

**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**

April 2, 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, April 2, 2024 at 5:34 P.M.

BOARD MEMBERS PRESENT:

Mark Nguyen
Tyler Diep
Chi Charlie Nguyen (arrived at 5:36 P.M.)
Andrew Nguyen

STAFF MEMBERS PRESENT:

Robert Housley, 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
Yousef Alinaghian, CRC Cloud
Julie Barreda, Regional VP CR&R
Vanessa Johnson, Director City of Westminster
Kimberly Ho, Vice Mayor District 3
Thien Nguyen, Radio Bolsa
Nhu Hao, Me Vietnam Radio
James R. Fisler, OC LAFCO Commissioner & Mesa Water Director
John Lewer, Consultant Mesa Water District
Crystal Lynn, California CLASS
Bob Shull, California CLASS

PLEDGE OF ALLEGIANCE AND INVOCATION:

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

Director C. Nguyen arrived at 5:36 P.M.

PUBLIC COMMENTS:

J. Fisler, Commissioner of the Orange County Local Agency Formation (LAFCO) provided an update relevant to special districts in Orange County. He also handed out a newsletter for distribution. He is running for reelection to OC LAFCO and is hoping to get the support of the District.

PRESENTATIONS:

The Board recognized and presented certificates of recognition to the following sponsors of the 2024 Open House Event: City of Westminster, CR&R, CRC Cloud, Me Vietnam Radio, and Radio Bolsa.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON MARCH 19, 2024

A motion was made by Director T. Diep, seconded by Director A. Nguyen, to approve the minutes of the regular meeting on March 19, 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 General Manager

GM R. Housley reported on upcoming events at the district. He gave an update on the hiring process for the roles of the Finance/HR Director's, the Utility/Relief Driver's position, and electric charging stations. Additionally, he mentioned that four District vehicles would soon need to be replaced.

Report of District Employee Luncheon on March 27, 2024

Director C. Nguyen, Director T. Diep, and Director A. Nguyen attended the luncheon to recognize Shannan Clarke for her exceptional customer service to the community she serves and to present S. Gonzalez with a 10-year Safe Driving Award.

Report of OC San District Board of Directors Meeting on March 27, 2024

Director A. Nguyen reported that OC San was recognized at the National Association of Clean Water Agencies Conference with the National Environmental Achievement Award in Community Leadership for the final completion of the groundwater replenishment system (GWRS). Additionally, he reminded the Board that OC San will hold its Community Open House on Saturday, June 8, 2024 in honor of 70 years of environmental excellence.

Report of the Westminster Bunny Hop Events at Gillispie Park on March 23, 2024 and Boys & Girls Club on March 30, 2024

Director C. Nguyen attended both events and reported that a large number of people showed up despite the pouring rain.

CONSENT CALENDAR:

- A. Receive and File the Register of Demands in the Amount of \$638,227.88
- B. Recognition and Approval of a 15-year Accident and Injury Free Award for Fleet Maintenance Mechanic, Michael LaFreniere, in the Amount of \$500.00

- C. Approve General Manager, Robert Housley's Vacation Request for August 26, 2024 through August 30, 2024 for a Total of Five (5) Days and Approve Acting Pay for Director of Services & Program Development, Ashley Davies for Five (5) Days

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. Consider Participating in California CLASS Joint Powers Authority and the Investment of up to \$2,000,000 in the California Class Prime Fund

B. Shull from California CLASS gave a presentation and invited questions and answers.

A staff report and recommendations were provided to and considered by the Board. A motion was made by Director A. Nguyen, seconded by President M. Nguyen, to direct the General Manager to prepare the California CLASS Participant Registration Packet with California CLASS and to invest \$2,000,000 from LAIF in the California CLASS Prime Fund. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: S. Contreras

INFORMATIONAL ITEMS:

- A. Nomination Period and Appointment Process for the OC LAFCO Regular Special District Member Seat
- B. Declaration and Candidacy of James R. Fisler for Re-Election to OC LAFCO representing the Special Districts of Orange County

Receive and File.

BOARD CONCERNS AND COMMENTS:

President M. Nguyen shared that he attended the Republic of the South Vietnam inauguration event held at the Asian Garden Mall this past weekend.

Director A. Nguyen and Director C. Nguyen thanked staff.

GM/STAFF CONCERNS AND COMMENT:

GM R. Housley informed the Board that three of the five Directors will be attending the WasteExpo Conference the week of the May 7, 2024 Board Meeting.

GM R. Housley informed the Board that the regular board meeting on May 7, 2024 is scheduled to be canceled.

GENERAL COUNSEL CONCERNS AND COMMENTS:

General Counsel, J. Eggart advised the Board regarding a few bills intruded in the Legislature that he believes may impact the District.

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 6:17 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 6:43 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 6:43 P.M. to the next Board Meeting to be held at the District on Tuesday, April 16, 2024, at 5:30 P.M.


Andrew Nguyen, Secretary