

**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**

August 6, 2024

CALL TO ORDER

President M. Nguyen called the Regular Meeting of the Governing Board of the Midway City Sanitary District to order at 5:32 p.m., on Tuesday, August 6, 2024 at 14451 Cedarwood Street, Westminster, California.

ROLL CALL

PRESENT:

Mark Nguyen
Tyler Diep
Sergio Contreras
Andrew Nguyen
Chi Charlie Nguyen

ABSENT:

None

STAFF PRESENT:

Robert Housley, General Manager
Ashley Davies, Dir. of Servs. & Program Development
Milo Ebrahimi, District Engineer, P.E
Cynthia Olsder, Board Secretary

OTHERS PRESENT:

James H. Eggart, General Counsel, Woodruff & Smart
Joseph Larsen, Labor Counsel, Rutan & Tucker
Terry Rains, Resident of Westminster

PLEDGE OF ALLEGIANCE AND INVOCATION

Director S. Contreras led the Pledge of Allegiance. Director T. Diep conducted the Invocation.

ROLL CALL AND DECLARATION OF QUORUM

Board Secretary, C. Olsder announced a quorum.

PUBLIC COMMENTS

T. Rains addressed the Board and voiced her concerns about the lack of diversity in Little Saigon politics.

PRESENTATIONS

None

APPROVAL OF MINUTES

A. Approve Minutes of the Regular Board of Directors Meeting on July 16, 2024

A motion was made by Director T. Diep, seconded by Director A. Nguyen, to approve the minutes of the regular meeting on July 16, 2024. The motion was approved by the following 5-0 vote:

- AYES: A. Nguyen, M. Nguyen, S. Contreras, C. Nguyen, and T. Diep
- NAYS: None
- ABSTAIN: None
- ABSENT: None

REPORTS

Report of President – None

Report of the General Manager

GM R. Housley provided updates on events occurring at the District.

Report of the Director of Services & Program Development

Director of Services & Program Development A. Davies reported on the outreach activities she will be participating in this coming week. She also shared a video of the compost and shredding event that would soon be aired.

Report of City of Westminster Safety Day on July 17, 2024

President M. Nguyen and Director A. Nguyen attended the event and said it was well attended.

Report of Compost and Shredding Event on July 20, 2024

All the Directors attended and reported that the event was just as well attended and successful as the previous year. The Directors expressed their gratitude to Congresswoman Michelle Steele for her support and thanked staff for their participation.

Report of Outreach Committee Meeting on July 24, 2024

Director T. Diep and Director C. Nguyen reported that the committee met to go over the details for the 85th Anniversary Event. They also discussed the dates and locations of the 2025 clean-up events.

Report of OC San Board of Directors Meeting on July 24, 2024

Director A. Nguyen attended the meeting and reported that the annual report card grading California beaches along the coast is out and once again Orange County beaches topped the charts. Nine beaches are in Orange County and three of those are within OC San’s service area. OC San extensive Ocean Monitoring Program and Source Control efforts play a critical role in protecting our ocean waters.

Report of ISDOC Quarterly Luncheon on July 25, 2024

Director C. Nguyen, Director S. Contreras, and Director A. Nguyen attended the meeting and reported that it was an excellent chance to network and gain knowledge about different districts.

Report of Radio Outreach with VNCR on July 26, 2024

Director C. Nguyen and Director A. Nguyen attended the recording to discuss SB 1383, the District services and upcoming events.

Report of District Employee Luncheon on July 31, 2024

All the Directors attended and thanked staff for their hard work. The Directors recognized fleet maintenance mechanic, Carlos Gomez, and awarded him for going ten years without an accident or injury.

CONSENT CALENDAR

- A. Receive and File the Register of Demands in the Amount of \$393,809.86
- B. Approve the July 24, 2024 Outreach Committee Recommendations
- C. Recognition and Approval of a 10-year Accident and Injury Free Award for Fleet Maintenance Mechanic, Carlos Gomez, in the Amount of \$300
- D. Acceptance of Improvements Completed Pursuant to the Midway City Sanitary District Addition and Remodel, Project No. 202041, and Authorization for the Recording of a Notice of Completion
- E. Acceptance of Improvements Completed Pursuant to Projects for Emergency Sewer Main Repairs and Emergency CIPP Lining in Webber Place and Pembroke Lane and Authorization for the Recording of a Notice of Completion

A motion was made by Director C. Nguyen, seconded by Director S. Contreras, to approve the Consent Calendar. The motion was approved by the following 5-0 vote:

AYES: A. Nguyen, M. Nguyen, S. Contreras, C. Nguyen, and T. Diep
 NAYS: None
 ABSTAIN: None
 ABSENT: None

8. OLD BUSINESS - None

9. NEW BUSINESS

A. RESOLUTION 2024-18

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, ADOPTING A CONFLICT OF INTEREST CODE WHICH SUPERCEDES ALL PRIOR CONFLICT OF INTEREST CODES AND AMENDMENTS PREVIOUSLY ADOPTED

A staff report and recommendations were provided to and considered by the Board. A motion was made by Director T. Diep, seconded by Director S. Contreras, to adopt Resolution No. 2024-18 as presented at the meeting. The motion was approved by the following 5-0 roll call vote:

AYES: A. Nguyen, M. Nguyen, T. Diep, S. Contreras, and C. Nguyen
 NAYS: None
 ABSTAIN: None
 ABSENT: None

B. RESOLUTION 2024-19

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ESTABLISHING A POLICY FOR RESPONDING TO PUBLIC RECORDS ACT REQUESTS

A staff report and recommendations were provided to and considered by the Board. A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to adopt Resolution No. 2024-19 as presented at the meeting. The motion was approved by the following 5-0 roll call vote:

AYES: A. Nguyen, M. Nguyen, T. Diep, S. Contreras, and C. Nguyen
 NAYS: None
 ABSTAIN: None
 ABSENT: None

INFORMATIONAL ITEMS:

A. CalPERS Reports Preliminary 9.3% Investment Return for 2023-24 FY

Received and File.

BOARD CONCERNS AND COMMENTS

The Directors thanked staff.

GM/STAFF CONCERNS AND COMMENT

GM R. Housley gave an update on the vacant Director of Finance/HR position.

GENERAL COUNSEL CONCERNS AND COMMENTS - None

With the consent of the full Board, General Counsel, J. Eggart convened the meeting into closed session at 6:01 P.M. for consideration for the following matter identified on the Agenda pursuant to applicable law.

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 LABOR NEGOTIATORS (Government Code Section 54957.6)

Title: Agency Designated Representatives: GM Robert Housley, Labor Counsel Joseph Larsen

Employee Organization: American Federation of State, County, and Municipal Employees,
LOCAL 1734-01

President M. Nguyen reconvened the open session portion of the meeting at 6:49 P.M.

President M. Nguyen reported that the Board had met in closed session as identified on Agenda Item 14A, and that no reportable action had been taken.

ADJOURNMENT

President M. Nguyen adjourned the meeting at 6:49 P.M. to the next Board Meeting to be held at the District on Tuesday, August 20, 2024, at 5:30 P.M.



Andrew Nguyen, Secretary