

RESOLUTION NO. 2024-07

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE MIDWAY CITY SANITARY DISTRICT OF ORANGE
COUNTY RATIFYING AND IMPLEMENTING CHANGES
TO THE COMPENSATION OF THE GENERAL MANAGER**

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

WHEREAS, pursuant to Government Code Section 54957(b)(1), the Board of Directors convened in closed session on February 6, 2024 and March 5, 2024, for the purpose of conducting the annual performance evaluation of the General Manager, an unrepresented employee, in accordance with Section 4 of the General Manager Employment Agreement, dated March 8, 2023, ("Employment Agreement"); and

WHEREAS, Section 5(B) of the Employment Agreement provides that increases in the City Manager's annual base salary may be effective at any time in the sole discretion of the Board; and

WHEREAS, Section 5(B) of the Employment Agreement further provides that salary increases approved by the Board of Directors do not require amendment to the Employment Agreement to be effective, and any increases in the General Manager's annual base salary may be set forth in an annual salary resolution or minute action approved by the Board of Directors and ratified by resolution at a regularly scheduled meeting of the Board; and

WHEREAS, following completion of the annual performance evaluation of the General Manager during closed session on March 5, 2024, the Board of Directors reconvened in open session and by minute action unanimously voted as follows: in recognition of exceptional job performance during the performance period under review, (1) to approve and authorize an increase of the General Manager's current annual base salary to \$210,000, effective March 8, 2024; (2) to direct the District's General Counsel to prepare a resolution ratifying this minute action for final approval and ratification by the Board of Directors during open session at its regularly scheduled Board meeting to be held on March 19, 2024; and

WHEREAS, pursuant to the terms of the Employment Agreement, and pursuant to Government Code Section 36506, the Board of Directors hereby ratifies and implements the minute actions taken by the Board of Directors during open session on March 5, 2024, to change the salary and compensation of the

General Manager.

NOW, THEREFORE, the Board of Directors of the Midway City Sanitary District resolves as follows:

Section 1: The above recitals are true and correct and incorporated herein by reference.

Section 2: Effective March 8, 2024, the General Manager's current annual base salary shall be increased from \$195,000 to \$210,000.

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 19th day of March, 2024.



Mark Nguyen, President

ATTEST:



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. 2024-07 was duly adopted at a meeting of the Governing Board of said District held on the 19th day of March, 2024 by the following vote of the members of the Board:

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

NOES:

ABSENT:

and I further certify that Mark Nguyen, as President, and Andrew Nguyen, as Secretary, signed and approved said Resolution No. 2024-07 on the 19th day of March, 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. 2024-07 passed and adopted by the Board of Directors of said District at a meeting thereof held on the 19th day of March, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal of said District this 19th day of March, 2024.



Andrew Nguyen, Secretary