

MIDWAY CITY SANITARY DISTRICT  
REGULAR MEETING  
BOARD OF DIRECTORS  
DISTRICT OFFICE  
14451 CEDARWOOD AVENUE  
WESTMINSTER, CA

TELECONFERENCE MEETING CALL IN  
<https://meet.goto.com/MCSD1939/regularboardmeeting>  
# 1(646)749-3129/ACCESS# 910-264-741

AGENDA PACKETS ARE AVAILABLE AT THE DISTRICT OFFICE ADDRESS ABOVE.  
YOU MAY ALSO OBTAIN A COPY OF THE AGENDA PACKET BY EMAILING US AT  
[INFO@MCSANDST.COM](mailto:INFO@MCSANDST.COM) OR BY CALLING THE DISTRICT AT (714)893-3553

Tuesday, February 7, 2023  
5:30 P.M.

**COVID-19 PUBLIC SERVICE ANNOUNCEMENT**

THIS MEETING WILL BE CONDUCTED BOTH IN-PERSON AND VIA TELECONFERENCING PURSUANT TO THE PROVISIONS OF ASSEMBLY BILL 361 AND GOVERNMENT CODE SECTION 54953(e). MEMBERS OF THE PUBLIC WHO WISH TO COMMENT ON MATTERS BEFORE THE BOARD, IN LIEU OF DOING SO TELEPHONICALLY OR IN PERSON, MAY SUBMIT COMMENTS BY EMAILING [INFO@MCSANDST.COM](mailto:INFO@MCSANDST.COM) NO LATER THAN 3:00 P.M. THE DAY BEFORE THE MEETING. THE COMMENTS WILL BE PROVIDED TO THE BOARD AS PART OF THE MEETING RECORD AND MADE AVAILABLE TO THE PUBLIC. IN LIGHT OF HEALTH RISKS ASSOCIATED WITH COVID-19, MEMBERS OF THE PUBLIC ARE STRONGLY ENCOURAGED TO PARTICIPATE IN THIS MEETING TELEPHONICALLY AND TO CONSIDER VERY CAREFULLY BEFORE ATTENDING THIS MEETING IN PERSON. MEMBERS OF THE PUBLIC ATTENDING IN PERSON WILL BE ASKED TO MAINTAIN A SIX-FOOT DISTANCE FROM OTHERS. PLEASE DO NOT ATTEND THIS MEETING IN PERSON IF YOU HAVE TESTED POSITIVE FOR CORONAVIRUS (COVID-19), IF YOU ARE EXPERIENCING SYMPTOMS SUCH AS COUGHING, SNEEZING, FEVER, DIFFICULTY BREATHING OR OTHER FLU-LIKE SYMPTOMS, OR IF YOU HAVE HAD DIRECT CONTACT WITH SOMEONE WHO HAS TESTED POSITIVE FOR CORONAVIRUS OR IS EXPERIENCING SUCH SYMPTOMS.

**AGENDA**

**OUR MISSION STATEMENT**

***THE BOARD OF DIRECTORS AND EMPLOYEES OF 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**

**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 OF THE REGULAR MEETING OF JANUARY 17, 2023**  
*(Roll Call Vote)*

**5. APPROVAL OF EXPENDITURES**

A. Approval of Demands in the Amount of \$479,427.97 *(Roll Call Vote)*

**6. REPORTS**

The President, General Manager, General Counsel and other staff present verbal report 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 Interim General Manager
- C. Report from CR&R Quarterly Reports
- D. Report from the District Luncheon on January 18, 2023
- E. Report from the Westminster Tet Parade on January 22, 2023
- F. Report from OC SAN District Meeting on January 25, 2023
- G. Report from the ISDOC Virtual Quarterly Meeting on January 26, 2023

## 7. 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. **(Roll Call Vote)**

- A. Approve Attendance at the 2023 Water and Wastewater Tri-State Seminar Being Held at the South Point Hotel in Las Vegas, Nevada August 7-10, 2023

## 8. OLD BUSINESS

None

## 9. NEW BUSINESS

- A. Discussion of the Commercial Franchise Agreement Between the Midway City Sanitary District and CR&R and Franchise Committee Goals and Priorities **(Roll Call Vote)**
- B. Consider Approval of Amendment to Agreement with AKM Consulting Engineering to Include Update to the District's Spill Emergency Response Plan Within the Scope of Services and Authorize the Interim General Manager, Robert Housley to Execute the Amendment **(Roll Call Vote)**
- C. Consider rescheduling the May 2, 2023 and June 20, 2023 Regular Board Meetings **(Roll Call Vote)**
- D. Consider Approval of Additional Services Provided by Rengel+CO Architects, in the Amount of \$278,702.50 for The District's Building and Solar Project **(Roll Call Vote)**
- E. RESOLUTION 2023-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, MAKING SPECIFIED FINDINGS AND REAUTHORIZING THE USE OF TELECONFERENCING IN ACCORDANCE WITH ASSEMBLY BILL 361 AND GOVERNMENT CODE SECTION 54953(e) FOR MEETINGS OF THE MIDWAY CITY SANITARY DISTRICT BOARD OF DIRECTORS AND OTHER DISTRICT COMMITTEES SUBJECT TO STATE OPEN MEETINGS LAWS **(Roll Call Vote)**

## 10. INFORMATIONAL ITEMS

- A. ISDOC Executive Committee 3<sup>rd</sup> Vice President and Secretary Vacancy
- B. 2023-24 Workers' Compensation Experience Modification Factor

**11. BOARD CONCERNS/COMMENTS**

**12. GM/STAFF CONCERNS/COMMENTS**

**13. GENERAL COUNSEL CONCERNS/COMMENTS**

**14. 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: Interim General Manager Robert Housley and Labor Counsel Joseph Larsen, Employee Organization: American Federation of State, County, and Municipal Employees, LOCAL 1734-01

**15. ADJOURNMENT TO TUESDAY, FEBRUARY 21, 2023**