

**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**

September 3, 2024

CALL TO ORDER

President M. Nguyen called the Regular Meeting of the Governing Board of the Midway City Sanitary District to order at 5:31 P.M., on Tuesday, September 3, 2024 at 14451 Cedarwood Street, Westminster, California.

ROLL CALL

PRESENT

Mark Nguyen
Chi Charlie Nguyen
Sergio Contreras
Andrew Nguyen
Tyler Diep (arrived at 5:34 P.M.)

ABSENT

None

STAFF PRESENT

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

OTHERS PRESENT

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

PLEDGE OF ALLEGIANCE AND INVOCATION

Director C. Nguyen led the Pledge of Allegiance. Director S. Contreras conducted the Invocation.

ROLL CALL AND DECLARATION OF QUORUM

Executive/Board Secretary C. Olsder announced a quorum.

PUBLIC COMMENTS

T. Rains addressed the Board and recommended that the City of Westminster ask the District to match the City of Westminster's sponsorship of the District's 85th Anniversary event either by increasing its monetary sponsorship or by asking for an in-kind service. Rains also recommended that that District work with ByeByeMattress to explore more options for including mattresses in the District's bulky program. She concluded by saying that the needs of the people living in Westminster and Midway City should come before any political or personal objectives.

Director T. Diep arrived at 5:34 P.M.

Director T. Diep stated that the District and the City of Westminster work together because they share mutual interests; nevertheless, matters related to the City of Westminster should not be brought back before the District.

APPROVAL OF MINUTES

A. Approve Minutes of the Regular Board of Directors Meeting on August 20, 2024

A motion was made by Director T. Diep, seconded by Director A. Nguyen, to approve the minutes of the regular meeting on August 20, 2024. The motion was approved by the following 5-0 vote:

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

REPORTS

Report of President

None

Report of the General Manager

GM R. Housley reported on events occurring at the District. He reported that the City of Westminster will sponsor \$3,000 to the District for the 85th Anniversary event and that the District will provide in-kind services for the City of Westminster Fall festival. He reported that a fuel line on one of the solid waste trucks had burst last week, and as a result, the District had all of the solid waste trucks' fuel lines inspected.

Report of the Director of Services & Program Development

Director of Services & Program Development A. Davies reported that everything is set for the 85th Anniversary event, and the only event left for the year will be the clean-up event at Russell Paris Park on October 12, 2024.

Report of Franchise Committee Meeting on August 26, 2024

Director C. Nguyen reported that he attended the meeting with Director T. Diep and CR&R representative Mike Carey. He reported that the District and CR&R have been working very hard to ensure that every residential unit and commercial building in Midway City and Westminster is aware that they must register for the organic service or request a waiver.

Report of District Employee Luncheon on August 28, 2024

Director A. Nguyen reported that he attended the luncheon with President M. Nguyen to show their support and be present for staff.

Report of OC San Board of Directors Meeting on August 28, 2024

Director A. Nguyen reported that aside from the usual construction update, there is nothing new to report from OC San.

CONSENT CALENDAR

- A. Receive and File the Register of Demands in the Amount of \$461,761.29
- B. Received and File the 4th Quarter 2023-2024 Fiscal Year Financial and Budget Reports
- C. Approve the August 26, 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 5-0 vote:

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

OLD BUSINESS - None

NEW BUSINESS

- A. Consider Approval of \$499,263 in Additional Discretionary Payments (ADP) to CalPERS Towards the District’s Pension Liabilities

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 approve an additional discretionary payment of \$499, 263 to pay the District’s unfunded pension liabilities. The motion was approved by the following 5-0 vote:

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

- B. Review Results of Customer Opinion Survey

Adam Probolsky addressed the Board and presented the survey results.

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 receive and file the survey results from the 2024 customer survey. The motion was approved by the following 5-0 vote:

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

INFORMATIONAL ITEMS

- A. 2024 Board Meeting Calendar
Received and File.

BOARD CONCERNS AND COMMENTS

The Directors thanked Staff.

GENERAL MANAGER AND STAFF CONCERNS AND COMMENT - None**GENERAL COUNSEL CONCERNS AND COMMENTS**

General Counsel J. Eggart advised the Board that the Legislature had concluded its regular session and that the Governor had until the end of the month to act on all legislative bills presented to him, and that he would provide an update to the Board on adopted legislation pertinent to the District at a later date.

With the consent of the full Board, General Counsel, J. Eggart convened the meeting into closed session at 6:22 P.M. for consideration for the following matter identified on the Agenda pursuant to applicable law.

CLOSED SESSIONS

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 6:44 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 6:44 P.M. to the next Board Meeting to be held at the District on Tuesday, September 17, 2024, at 5:30 P.M.



Andrew Nguyen, Secretary