MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY 14451 CEDARWOOD AVENUE WESTMINSTER, CA 92683

February 21, 2023

CALL TO ORDER

President T. Diep called the regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Tuesday, February 21, 2023 at 5:30 PM.

BOARD MEMBERS PRESENT:

Tyler Diep Andrew Nguyen Chi Charlie Nguyen Sergio Contreras Mark Nguyen

STAFF PRESENT:

Robert Housley, Interim General Manager Cynthia Olsder, Executive/Board Secretary

OTHERS PRESENT:

James Eggart, General Counsel

BOARD MEMBERS ABSENT:

None

PLEDGE AND INVOCATION

Director M. Nguyen led the Pledge of Allegiance. Interim GM, R. Housley gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 7, 2023 AND THE SPECIAL MEETING OF FEBRUARY 11, 2023

A motion was made by Director A. Nguyen, seconded by Director S. Contreras, to approve the minutes of the regular meeting of February 7, 2023 and the Special Meeting of February 11, 2023. The motion was approved by the following 5-0 roll call vote:

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

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$173,563.19

| # | CK # | DATE | AMOUNT | VENDOR CHECKS: | МЕМО: |
|----------|-------|-------|---------------|-------------------------------------|---|
| # 1 | 14370 | 2/2 | | Advanced Workplace Strategies, Inc. | DOT random drug and alcohol testing |
| 2 | 14370 | 2/2 | | Atlas Radiator, Inc. | Radiator repair for NG-9 for trash truck |
| 3 | 14372 | 2/2 | | Ayala's Car Wash | Washing and cleaning of district's fleet |
| 4 | 14372 | 2/2 | | Clean Energy | CNG Station site inspection |
| 5 | 14373 | 2/2 | | CliftonLarsonAllen, LLP | Final billing for FYE 06.30.2022 state controllers report |
| 5 | 14374 | 2/2 | 1,090.00 | | Maintenance & support Feb -2023 plus yearly backup software |
| 6 | 14375 | 2/2 | 1 335 00 | CRC Cloud | licensing service |
| 7 | 14376 | 2/2 | | Cummins Pacific LLC | 0-ring seals for engine for solid waste truck |
| 8 | 14377 | 2/2 | | Daniels Tire Service | Restock tires for solid waste |
| 9 | 14378 | 2/2 | , | Frontier Communications | District office phones & lift stations |
| 10 | 14379 | 2/2 | | Hose-Man, Inc. | Fittings for T9 pump for solid waste trucks |
| 11 | 14380 | 2/2 | | Orange County Sanitation District | Permit Fees Jan-2023 |
| 12 | 14381 | 2/2 | | Snap-On Tools | Tools for shop use |
| 13 | 14382 | 2/2 | | SoCal Auto & Truck Parts, Inc. | Radiator cap for solid waste trucks |
| 14 | 14383 | 2/2 | | Southern California Edison | District Offices, CNG station, and lift stations |
| 15 | 14384 | 2/2 | | Standard Insurance Company Life | Life Insurance & AD&D premiums |
| | 14385 | 2/2 | • | Streamline | Website monthly member fee |
| 17 | 14386 | 2/2 | | Tell Steel | Body flooring material for solid waste trucks |
| | 14387 | 2/2 | , | Underground Service Alert | Underground dig alerts Jan-2023 |
| 19 | 14388 | 2/2 | | UniFirst Corporation | Employee uniform & laundry services |
| 20 | 14389 | 2/2 | | Union Bank (NC) | Office supplies |
| 21 | 14390 | 2/2 | | US Bank Corporate Payment System | District credit cards |
| 22 | 14391 | 2/9 | | City of Westminster-Water Billing | Westminster lift station water |
| | 14392 | 2/9 | | Cummins Pacific LLC | Ignition coil extensions for solid waste trucks |
| 24 | 14393 | 2/9 | | Daniels Tire Service | Restock tires for solid waste |
| 25 | 14394 | 2/9 | 1,098.22 | | Steamer repair for the wash rack machine |
| 26 | 14395 | 2/9 | | Shuster Advisory Group, LLC | Q4 2022 advisory fee for 457(b) & OBRA plans |
| 27 | 14396 | 2/9 | | Snap-On Tools | Tools for shop use |
| 28 | 14397 | 2/9 | | SoCal Auto & Truck Parts, Inc. | Restock shop and flasher for NG-2 |
| 29 | 14398 | 2/9 | | Staples Business Credit | Restock office supplies for Jan-2023 |
| 30 | 14399 | 2/9 | | UniFirst Corporation | Employee uniform & laundry services |
| 31 | | _/ - | \$ 71,721.88 | | |
| 32 | | | . , | | |
| 33 | | | | PAYROLL: | МЕМО |
| 34 | АСН | 2/1 | \$ 846.00 | Nationwide Retirement Solutions | 457 Deferred Compensation (Board of Directors) |
| 35 | ACH | 2/3 | \$ 7,939.13 | | Board of Directors Payroll - Checks, Taxes, & Direct Deposits |
| 36 | ACH | 2/8 | \$ 71,746.58 | | Employee Payroll - Checks, Taxes, & Direct Deposits |
| 37 | ACH | 2/8 | | Nationwide Retirement Solutions | 457 Deferred Compensation (Employees) |
| 38 | 11011 | 2,0 | | ACH TRANSFERS SUBTOTAL | |
| 39 | | | φ σσ,/ ττ./ J | TOT TRANSFERS SOBTOTAL | |
| 40 | | | | ACH PAYMENTS: | МЕМО |
| 40 41 | АСН | 1/11 | \$ 15,096.58 | | Retirement Contributions for 01/23 - 02/05/23 |
| 42 | nun | -, -1 | | ACH TRANSFERS SUBTOTAL | |
| 43 | | | ÷ 10,0 70,00 | | |
| 44 | | | \$ 173 563 10 | TOTAL EXPENDITURES (ACCOUNTS | S PAYABLE CHECKS, PAYROLL, ACH TRANSFERS) |
| 44 | | | ¢ 1/3,303.19 | TOTAL EAFENDITUKES (ACCOUNTS | TATADLE CHECKS, FAIROLL, ACH IKANSFERSJ |

A motion was made by Director C. Nguyen, seconded by Director S. Contreras, to approve the expenditure in the amount of \$173,563.19. The motion was approved by the following 5-0 roll call vote:

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

B. Revised 02-07-23 Demands in the amount of \$700,936.57

| # | CK # | DATE | AMOUNT | VENDOR CHECKS: | MEMO: |
|-----------------|----------------|--------------|-----------|--|---|
| $\frac{\pi}{1}$ | 14310 | 1/11 | | Advanced Thermal Products, Inc | DOT random drug and alcohol testing |
| 2 | 14311 | 1/11 | , | Alejandra Cruz | Employee breakfast 01/06/23 |
| 3 | 14312 | 1/11 | | Ayala's Car Wash | Washing and cleaning of district's fleet |
| 4 | 14313 | 1/11 | | Cameron Welding Supply | Oxygen and propane welding supplies for shop |
| 5 | 14314 | | | City of Westminster | Sponsorship for 2023 Tet Parade |
| 6 | 14315 | 1/11 | | Country City Towing | Tow service for NG-6 and NG-3 |
| 7 | 14316 | | | CRC Cloud | Monthly IT maintenance & Support |
| 8 | 14317 | 1/11 | 889.68 | Los Angeles Freightliner | Power steering pump for NG-12 |
| 9 | 14318 | 1/11 | | Memorial Care Medical Foundation | DMV physicals and random drug testing - all departments |
| 10 | 14319 | 1/11 | 289.00 | Petty Cash - Robert Housley | Petty Cash employee luncheon Jan-2023 |
| | 14320 | | | SDRMA - Employee Benefits | Dental and vision benefits |
| | 14321 | 1/11 | | Snap-On Tools | Tools for shop use |
| | 14322 | 1/11 | | SoCal Auto & Truck Parts, Inc. | Batteries and supplies for shop use |
| | 14323 | 1/11 | 27,108.25 | | Natural Gas for offices, shop, and wash rack |
| | 14324 | | | UniFirst Corporation | Employee uniform & laundry services |
| | 14325 | 1/11 | | Woodcliff Corporation - Contractor | Building project pay application #3 Dec-2022 |
| | 14326 | 1/11 | | Woodcliff Corporation - Escrow Account | Building project pay application #3 - Retention payment |
| | 14327 | 1/13 | | Dtn.tech | Design artwork for TET |
| | 14328 | | | Agility Fuel Solutions | CNG kill cap for solid waste truck |
| | 14329 | | | Alignment Express of CA, Inc. | Repairs to the dash cluster on NG-5 |
| | 14330 14331 | 1/19 1/19 | | AT&T Mobility (First Net) Ayala's Car Wash | Cell phone service Washing and cleaning of district's fleet |
| | 14331 | 1/19 | | Bodyworks Equip. Inc. | Heil parts for solid waste trucks |
| | 14333 | | | Cameron Welding Supply | Oxygen and propane welding supplies for shop |
| | 14334 | | | City of Westminster-Water Billing | Westminster lift station water |
| | 14335 | 1/19 | | City of Westminster Hydrant | Hydrant water service Jan-2023 |
| | 14336 | | | Clean Energy | CNG Station service |
| | 14337 | | | CRC Cloud | Monitor and printer setup |
| | 14338 | | | Daniels Tire Service | Restock tires for solid waste |
| | 14339 | | | Dartco Transmission Sales & Srvs. | Transmission repairs to NG-5 Solid Waste |
| | 14340 | 1/19 | | Driveshaftpro | Driveshaft for solid waste trucks |
| | 14341 | 1/19 | | Haaker Equipment Co. | Filler hoses (Q2) |
| 33 | 14342 | 1/19 | 3,856.97 | Hydraulic Solutions And Supplies | Hydraulic cylinders for solid waste trucks |
| 34 | 14343 | 1/19 | | Me Viet Nam Productions | 30 Minute Talk Show 12/15 - 12/16/22 |
| 35 | 14344 | 1/19 | | Merchants Building Maintenance, LLC | Janitorial services Jan-2023 |
| 36 | 14345 | 1/19 | | Petty Cash - Robert Housley | Petty Cash Jan-2023 |
| | 14346 | | | Pitney Bowes/Purchase Power | Postage for Dec-2023 |
| | 14347 | , , | | Snap-On Tools | Tools for shop |
| | 14348 | 1/19 | | SoCal Auto & Truck Parts, Inc. | Tools and supplies for shop use |
| | 14349 | 1/19 | | SoCalGas | Natural Gas for offices, shop, and wash rack |
| | 14350 | | | Spectrum Enterprise (Time Warner Cable) | Internet Services Jan-2023 |
| | 14351 | | | UniFirst Corporation | Employee uniform & laundry services |
| | 14352 | | 1,650.00 | | Radio talk show 15 minutes 01/13 - 01/23/23 |
| | 14353 | 1/19 | | Woodruff, Spradlin & Smart | Legal Services Dec -2022 |
| | 14354 | | | AT&T (Brookhurst Lift Station) Ayala's Car Wash | Brookhurst Dec - 2022 Washing and cleaning of district's fleet |
| | 14355 14356 | 1/26 | | Ayala's Car Wash Cameron Welding Supply | Oxygen and propane welding supplies for shop |
| | 14356 | 1/26 1/26 | | County of Orange | WEROC emergency radio Q3 cost 1/01/23 - 03/31/23 |
| | 14357 | | | CRC Cloud | Screen protectors |
| | 14359 | | | Daniels Tire Service | Restock tires for solid waste |
| | 14360 | 1/26 | | Dartco Transmission Sales & Srvs. | Restock transmission filter for solid waste trucks |
| | 14361 | 1/26 | | Golden Bell Products | Super butl 55-Gallon for shop (1) |
| | 14362 | 1/26 | | Los Angeles Freightliner | Power steering pump for NG-10 |
| | 14363 | 1/26 | | Motion and Flow Control Products, Inc. | Hydraulic hoses for solid waste trucks and the forklift |
| | 14364 | 1/26 | | Pre-Paid Legal Services, Inc. | Prepaid legal Jan-2023 |
| | 14365 | 1/26 | | Pumpman | Lift station pump system maintenance Q3 |
| | 14366 | | | Rutan & Tucker, LLP | Legal Services Dec-2022 |
| | 14367 | 1/26 | | Safety-Kleen Systems, Inc. | Hydraulic oil for solid waste trucks |
| 50 | | -, -0 | 2,700.10 | | |

| 59 | 14368 | 1/26 | 89.02 | Spectrum Enterprise (Time Warner Cable) | Internet Services Jan-2023 |
|----|-------|------|---------------|--|---|
| 60 | 14369 | 1/26 | 250.18 | UniFirst Corporation | Employee uniform & laundry services |
| 61 | | | \$ 364,596.06 | CHECKS SUBTOTAL | |
| 62 | | | | | |
| 63 | | | | PAYROLL: | <u>MEMO</u> |
| 64 | ACH | 1/11 | \$ 140,976.16 | Paychex | Employee Payroll - Checks, Taxes, & Direct Deposits |
| 65 | ACH | 1/11 | \$ 8,651.12 | Nationwide Retirement Solutions | 457 Deferred Compensation (Employees) |
| 66 | ACH | 1/25 | \$ 76,762.17 | Paychex | Employee Payroll - Checks, Taxes, & Direct Deposits |
| 67 | ACH | 1/25 | \$ 6,320.31 | Nationwide Retirement Solutions | 457 Deferred Compensation (Employees) |
| 68 | | | \$ 232,709.76 | ACH TRANSFERS SUBTOTAL | |
| 69 | | | | | |
| 70 | | | | ACH PAYMENTS: | <u>MEMO</u> |
| 71 | ACH | 1/11 | \$ 15,764.12 | CalPERS | Retirement Contributions for 12/26 - 01/08/23 |
| 72 | ACH | 1/20 | \$ 359.10 | Paychex | Time & Attendance Jan-23 |
| 73 | ACH | 1/20 | 1,984.29 | Chevron Texaco (Wex Bank) | Gasoline and diesel fuel for Jan-23 |
| 74 | ACH | 1/25 | \$ 72.00 | WEX Health | HRA Monthly Fee for Jan-23 |
| 75 | ACH | 1/26 | | CalPERS | Retirement Contributions for 01/09 - 01/22/23 |
| 76 | ACH | 1/26 | \$ 6,874.74 | CalPERS | Board of Directors Health Insurance Premiums for Jan-23 |
| 77 | | 1/26 | | | Active Employee and Retiree Health Ins Premiums Feb-23 |
| 78 | | | \$ 103,630.75 | ACH TRANSFERS SUBTOTAL | |
| 79 | | | | | |
| 80 | | | \$ 700,936.57 | TOTAL EXPENDITURES (ACCOUNTS PAYA | ABLE CHECKS, PAYROLL, ACH TRANSFERS) |
| 81 | | | | | |
| 82 | | | | BANK TRANSFERS: | |
| 83 | UB | 1/23 | \$ 322,000.00 | Transfer Funds from UB Money Market to U | B Checking |
| 84 | | | \$ 322,000.00 | BANK TRANSFERS | |

A motion was made by Director C. Nguyen, seconded by Director A. Nguyen, to approve the expenditures in the amount of \$700,936.57. The motion was approved by the following 5-0 roll call vote:

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

REPORTS

Report of President: None

Report of Interim General Manager

Interim GM, R. Housley reported that the concrete footings for the building project would be poured on February 28, 2023, if weather cooperates.

Interim GM, R. Housley reported that on February 15, 2023 a front-loader NG17 truck struck a power line on Harper and Washington in Midway City. No injuries were sustained, our truck was not damaged, and Southern California Edison was notified.

Interim GM, R. Housley reported that the District's most recent SoCal Gas bill has doubled in price from the last couple of months. The price of gas increased from \$0.65 to \$4.30 per gallon as a result of the war in Ukraine and the winter market demand.

Interim GM, R. Housley reported that at the ISDOC General Manager's meeting they addressed the Zero-Emission Vehicle Regulation and its requirements are designed for new vehicles to reach 100% zero-emission and clean plug-in hybrid-electric in California by the 2035 model year.

Interim GM, R. Housley reported that OC LAFCO will perform a Municipal Services Review (MSR) and a Sphere of Influence (SOI) update for 25 agencies in Orange County, including Midway City Sanitary District.

Report from the Outreach Committee Meeting on February 8, 2023

Director A. Nguyen and Director C. Nguyen met with Staff to go over the radio schedule for March and to discuss promotional giveaways items.

Report from Me Vietnam Outreach on February 9, 2023

Director C. Nguyen and Director A. Nguyen attended the radio recording. They reported that there was a 15-minute recording done that will be aired 5 times in the month of February.

Report from the Franchise Committee Meeting on February 10, 2023

Director S. Contreras, Director M. Nguyen, and staff attended the meeting along with representatives from CR&R to discuss priorities and deliverables. CR&R will continue to meet with the District monthly to establish goals and get updates.

Report from the Board Off-Site Special Meeting on February 11, 2023

President T. Diep reported that all of the Directors and the Interim General Manager met to discuss the District's organizational goals and strategic priorities. President T. Diep has asked that this meeting be held annually at the start of the year.

Report from the District Employee Luncheon on February 15, 2023

Director A. Nguyen, Director M. Nguyen and Director M. Nguyen attended the luncheon. They all agreed that the food was delicious and most importantly they enjoyed interacting with the staff.

Report from OC SAN District Special Meeting on February 15, 2023

Director A. Nguyen reported that the meeting gave the attendees a broad overview of the Orange County Sanitation District's Administration and Board of Directors' roles and responsibilities. They were given a virtual tour of the Reclamation Plant No.1 and the Treatment Plant No. 2.

CONSENT CALENDAR

A motion was made by Director C. Nguyen, seconded by Director A. Nguyen, to approve the Consent Calendar as presented. The motion was approved by the following 5-0 roll call vote:

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

- A. Approved and Filed the Treasurer's Investment Report for January 2023.
- B. Approved the 2nd Quarter Fiscal Year 2022-2023 Financial Reports and Budget Review As Presented.
- C. Approved the Proposed Fiscal Year 2022-2023 Budget Adjustments No.2.
- D. Approved Attendance to the 70th Assembly District Open House March 16, 2023 for Board Members and Staff Who Wish to Attend.
- E. Approved Attendance to the California Special District Association (CSDA) Special District Legislative Days in Sacramento May 16-17, 2023, for Board Members and Staff Who Wish to Attend.
- F. Approved the February 10, 2023, Franchise Committee Report.

OLD BUSINESS

A. Consider Approval of Additional Services Provided by Rengel+CO Architects, in the Amount of \$278,705.50 for the District's Building and Solar Project and Authorize the Interim General Manager to Execute Amendment No.1

A staff report and recommendations were provided and considered by the Board. A motion was made by Director C. Nguyen, seconded by Director A. Nguyen, to approve and authorize the Interim General Manager to execute Amendment No.1 to the Professional Services Agreement, Incorporated to provide architectural and engineering design and construction support services for the District's Building Expansion and Occupied Renovation Project, to ratify all previous authorizations for additional services approved by the General Manager, and to authorize the General Manager/Interim General Manager to approve additional change orders and authorizations for additional services under the Agreement in an aggregate amount up to \$25,000. The motion was approved by the following 5-0 roll call vote:

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

NEW BUSINESS

A. Consider the Creation of a Building Project Ad Hoc Committee for the Purposes of Reviewing Matters Related to the District's Building and Solar Project

President T. Diep opened the floor for nominations for the Ad Hoc Committee.

Director M. Nguyen nominated Director S. Contreras and himself to be on the Ad Hoc Committee.

A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to create a temporary Ad Hoc Committee comprised of Director S. Contreras and Director M. Nguyen for the purposes of reviewing matters related to the District's building and solar project. The motion was approved by the following 5-0 roll call vote:

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

B. Consider Approval of the Outreach Committee Recommendations

A staff report and recommendations were provided and considered by the Board. A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve of the Outreach Committee recommendations. The motion was approved by the following 5-0 roll call vote:

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

C. Consider Authorizing the Purchase of Three (3) New Mack CNG Solid Waste Collection Trucks for the Solid Waste Department in the Amount of \$1,349,819.49

A staff report and recommendation were provided and considered by the Board. A motion was made by Director M. Nguyen, seconded by Director S. Contreras, to waive formal bidding and authorize the Interim General Manager to purchase three (3) new Mack CNG solid waste collection trucks for the solid waste department from Tech of California, Inc. in the total amount of \$1,349,819.49. The motion was approved by the following 5-0 roll call vote:

AYES: S. Contreras, A. Nguyen, M. Nguyen, C. Nguyen, T. Diep NAYS: ABSTAIN: ABSENT: D. Consider Approval to Change the Midway City Sanitary District's Internet Domain Name and Changing from a .com to .gov

A staff report and recommendations were provided and considered by the Board. A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve changing the Midway City Sanitary District's internet domain name to mcsd.gov and to authorize the Interim General Manager to take the necessary actions to do so. The motion was approved by the following 5-0 roll call vote:

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

E. Consider and Approve Scheduling the Public Budget Workshops/Study Sessions and Public Hearing for Budget Adoption for Fiscal Year 2023-2024

A staff report and recommendations were provided and considered by the Board. A motion was made by Director C. Nguyen, seconded by Director S. Contreras, to schedule the first and second public budget workshops/study sessions for March 15, 2023 at 5:30 p.m. and April 19, 2023 at 5:30 p.m. and to schedule the Public Hearing for budget adoption for fiscal year 2023-2024 for June 6, 2023 at 5:30 p.m. The motion was approved by the following 5-0 roll call vote:

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

F. Appointment of Labor Negotiators Regarding General Manager Position

A staff report and recommendations were provided and considered by the Board. A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to appoint President T. Diep, Director A. Nguyen and General Counsel, J. Eggart to serve as the Board's designated labor representative(s) for purposes of conducting labor negotiations with Interim General Manager Robert Housley regarding the position of General Manager, an unrepresented employee position. The motion was approved by the following 5-0 roll call vote:

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

INFORMATIONAL ITEMS

A. Special District Risk Management Authority (SDRMA) Spring Education Day 03-22-2023

Received and File.

BOARD CONCERNS/COMMENTS

Director C. Nguyen commended Staff for guiding the District in the right path.

GM/STAFF CONCERNS/COMMENT

Interim GM, R. Housley reminded the Directors of the upcoming Outreach Committee Meeting on March 1, 2023.

Interim GM, R. Housley commented that there wouldn't be a closed session for item 14C as identified on the agenda.

GENERAL COUNSEL CONCERNS/COMMENTS

At President T. Diep's direction, General Counsel J. Eggart convened the meeting to closed session at 7:02 PM to consider the employment and appointment of the General Manager pursuant to Government Code Section 54957(b)(1)), as identified on the agenda as item 14A, and for the Board to confer with its appointed labor negotiators pursuant to Government Code Section 54957.6, as identified on the agenda as item 14B, regarding the General Manager position and unrepresented employee R. Housley.

CLOSED EXECUTIVE SESSION

<u>CLOSED SESSION</u>: 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 EMPLOYMENT / APPOINTMENT (Government Code Section 54957(b)(1)) Title: General Manager

B. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6) Agency Designated Representatives: To be Appointed in Open Session Unrepresented Employee: Robert Housley C. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6) Agency Designated Representatives: Interim General Manager Robert Housley and Labor Counsel Joseph Larsen, Employee Organization: American Federation of State, County, and Municipal Employees, LOCAL 1734-01

President T. Diep reconvened the open session portion of the meeting at 7:02 PM.

General Counsel J. Eggart reported that the Board had met in closed session for the purposes identified on Agenda Items 14A and 14B and that no reportable action had been taken.

ADJOURNMENT

President T. Diep adjourned the meeting at 7:03 PM to the next Board meeting to be held at the District on Tuesday, March 7, 2023 at 5:30 PM.

Andrew Nguyen, Secretary