of June, 2024.

\_\_\_\_\_  
Andrew Nguyen, Secretary

(District Seal)

\_\_\_\_\_  
**STATE OF CALIFORNIA        )**  
   **) ss.**  
**COUNTY OF ORANGE         )**

I, Andrew Nguyen, Secretary of the Midway City Sanitary District of Orange County, California, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 2024-12 passed and adopted by the Board of Directors of said District at a meeting thereof held on the 4th day of June, 2024.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed my official Seal of said District 4th day of June, 2024.

\_\_\_\_\_  
Andrew Nguyen, Secretary

AGENDA ITEM 8C

Date: June 4, 2024

To: Board of Directors

From: Robert Housley, General Manager

Prepared by: Milo Ebrahimi, P.E., District Engineer

Subject: Consider Approval of Amendment No. 3 to the Existing Professional Services Agreement with AKM Consulting Engineering for the Sewer System Master Plan Project to Include Conducting an Audit of the District's Sewer System Master Plan at an Additional Cost Not to Exceed \$53,996 and Authorize the General Manager to Enter Into and Execute the Amendment

**BACKGROUND**

As required by the State Water Resources Control Board (SWRCB) Order No. WQ 2022-0103, the Midway City Sanitary District (District) is required to develop and implement a written Sewer System Management Plan (SSMP). Recently SWRCB adopted Order No. WQ 2022-0103-DWQ, which replaces the previous Order No. 2006-0003-DWQ. There are several additional requirements included in the new order that the District will have to comply with when the SSMP is next updated (District's next SSMP update is due 5/2/2025). The audit period ends 5/2/2024. The audit must be uploaded to online California Integrated Water Quality System (CIWQS) Sanitary Sewer System Database by 11/2/2024, six months after the audit period ends.

The SSMP is a written plan designed to minimize sanitary spills through proper design, construction, maintenance, operation, and management of the sewage collection system. The required elements of the SSMP includes the following:

- Element 1: Sewer System Management Plan Goal and Introduction
- Element 2: Organization
- Element 3: Legal Authority
- Element 4: Operation and Maintenance Program
- Element 5: Design and Performance Provisions
- Element 6: Spill Emergency Response Plan
- Element 7: Sewer Pipe Blockage Control Program
- Element 8: System Evaluation, Capacity Assurance and Capital Improvement Plan
- Element 9: Monitoring, Measurement, and Program Modifications
- Element 10: Internal Audits
- Element 11: Communication Program

Element 10, Internal Audits, requires SSMP enrollees to conduct periodic internal audits. The proposed audit will evaluate District's sewer system management plan in relation to the newly adopted Order WQ 2022-0103-DWQ and make recommendations to bring it into compliance with the new order.

## **DISCUSSION**

According to the newly adopted Order WQ 2022-0103-DWQ, at minimum, the audit must:

- Evaluate the implementation and effectiveness of the Enrollee's Sewer System Management Plan in preventing spills;
- Evaluate the Enrollee's compliance with this General Order;
- Identify Sewer System Management Plan deficiencies in addressing ongoing spills and discharges to waters of the State; and
- Identify necessary modifications to the Sewer System Management Plan to correct deficiencies.

The District must submit a complete audit report to CIWQS Sanitary Sewer System Database that includes:

- Audit findings and recommended corrective actions;
- A statement that sewer system operators' input on the audit findings has been considered; and
- A proposed schedule for the Enrollee to address the identified deficiencies.

At Staff's request, AKM Consulting Engineers (AKM) has prepared a proposal to meet SSMP Audit Reporting Requirements of the newly adopted Order. AKM's proposal is attached to this report. The scope of work for conducting the SSMP audit will include the following:

- Task 1 – Data Collection and Review
- Task 2 – Interview District Staff
- Task 3 – Data Analysis and Report Preparation

The proposed scope of work will be completed in approximately 16 weeks upon receiving all requested data.

Since AKM is already working on the new SSMP, it already has much of the information and a good understanding of the District's sewer system that will be needed to conduct the required audit of the current SSMP. AKM has a group of experienced engineers that are suitable for similar projects. Therefore, Staff recommends amending the scope of work of the existing Professional Services Agreement with AKM to include the SSMP audit for the District.

The District has worked with AKM on several different projects, and the District has always had a good experience and good relationship with this consulting firm.

## **FISCAL IMPACT**

The total fiscal impact by this amendment to the SSMP project agreement with AKM is anticipated to be \$53,996.00.

The Board approved \$710,000 for SSMP in the Fiscal Year 2023-24 Budget. Staff anticipates up to an additional \$53,996.00 will need to be budgeted for the Project because of this amendment. Therefore, Staff proposes to increase the budget for the SSMP from \$710,000 to \$764,000.

**STAFF RECOMMENDATION**

Staff recommends that the Board of Directors approve Amendment No. 3 to the Existing Professional Services Agreement with AKM Consulting Engineering for the Sewer System Master Plan Project to Include Conducting an Audit of the District's Sewer System Master Plan at an Additional Cost Not to Exceed \$53,996 and Authorize the General Manager to Enter Into and Execute the Amendment.

**ATTACHMENTS:**

1. Amendment No. 3 (Including AKM proposal for Sewer System Management Plan Audit)

**AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT  
BETWEEN THE MIDWAY CITY SANITARY DISTRICT AND  
AKM CONSULTING ENGINEERS**

**THIS AMENDMENT NO. 3 TO AGREEMENT** (“Amendment No. 3”) is made and entered into by and between **MIDWAY CITY SANITARY DISTRICT**, a public entity (“District”) and **AKM CONSULTING ENGINEERS**, a California corporation. (“Consultant”), effective June 4, 2024.

**RECITALS**

A. This Amendment No. 3 is entered into pursuant to authorization of the District’s Board of Directors dated June 4, 2024.

B. District and Consultant are parties to that certain Professional Services Agreement, dated December 21, 2022, for the 2023 Sewer System Master Plan Update, as amended pursuant to that certain Amendment No. 1 to Professional Services Agreement, dated February 13, 2023, and that certain Amendment No. 2 to Professional Services Agreement, dated March 25, 2024 (collectively, the “Agreement”).

C. District and Consultant have determined that additional professional services are required in order to conduct an audit of the District’s existing sewer system master plan pursuant to State Water Resources Control Board Order No. WQ 2022-0103-DWQ and make recommendations to bring it into compliance with the Order, and Consultant has submitted a proposal to District for said additional services, dated May 21, 2024 (“Proposal”).

D. Consultant is qualified to perform the additional professional services set forth in the Proposal.

E. District and Consultant desire to amend the Agreement to incorporate additional services set forth in Consultant’s Proposal to conduct an audit of the existing sewer system master plan.

**AGREEMENT**

NOW, THEREFORE, in consideration of the promises and mutual covenants contained herein, DISTRICT and CONSULTANT agree as follows:

1. Section 1 (SCOPE OF SERVICES) of the Agreement is hereby amended to add the additional services described in Consultant’s Proposal, which is attached hereto as Attachment 1 and made a part hereof (the “SSMP Audit Services”). Consultant agrees to perform the SSMP Audit Services in addition to the services already to be provided pursuant to the Agreement. Consultant shall begin the SSMP Audit Services upon full execution of this Agreement and shall complete said services in accordance with the schedule set forth in the Proposal.

2. Consultant shall be compensated for the SSMP Audit Services at the rates set forth in Consultant's Proposal attached hereto as Attachment 1. Total compensation payable to the Consultant for the SSMP Audit Services shall not exceed Fifty-Three Thousand Nine Hundred Ninety-Six Dollars and 00/100 Cents (53,996.00). District and Consultant mutually agree and acknowledge that the total compensation payable to Consultant for all services to be performed under the Agreement, including the SSMP Audit Services pursuant to this Amendment No. 3, shall not exceed Seven Hundred Sixty-Three Thousand Seven Hundred Seventy-Three Dollars and 00/100 Cents (\$763,773.00). Section 5 (COMPENSATION AND METHOD OF PAYMENT) of the Agreement is hereby amended accordingly.
3. Except as otherwise expressly provided in this Amendment No. 3, all of the terms and conditions of the Agreement remain in full force and effect and shall apply to the Additional Services.
4. This Amendment No. 3 may be executed in counterparts, all of which shall constitute the same Agreement, notwithstanding that all parties to this Amendment No. 3 are not signatory to the same counterpart. Signature and acknowledgement pages may be detached from the counterparts and attached to a single copy of this Amendment No. 3 to physically form one (1) original document. These counterparts may be transmitted by facsimile or Portable Document Format (PDF), with the originals to be thereafter provided by the Parties. Such facsimiles or electronic copies shall be deemed original signatures.

**IN WITNESS THEREOF**, District and Consultant have caused this Agreement to be executed by their duly authorized respective officers as of the date first written above.

**"DISTRICT"**  
**MIDWAY CITY SANITARY DISTRICT**

**"CONSULTANT"**  
**AKM CONSULTING ENGINEERS**

By: \_\_\_\_\_  
 Robert Housley,  
 General Manager

By: \_\_\_\_\_  
 Zeki Kayiran, President

**APPROVED AS TO FORM**

\_\_\_\_\_  
 James H. Eggart, General Counsel

Date: \_\_\_\_\_

**ATTACHMENT 1**

**CONSULTANT'S PROPOSAL FOR SEWER SYSTEM MASTER PLAN AUDIT**





**AKM Consulting Engineers**

553 Wald  
Irvine, CA 92618  
Telephone: 949.753.7333  
Facsimile: 949.753.7320  
www.akmce.com

Water Resources  
Infrastructure  
Construction Management

May 21, 2024

**Midway City Sanitary District**

14451 Cedarwood Street  
Westminster, CA 92683

Attention: Mr. Milo Ebrahimi  
District Engineer

**Subject: Proposal for Sewer System Management Plan Audit**

Dear Mr. Ebrahimi:

Per your request, AKM Consulting Engineers is pleased to submit this letter proposal to conduct a sewer system management plan audit for Midway City Sanitary District (MCSD).

**Section 1 - Background**

As required by the State Water Resources Control Board (SWRCB) Order No. WQ 2022-0103, the MCSD shall develop and implement a written Sewer System Management Plan (SSMP). Recently SWRCB adopted Order No. WQ 2022-0103-DWQ, which replaces the previous Order No. 2006-0003-DWQ. There are several additional requirements included in the new order that the MCSD will have to comply with when the SSMP is next updated (MCSD's next update is due 5/2/25). The audit period ends 5/2/24. The audit must be uploaded to CIWQS by 11/2/24, six months after audit period ends.

The SSMP is a written plan designed to minimize sanitary spills through proper design, construction, maintenance, operation, and management of the sewage collection system. The required elements of the SSMP includes the following:

- Element 1: Sewer System Management Plan Goal and Introduction
- Element 2: Organization
- Element 3: Legal Authority
- Element 4: Operation and Maintenance Program
- Element 5: Design and Performance Provisions
- Element 6: Spill Emergency Response Plan
- Element 7: Sewer Pipe Blockage Control Program
- Element 8: System Evaluation, Capacity Assurance and Capital Improvement Plan

Element 9: Monitoring, Measurement, and Program Modifications

Element 10: Internal Audits

Element 11: Communication Program

Element 10, Internal Audits, requires SSMP enrollees to conduct periodic internal audits. The proposed audit will evaluate MCSD's sewer system management plan in relation to the newly adopted Order WQ 2022-0103-DWQ and make recommendations to bring it into compliance with the new order.

## **Section 2 - Scope of Work**

The scope of work for conducting the SSMP audit will include the following:

### **Task 1 – Data Collection and Review**

With MCSDs' assistance, AKM will collect and review all documentation related to the SSMP program. Documentation will include:

- a. MCSD's approved SSMP (*AKM has the 2022 SSMP*)
- b. MCSD's latest SSMP audit
- c. Operation & Maintenance Program document, including sewer and storm drain system maps, preventative maintenance plan, rehabilitation and replacement plan, and staff training records
- d. Sewer cleaning log database for 5/2/21 – 5/2/24
- e. Sewer pump station logs for 5/2/21 – 5/2/24
- f. Records of pump station emergency system testing for the 5/2/21 – 5/2/24
- g. Records of pump station wet well cleaning, valve cleaning and testing, force main cleaning, etc. for the 5/2/21 – 5/2/24
- h. Hot spot cleaning logs for 5/2/21 – 5/2/24
- i. CCTV inspections conducted and condition assessments for 5/2/21 – 5/2/24 (*Empire currently working on CCTV the system*)
- j. Capital Improvement Program list indicating projects completed, designed, in construction and/or planned
- k. Design and Performance Provisions, including Design Standards and Standard Plans for Sewer Facilities
- l. Spill Emergency Response Plan - (*AKM completed this for MCSD, 2023*)
- m. Fats, Oil and Grease Control Program information - Food Service Establishment (FSE) inspection history, and Grease Control Device inspection history for 5/2/21 – 5/2/24
- n. System Evaluations and Capacity Assurance Plan (*AKM is currently working on this as part of sewer master plan*)
- o. Sanitary Sewer Overflow (SSO) reports for 5/2/21 – 5/2/24 (*CIWQS Website*)
- p. Complaint records related to sewer system for 5/2/21 – 5/2/24
- q. Emergency sewer repair records for 5/2/21 – 5/2/24

- r. Sewer staff training records for 5/2/21 – 5/2/24 (training topics, dates, sign in sheets, etc)
- s. Monitoring, Measurement, and Program Modifications implemented between 5/2/21 – 5/2/24
- t. Communication / educational materials regarding sewer system

**Task 2 – Interview MCSD Staff**

We will interview MCSD staff to discuss problems or concerns regarding the sewer system and staff recommendations for improvements to the SSMP. We will review the 2022 SSMP with MCSD to determine what changes, if any, to the SSMP program have been made in recent years.

**Task 3 – Data Analysis and Report Preparation**

We will review all data collected to evaluate each element of the SSMP document and evaluate whether or not the MCSD’s sewer system management program is in compliance with the newly adopted Waste Discharge Requirements (WQ 2022-0103-DWQ). Additionally, AKM will evaluate whether or not MCSD’s goals are being met and identify if there are any areas of the program that can be improved.

We will prepare an audit report that will describe the evaluation of each element, verify compliance with the adopted order, and provide recommendations for changes where necessary. The evaluations will be based on the effectiveness of each element in reducing the number of public sewer spills/overflows. We will submit a draft report for the MCSD’s review and incorporate comments into a final audit document.

**Section 3 – Project Fee**

The estimated project fee is shown in Table 1.

**Table 1  
Project Fee Estimate**

Task	Principal Engineer	Project Manager	Associate Engineer	Total Hours	Total Cost
1 SSMP Goals and Introduction		2	4	6	\$1,160
2 Organization		2	4	6	\$1,160
3 Legal Authority	2	12	24	38	\$7,466
4 Operation and Maintenance Program	2	12	24	38	\$7,466
5 Design and Performance Provisions	24	16	8	48	\$11,344
6 Spill Emergency Response Plan		2	4	6	\$1,160
7 Sewer Pipe Blockage Control Program	2	12	40	54	\$10,138
8 System Evaluation, Capacity Assurance and Capital Improvements	2	8	12	22	\$4,478
9 Monitoring, Measuring and Program Modification		4	12	16	\$2,988
10 Internal Audits		2	4	6	\$1,160
11 Communication Program		2	4	6	\$1,160
12 Staff interview and meetings	4	8	8	20	\$4,316
Total Hours	36	82	148	266	
Rate (\$/Hr)	\$253	\$246	\$167		
<b>Total Cost</b>	<b>\$9,108</b>	<b>\$20,172</b>	<b>\$24,716</b>		<b>\$53,996</b>

## Section 4 – Project Schedule

The proposed scope of work will be completed approximately 12-16 weeks upon receiving all requested data.

We appreciate the opportunity to submit this proposal and look forward to continuing our service with the MCSD. Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,

**AKM Consulting Engineers**

A handwritten signature in cursive script that reads "Diann Pay".

Diann Pay, P.E.  
Principal Engineer