

**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**

**January 16, 2024**

**CALL TO ORDER:**

President M. Nguyen called the regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Street, Westminster, California on Tuesday, January 16, 2024 at 5:34 PM.

**BOARD MEMBERS PRESENT:**

Mark Nguyen  
Chi Charlie Nguyen  
Andrew Nguyen  
Sergio Contreras

**STAFF MEMBERS PRESENT:**

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

**BOARD MEMBERS ABSENT:**

Tyler Diep

**OTHER STAFF MEMBERS PRESENT:**

James H. Eggart, General Counsel Woodruff & Smart  
Joseph D. Larsen, Labor Counsel Rutan & Tucker, LLP  
Kassie Rademacher, Independent Auditors CliftonLarsenAllen

**PLEDGE OF ALLEGIANCE AND INVOCATION:**

Director A. Nguyen led the Pledge of Allegiance. Director S. Contreras gave the Invocation.

**PUBLIC COMMENTS:**

None

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON DECEMBER 19, 2023:**

A motion was made by Director A. Nguyen, seconded by Director C. Nguyen, to approve the minutes of the Regular Meeting on December 19, 2023. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: T. Diep

**APPROVAL OF EXPENDITURES**

A. Approval of Demands in the Amount of \$1,876,387.89

A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve the expenditures in the amount of \$1,876,387.89 as reflected in the Register of Demands included in the Agenda Packet and presented at the meeting. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: T. Diep

**REPORTS:**

**Report of President**

None

**Report of General Manager**

GM R. Housley provided updates on what was happening at the District.

**Report of Director of Services & Program Development**

Director of Services & Program Development A. Davies provided updates on the Open House Event and the Westminster Tet Parade.

**Report of Westminster Tet Parade Staff Meeting on January 3, 2024**

Director A. Nguyen attended the meeting with staff to obtain more details about the event.

**Report of Building Project Ad Hoc Committee Meeting on January 2 & 16, 2024**

Director S. Contreras reported that he was present at the meeting and provided an update on the building project.

**Report of Westminster Community Foundation Tet Gala on January 6, 2024**

Director C. Nguyen, Director T. Diep, President M. Nguyen, and Director A. Nguyen attended the event with Staff and reported that it was well attended and informative.

**Report of Radio Outreach Radio Bolsa on January 8, 2024**

President A. Nguyen and Director C. Nguyen attended the radio recording to provide information on SB 1383, the District's services and upcoming events.

**Report of Radio Outreach VNCR on January 9, 2024**

Director M. Nguyen and Director S. Contreras attended the radio recording to provide information on SB 1383, the District's services and upcoming events.

**CONSENT CALENDAR:**

- A. Approve and File the Treasurer's Investment Report for December 2023
- B. Approve and File the Engineer Report for December 2023
- C. Approve the January 3, 2024 Outreach Committee Recommendations
- D. Approve 2024 Work Plan for Director of Services and Program Development

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 4-0 roll vote:

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

**OLD BUSINESS:**

None

**NEW BUSINESS:**

- A. Consider and Approve the Fiscal Year 2022-23 Independent Financial Audit Report for Midway City Sanitary District (July 1, 2022 through June 30, 2023)

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 the Fiscal Year 2022-2023 Independent Financial Audit report for Midway City Sanitary District (July 1, 2022 through June 30, 2023). The motion was approved by the following 4-0 vote:

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

**B. RESOLUTION NO. 2024-01**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, REVISING THE POLICIES AND PROCEDURES OF THE BOARD OF DIRECTORS**

A staff report and recommendations were provided and considered by the Board. The Board discussed the proposed Policy revisions and directed changes to be made to new Sections 2.F. and 2.G. to remove language reflected in the Board's separate Policy regarding Board of Director Absences and Attendance at Meetings and to bring that policy for review at the next regular meeting. A motion was made by President M. Nguyen, seconded by Director C. Nguyen, to adopt the proposed Resolution No. 2024-01, adopting Amended Policies and Procedures of the Board of Directors of the Midway City Sanitary District, with specified changes to Section 2.F. and Section 2.G of the Policy. The motion was approved by the following 4-0 roll call vote:

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

C. Consider Approval of 12-Month Media Plan

A staff report and recommendation were provided and considered by the Board. The Board discussed the proposed media plan and provided comments and suggestions for revisions. A motion was made by President C. Nguyen, seconded by Director A. Nguyen, to table consideration of the 12-month media plan until the February 6, 2024 regular meeting. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: T. Diep

D. Consider Scheduling a Legislative Update Workshop

A staff report and recommendations were provided and considered by the Board. A motion was made by President M. Nguyen, seconded by Director C. Nguyen, to schedule a special meeting for a Legislative update workshop on Friday, February 16, 2024, at 5:00 P.M. at the District's offices. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: T. Diep

**INFORMATIONAL ITEMS:**

A. ISDOC Quarterly Luncheon Meeting – Thursday, January 25, 2024

Received and File.

President M. Nguyen requested that the closed session scheduled as Item 14 be moved up on the Agenda and the other Board Members provided their consent.

With the consent of the full Board, General Counsel, J. Eggart convened the meeting to closed session at 6:52 PM pursuant to Government Code Section 54957.6, as identified on the agenda as item 14A, in order for Board to confer with its designated Labor Negotiator representatives. General Counsel J. Eggart noted that the District's designated representatives are General Manager Robert Housley and Labor Counsel Joseph Larsen.

**CLOSED SESSION:**

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) Agency Designated Representatives: General Manager Robert Housley and 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 7:17 PM.

General Counsel J. Eggart reported that the Board had met in closed session as identified on Agenda Item 14A, and that no reportable action had been taken.

**BOARD CONCERNS AND COMMENTS:**

The Board thanked Staff.

**GM/STAFF CONCERNS AND COMMENT:**


None

**GENERAL COUNSEL CONCERNS AND COMMENTS:**

None

**ADJOURNMENT:**

President M. Nguyen adjourned the meeting at 7:22 PM to the next Board Meeting to be held at the District on Tuesday, February 6, 2024, at 5:30 PM.

  
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Andrew Nguyen, Secretary