

**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 17, 2024

CALL TO ORDER

President M. Nguyen called the Regular Meeting of the Governing Board of the Midway City Sanitary District to order at 5:34 P.M., on Tuesday, September 17, 2024 at 14451 Cedarwood Street, Westminster, California.

ROLL CALL

PRESENT

Mark Nguyen
Sergio Contreras
Andrew Nguyen

ABSENT

Tyler Diep
Chi Charlie Nguyen

STAFF PRESENT

Robert Housley, General Manager
Ashley Davies, Dir. of Servs. & Program Development
Cynthia Olsder, Executive/Board Secretary

OTHERS PRESENT

James H. Eggart, General Counsel, Woodruff & Smart
Joseph Larsen, Labor Counsel, Rutan & Tucker
Kyle Tanaka, Program Administrator, PFM Asset Mgmt LLC
Terry Rains, Resident of Westminster
Michael Verrenga, Resident of Westminster

PLEDGE OF ALLEGIANCE AND INVOCATION

Director A. 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

M. Verrenga addressed the Board praising the District for the implementing of SB1383, for distributing the organic containers ahead of schedule, and for all of the outreach and education initiatives that have been carried out since then. He also conveyed his disappointment with the remarks made during the last board meeting.

T. Rains addressed the Board and gave some praises and provided a few recommendations regarding the District.

APPROVAL OF MINUTES**A. Approve Minutes of the Regular Board of Directors Meeting on September 3, 2024**

A motion was made by Director A. Nguyen, seconded by President M. Nguyen, to approve the minutes of the regular meeting on September 3, 2024. The motion was approved by the following 3-0 vote:

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

REPORTS**Report of President**

President M. Nguyen reported that all the Directors were present and expressed gratitude to Staff for the successful turnout of the 85th Anniversary event.

Report of the General Manager

GM R. Housley reported on recent and upcoming District events. He reported on the District's lift stations in great detail. He reported that at one of the lift stations, the moisture alarm went off. He gave assurance that all of the District's lift stations are regularly inspected and maintained.

Report of the Director of Services & Program Development

Director of Services & Program Development A. Davies shared that following the 85th event, a staff meeting was conducted to collect data for future events. Additionally, she shared that the last clean-up event will be at Russell Paris Park on Saturday, October 12, 2024.

Report of Outreach Committee Meeting on September 4, 2024

Director S. Contreras reported that he attended the meeting with Director C. Nguyen. Director S. Contreras said they met to discuss any outstanding matters ahead of the 85th event as well as the newsletter's content, which is released every other month.

Report of Calendar Committee Meeting on September 6, 2024

Director S. Contreras reported that he attended the meeting with Director T. Diep. He reported that the 2025 calendar is ready to go to the printer as soon as the Board gives its approval tonight.

Report of CSDA Annual Conference in Indian Wells on September 9-12, 2024

Director A. Nguyen reported that he attended the conference with President M. Nguyen and C. Nguyen. He reported that the conference was very informative and beneficial. He recommended that Directors who had not previously attended should do so at least once. He added that staff will also benefit from attending.

Report of 85th Anniversary Event on September 14, 2024

Director S. Contreras said he liked seeing that our information booth was crowded. He hopes to see more of this at future gatherings. He thanked staff for organizing another successful community event.

Director A. Nguyen expressed gratitude to the staff for working on a Saturday.

CONSENT CALENDAR

- A. Receive and File the Register of Demands in the Amount of \$774,858.94
- B. Approve and File the Treasurer's Investment Report for August 2024
- C. Receive and File the California Employers' Benefit (CERBT) Account Update Summary as of June 30, 2024
- D. Received and File the California Employers' Pension Prefunding Trust (CEPPT) Account Update Summary as of June 30, 2024
- E. Receive and File the Engineer Report for August 2024
- F. Approve the September 4, 2024, Outreach Committee Recommendations

A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve the Consent Calendar. The motion was approved by the following 3-0 vote:

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

OLD BUSINESS - None

NEW BUSINESS

- A. Consider Approval of 2025 Midway City Sanitary District Annual Calendar

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 approve the 2025 Midway City Sanitary District annual calendar. The motion was approved by the following 3-0 vote:

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

- B. Consider Participating in California Asset Management Program Joint Powers Authority (CAMP)

K. Tanaka addressed the Board and gave a presentation.

A staff report and recommendations were provided to and considered by the Board. A motion was made by Director A. Nguyen, seconded by Director S. Contreras, to direct the General Manager to prepare the CAMP participate registration packet and bring it back for further discussion whether to participate and/or how much to invest. The motion was approved by the following 3-0 vote:

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

INFORMATIONAL ITEMS

- A. 2024 OC Waste & Recycling Trash Rate Survey
- B. Observation Schedule for November 5, 2024 Presidential General Election
- C. 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 regarding new legislation recently signed by Governor Newsom pertaining to public agencies and elected officials, including AB 2655, AB 2839, and AB 2355 pertaining to AI generated content and deepfakes related to elections, AB 2946 and AB 3131 related to the Board of Supervisors, AB 2715 expanding the closed session authority for discussion of threats to critical infrastructure and cybersecurity threats, AB 2618 regarding public agency investment of surplus funds, and AB 1170 regarding electronic filing of statements of economic interest.

With the consent of the full Board, General Counsel, J. Eggart convened the meeting into closed session at 6:27 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 6:45 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 6:45 P.M. to the next Board Meeting to be held at the District on Tuesday, October 1, 2024, at 5:30 P.M.



Andrew Nguyen, Secretary