

RESOLUTION NO. 2025-01

**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 4, 2025 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, pursuant to Section 4 of the Employment Agreement, following each annual performance evaluation, the Board of Directors may in its sole discretion grant the General Manager a performance bonus equal to 0-10% of his then-current annual base salary which, if awarded, must be approved by minute action of the Board and ratified by resolution; and

WHEREAS, following completion of the annual performance evaluation of the General Manager during closed session on February 4, 2025, 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 from \$210,000 to \$235,000, effective February 4, 2025; (2) to approve and award a one-time \$10,000 performance bonus to the General Manager (3) 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 February 18, 2025; 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 February 4, 2025, 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:

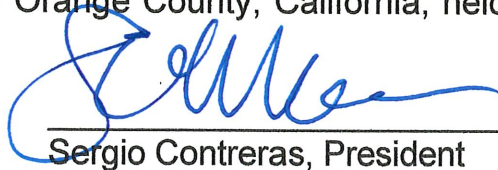
Section 1: The above recitals are true and correct and incorporated herein by reference.

Section 2: Effective February 4, 2025, the General Manager's current annual base salary shall be increased from \$210,000 to \$235,000.

Section 3: Effective February 4, 2025, the General Manager is awarded a one-time performance bonus in the amount of \$10,000, or approximately 4.8% of the General Manager's current annual base salary.

Section 4: 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 18th day of February, 2025.



Sergio Contreras, President

ATTEST:



Mark Nguyen, Secretary

CERTIFICATION

I, Mark Nguyen, Secretary of the MIDWAY CITY SANITARY DISTRICT of Orange County, California, do hereby certify that the foregoing Resolution No. 2025-01 was duly adopted at a meeting of the Governing Board of said District held on the 18th day of February, 2025, by the following vote of the members of the Board:

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

NOES:

ABSENT:

and I further certify that Sergio Contreras, as President, and Mark Nguyen, as Secretary, signed and approved said Resolution No. 2025-01 on the 18th day of February, 2025.



Mark Nguyen, Secretary

(District Seal)

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I, Mark 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. 2025-01 passed and adopted by the Board of Directors of said District at a meeting thereof held on the 18th day of February, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal of said District this 18th day of February, 2025.



Mark Nguyen, Secretary