

**MIDWAY CITY SANITARY DISTRICT
REGULAR MEETING
BOARD OF DIRECTORS
DISTRICT OFFICE
14451 CEDARWOOD STREET
WESTMINSTER, CA 92683**

**Tuesday, March 5, 2024
5:30 P.M.**

AGENDA

OUR MISSION STATEMENT

THE BOARD OF DIRECTORS AND EMPLOYEES OF THE MIDWAY CITY SANITARY DISTRICT WORK DILIGENTLY TO PROVIDE SEWER AND SOLID WASTE SERVICES TO THE RESIDENTS OF THE DISTRICT. OUR TOP PRIORITY IS TO ACCOMPLISH THIS IN AN ETHICAL, EFFICIENT, AND COST-EFFECTIVE MANNER THAT WILL PROTECT THE HEALTH AND SAFETY OF THOSE WE SERVE.

In accordance with the requirements of California Government Code Section 54954.2, this Agenda is posted not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the Board Secretary.

In the event any matter not listed on this agenda is proposed to be submitted to the Board for discussion and/or action, it will be done in compliance with Section 54954.2, or as set forth on a Supplemental Agenda posted not less than 72 hours prior to the meeting.

Please Note: The District complies with the provisions of the Americans with Disabilities Act (ADA). Anyone needing special assistance please contact the District's Secretary at (714) 893-3553, at least one business day prior to the meeting so that we may accommodate you.

- 1. CALL TO ORDER, PLEDGE OF ALLEGIANCE AND INVOCATION**
- 2. ROLL CALL AND DECLARATION OF QUORUM**
- 3. PUBLIC COMMENTS**

All persons wishing to address the Board on specific Agenda items or matters of general interest should do so at this time. As determined by the President, speakers may be deferred until the specific item is taken for discussion and remarks may be limited to three (3) minutes.

4. APPROVAL OF THE MINUTES

- A. Approval of the Minutes of the Special Meeting on February 16, 2024, and the Minutes of the Regular Meeting on February 20, 2024

5. REPORTS

The President, General Manager, Legal Counsel, and other staff present verbal reports on miscellaneous matters of general interest to the Directors. These reports are for information only and require no action by the Directors.

- A. Report of President
- B. Report of General Manager
- C. Report of Director of Services & Program Development
- D. Report of CR&R 4th Quarter & Annual Report
- E. Report of OC San Board of Directors Meeting on February 28, 2024
- F. Report of District Employee Luncheon on February 28, 2024
- G. Report of Westminster City Council Meeting on February 28, 2024
- H. Report of Clean-up Event at Liberty Park on March 2, 2024

6. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered routine and will be acted upon at the same time unless separate discussion and/or action is requested by a Board Member, the public, or staff.

- A. Receive and File the Register of Demands in the Amount of \$329,681.48
- B. Approve the Statement of Work for Audit Services, the Agreed-upon Procedures, and Compilation & Preparation Between the Midway City Sanitary District and CliftonLarsonAllen, LLP to Perform the Independent Audit for Fiscal Year 2023-2024
- C. Approve Fiscal Year 2023-2024 Budget Adjustments No.1
- D. Receive and File the California Employers' Pension Prefunding Trust (CEPPT) Account Update Summary as of December 31, 2023
- E. Receive and File the California Employers' Retiree Benefit (CERBT) Account Update Summary as of December 31, 2023
- F. Approve General Manager, Robert Housley's, Vacation Request for June 19, 2024 through June 28, 2024 for a total of Eight (8) Days and Approve Acting Pay for Director of Operations & Safety, Nick Castro for Eight (8) Days
- G. Approve General Manager, Robert Housley's, Time Off Request for February 19, 2024 through February 23, 2024 for a total of Five (5) Days and Approve Acting Pay for Director of Services & Program Development, Ashley Davies for Five (5) Days

7. OLD BUSINESS

None

8. NEW BUSINESS

- A. Approval of Side Letter Agreement (“Agreement”) with American Federation of State, County and Municipal Employees, AFL-CIO Local 1734-01 (“Union”)
- B. A RESOLUTION No. 2024-04 FIXING THE EMPLOYER CONTRIBUTION UNDER THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS (PERS ALL EMPLOYEES)
- C. A RESOLUTION No. 2024-05 FIXING THE EMPLOYER CONTRIBUTION UNDER THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS (NON-PERS BOARD OF DIRECTORS)

9. INFORMATIONAL ITEMS

- A. Local Agency Formation Commission of Orange County (LAFCO) Notice of Public Hearing: Proposed FY 2024-25 Budget and Fee Schedule

10. BOARD CONCERNS AND COMMENTS

11. GM/STAFF CONCERNS AND COMMENTS

12. LEGAL COUNSEL CONCERNS AND COMMENTS

13. CLOSED SESSION ITEMS

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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957(b)(1)) Title: General Manager
- B. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)
Agency Designated Representatives: Sergio Contreras, Andrew Nguyen, and James Eggart, Unrepresented Employee: Robert Housley

14. OPEN SESSION ITEM AFTER CLOSED SESSION

- A. Discuss and Consider Approval of Award of Performance Bonus and/or Increase to General Manager Salary or Compensation Pursuant to General Manager Employment Agreement and Direction to General Counsel to Prepare Ratifying Resolution

15. ADJOURNMENT TO TUESDAY, MARCH 19, 2024