

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

**Tuesday, June 27, 2023  
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 Regular Meeting on June 6, 2023

#### **5. APPROVAL OF EXPENDITURES**

- A. Approval of Demands in the Amount of \$796,855.47

#### **6. 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 from the Franchise Committee Meeting on June 9, 2023
- D. Report from the Clean-up Event at Coronet Park on June 10, 2023
- E. Report from the Little Saigon 35<sup>th</sup> Anniversary Event on June 10, 2023
- F. Report from the Chamber of Commerce Luncheon on June 14, 2023
- G. Report from the Outreach Committee Meeting on June 15, 2023
- H. Report from the Outreach Me Vietnam Radio on June 16, 2023
- I. Report from the Building Project Ad Hoc Committee Meeting on June 6 & 20, 2023
- J. Report from the Outreach VietLink Radio on June 21, 2023
- K. Report from the ISDOC Virtual Quarterly Meeting on June 22, 2023
- L. Report from the Little Saigon 35<sup>th</sup> Anniversary Appreciation Dinner on June 23, 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.

- A. Approve and File the Treasurer's Investment Report for May 2023
- B. Approve the Engineer Report for May 2023
- C. Approve the June 15, 2023 Outreach Committee Recommendations
- D. Approve the June 9, 2023 Franchise Committee Report

#### **8. OLD BUSINESS**

None

#### **9. NEW BUSINESS**

- A. A RESOLUTION NO. 2023-15 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ESTABLISHING A POLICY APPLICABLE TO DISTRICT DEPOSITS AND INVESTED FUNDS

**(Roll Call Vote)**

B. A RESOLUTION NO. 2023-16 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, APPROVING THE ANNUAL STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2023-2024 (JULY 1, 2023, THROUGH JUNE 30, 2024) **(Roll Call Vote)**

C. A RESOLUTION NO. 2023-17 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ADOPTING THE 2023-2024 SALARY SCHEDULE FOR NON-REPRESENTED EMPLOYEES **(Roll Call Vote)**

D. Consider Discussion Regarding the Building Project Ad Hoc Committee Attendance for the Purposes of Reviewing Matters Related to the District's Building and Solar Project

**10. INFORMATIONAL ITEMS**

None

**11. BOARD CONCERNS/COMMENTS**

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

**13. LEGAL 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. Support FAF Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1)) Jacob Watson v. Midway City Sanitary District, WCAB Case No. ADJ706291

**15. ADJOURNMENT TO TUESDAY, JULY 18, 2023**

**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**

**June 6, 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, June 6, 2023 at 5:36 PM.

**BOARD MEMBERS PRESENT:**

Tyler Diep  
Andrew Nguyen  
Chi Charlie Nguyen  
Sergio Contreras (arrived @ 5:56 PM)  
Mark Nguyen

**STAFF PRESENT:**

Robert Housley, General Manager  
Siamlu Cox, Director of Finance & HR  
Cynthia Olsder, Executive/Board Secretary

**OTHERS PRESENT:**

James Eggart, Legal Counsel

**PLEDGE AND INVOCATION**

Director A. Nguyen led the Pledge of Allegiance. Director M. Nguyen gave the Invocation.

**PUBLIC COMMENTS**

None

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON MAY 15, 2023**

A motion was made by Director A. Nguyen, seconded by Director M. Nguyen, to approve the minutes of the Regular Meeting on May 15, 2023. The motion was approved by the following 3-0-1 vote:

AYES: A. Nguyen, M. Nguyen, T. Diep

NAYS:

ABSTAIN: C. Nguyen

ABSENT: S. Contreras

## APPROVAL OF THE MINUTES OF THE SPECIAL MEETING ON MAY 22, 2023

A motion was made by Director A. Nguyen, seconded by Director M. Nguyen, to approve the minutes of the Special Meeting on May 22, 2023. The motion was approved by the following 4-0 vote:

AYES: A. Nguyen, M. Nguyen, T. Diep, C. Nguyen

NAYS:

ABSTAIN:

ABSENT: S. Contreras

## APPROVAL OF EXPENDITURES

### A. Demands in the amount of \$627,594.47

#	CK #	DATE	AMOUNT	VENDOR CHECKS:	MEMO:
1	14627	5/11	795.60	Betts Truck Parts & Service	Leaf spring (1) solid waste trucks
2	14628	5/11	1,162.65	Cameron Welding Supply	Welding supplies Shop, Oxygen (1) winning steel (33) Shop, Welding helmet (1) Shop, Welding compressed gas Shop
3	14629	5/11	171.18	City of Westminster-Water Billing	Wash Rack 03/08 - 05/02/23, District offices 03/08 - 05/02/23
4	14630	5/11	9,736.49	CRC Cloud	Monitor (2) Engineer, Monitor (1) Operations Dir, PC computer (1) AP Accountant, Firewall Sophos XGS 116 1-year subscription
5					HP ProBook 450 15.9 inch Notebook Shop, Cisco Business CBS250-48P-4X network smart switch, Maintenance & Support May-2023
6	14631	5/11	1,013.74	Daniels Tire Service	Recap tires (4) solid waste trucks
7	14632	5/11	27.80	Hillco Fastener Warehouse Inc.	Bolts, nuts gaskets solid waste trucks
8	14633	5/11	559.50	Konecranes, Inc.	Crane inspection May-2023 Shop
9	14634	5/11	828.36	Merchants Building Maintenance, LLC	Janitorial Services May-2023
10	14635	5/11	1,661.97	Motion and Flow Control Products, Inc.	Heil fittings (6) solid waste trucks, Hydraulic hoses (80) solid waste trucks
11	14636	5/11	48,878.00	Rengel + Company Architects, Inc	Soils Engineering Feb-2023, Bldg. Proj Management Apr-2023, Bldg. Proj Mgt Apr-2023
12	14637	5/11	4,201.59	SDRMA - Employee Benefits	Dental and vision benefits Jun-2023
13	14638	5/11	1,000.00	Shuster Advisory Group, LLC	Advisory Fee for 457(b) & OBRA plans Q1 2023
14	14639	5/11	508.73	Sign Design	MCSO clean-up events signs (2)
15	14640	5/11	159.16	SoCal Auto & Truck Parts, Inc.	Swivel fittings air brakes solid waste trucks
16	14641	5/11	12,873.05	TEC Of California, Inc.	Tube fittings, Tube fittings for NG-1, Fitting tubes Mack airbrakes solid waste trucks
17					Drain valves/adaptor NG-13, NG-15, NG-18 solid waste trucks, Control valve, steering arm, gears NG-2 solid waste trucks
18					Drain valve NG-2 solid waste trucks, Oil pressure sensor NG-2 solid waste trucks, Oil pressure sensor solid waste trucks
19					Brake rotors (4) solid waste trucks, EGR cooler valve NG-14 solid waste trucks, Steering gear box NG-5 solid waste trucks
20					Stabilizer cylinder NG-2 solid waste trucks, Brake slack adjusters (4) solid waste trucks,
21					Front brake rotors (2) solid waste trucks, Exhaust pipe clamps NG-6 solid waste truck, Filters (19) solid waste trucks
22					Brake spring NG-6 solid waste truck, Spring assy (1) anti-freeze (55) solid waste trucks
23	14642	5/11	638.39	UniFirst Corporation	Uniforms & Laundry Service Apr-2023
24	14643	5/11	2,724.00	Wespac Security Services, Inc.	Fire alarm monitoring 12/22 - 06/23, Gas leak alarm monitoring 01/23 - 06/01/23
25	14644	5/12	1,376.65	Dtntech	April Clean Up Mailer (1600)
26	14645	5/15	1,183.19	Andrew Nguyen	2023 Waste Expo Reimbursement

27	14646	5/25	52,444.33	AKM Consulting Engineers, Inc.	SSMP Consultant 04/03 - 04/28/23
28	14647	5/25	530.58	AT&T (Brookhurst Lift Station)	Brookhurst May- 2023
29	14648	5/25	364.72	AT&T Mobility (First Net)	Mobile Phone Apr-2023
30	14649	5/25	480.00	Ayala's Car Wash	Fleet wash 05/15/23, Fleet wash 05/16/23
31	14650	5/25	1,508.76	Bodyworks Equip. Inc.	Heil system parts trash trucks
32	14651	5/25	306.32	Cameron Welding Supply	Compressed gas, nozzle gun, wheels, Acetylene, Propane, Wheel
33	14652	5/25	84.94	City of Westminster Hydrant	Hydrant Water Service May-2023
34	14653	5/25	1,200.00	Commerford Inspection, Inc.	Material Welding & Shop Inspection 05/02-05/23
35	14654	5/25	210,203.97	CR Transfer, Inc.	Tonnage Fees Apr-2023
36	14655	5/25	753.98	CR&R Incorporated	Bowling Green Pk Clean-Up Event 04/08/23
37	14656	5/25	11,685.00	Davis Farr LLP	Accounting Assistance Mar-2023
38	14657	5/25	191.61	Hillco Fastener Warehouse Inc.	Washers, lock nuts and zip ties for shop
39	14658	5/25	4,048.18	Hydraulic Solutions And Supplies	Hydraulic cylinders (2) Heil Packer (4) solid waste trucks
40	14659	5/25	70.14	Motion and Flow Control Products, Inc.	Hydraulic fittings NG-10
41	14660	5/25	35,447.14	Orange County Sanitation District	Permit Fees Apr-2023
42	14661	5/25	201.00	Pitney Bowes/Purchase Power	Postage for Apr-2023
43	14662	5/25	33.90	Pre-Paid Legal Services, Inc.	Prepaid legal May-2023
44	14663	5/25	168.46	Pro-Vision, Inc.	Monitor harness for camera system NG-18
45	14664	5/25	10,187.50	Rengel + Company Architects, Inc	Soils Engineering Feb-Apr 2023
46	14665	5/25	4,120.50	Rutan & Tucker, LLP	Legal Services Apr-2023
47	14666	5/25	189.23	Snap-On Tools	Pipe wrench 18"
48	14667	5/25	32.13	SoCalGas	Maint. Shop & Wash Rack May-2023
49	14668	5/25	459.69	South Coast Air Quality Management Dist.	AQMD Hot Spot Fee 07/22 - 06/23
50	14669	5/25	1,697.32	Southbay Truck Center	Steering wheel NG-9
51	14670	5/25	1,447.02	Spectrum Enterprise (Time Warner Cable)	Phone, internet, television May-2023
52	14671	5/25	609.88	UniFirst Corporation	Uniforms & Laundry Service May-2023
53	14672	5/25	6,834.00	Woodruff, Spradlin & Smart	Legal Services Apr-2023
54			<b>\$ 434,800.35</b>	<b>CHECKS SUBTOTAL</b>	
55					
56				<b>PAYROLL:</b>	<b>MEMO</b>
57	ACH	5/17	\$ 76,379.06	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
58	ACH	5/17	\$ 5,703.40	Nationwide Retirement Solutions	457 Deferred Compensation (Employees)
59			<b>\$ 82,082.46</b>	<b>ACH TRANSFERS SUBTOTAL</b>	
60					
61				<b>ACH PAYMENTS:</b>	<b>MEMO</b>
62	ACH	5/12	1,394.03	Chevron Texaco (Wex Bank)	Gasoline and diesel fuel May-23
63	ACH	5/25	\$ 366.45	Paychex	Time & Attendance Feb-23
64	ACH	5/25	\$ 15,870.70	CalPERS	Retirement Contributions for 05/01 - 05/14/23
65	ACH	5/25	\$ 67,256.13	CalPERS	Active Employee and Retiree Health Ins Premiums Jun-23
66	ACH	5/25	\$ 6,874.74	CalPERS	Board of Directors Health Insurance Premiums for Jun-23
67	ACH	5/25	\$ 18,949.61	US Bank Corporate Payment System	District credit cards May-2023
68			<b>\$ 110,711.66</b>	<b>ACH TRANSFERS SUBTOTAL</b>	
69					
70			<b>\$ 627,594.47</b>	<b>TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)</b>	
71					
72				<b>BANK TRANSFERS:</b>	
74	UB	5/11	\$ 48,878.00	Transfer Funds from LAIF Building to LAIF Operating	
78	UB	5/11	\$ 300,000.00	Transfer Funds from UB Money Market to UB Checking	
79	UB	5/26	\$ 1,363,891.81	Transfer Funds from UB Money Market to UB Checking	
80			<b>\$1,712,769.81</b>	<b>BANK TRANSFERS</b>	

A motion was made by Director C. Nguyen, seconded by Director M. Nguyen, to approve the expenditures in the amount of \$627,594.47. The motion was approved by the following 3-0-1 vote:

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

NAYS:

ABSTAIN: T. Diep

ABSENT: S. Contreras

## **REPORTS**

### **Report of President:**

None

### **Report of General Manager**

GM R. Housley introduced S. Cox to the Board of Directors.

GM. R. Housley provided an update on the building construction project and the compost event.

### **Report of Engineer**

None

### **Report from the City Manager Panel on May 16, 2023**

Director A. Nguyen reported that he attended the event with Staff and that the event was a success in informing people on what was happening in Westminster and the nearby cities.

### **Report from the CSDA Legislative Days on May 16-17, 2023**

Director C. Nguyen reported that the conference was a good opportunity to meet and discuss issues directly with our state legislators and staff. He recommended that both the Board and staff should attend the event.

### **Report from the Outreach VNCR Radio on May 18, 2023**

President T. Diep reported that he and Director S. Contreras attended the radio recording to discuss the District's services and forthcoming events.

### **Report from the 2<sup>nd</sup> Annual Public Works Open House on May 20, 2023**

President T. Diep, Director M. Nguyen, Director A. Nguyen, and Director C. Nguyen all attended and reported that the event was not well attended by the general public; however, it was a good opportunity to learn more about their services.

### **Report from the Building Project Ad Hoc Committee Meeting on May 23, 2023**

Director M. Nguyen reported that the District will replace the outdated flag pole, and the anticipated building project completion date has been pushed back to the end of October.

### **Report from the District Luncheon on May 24, 2023**

President T. Diep, Director S. Contreras, and Director A. Nguyen all attended and reported that it was a good opportunity to recognize the efforts of the staff.

## Report from the OC San District Meeting on May 24, 2023

Director A. Nguyen reported that the Westminster Blvd. Sewer Project is nearing completion.

### CONSENT CALENDAR

- A. Approve a \$250,000 Contribution to the District's CEPPT Trust Account and Authorize the General Manager to Execute the Transaction
- B. Consider Approval of Amendment No.1 to Professional Services Agreement Between the Midway City Sanitary District and Davis Farr LLP to Provide Temporary Accounting and Financial Services
- C. Approve the May 12, 2023, Franchise Committee Report

A motion was made by Director C. Nguyen, seconded by Director M. Nguyen, to approve the Consent Calendar. The motion was approved by the following 4-0 vote:

AYES: A. Nguyen, M. Nguyen, T. Diep, C. Nguyen

NAYS:

ABSTAIN:

ABSENT: S. Contreras,

### OLD BUSINESS

None

Director S. Contreras arrived at 5:56 PM.

### NEW BUSINESS

- A. PUBLIC HEARING AND ADOPTION OF RESOLUTION NO. 2023-12 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, APPROVING A REPORT ON SPECIAL USER FEES PURSUANT TO SPECIAL USAGE PERMIT AGREEMENT AND COVENANT DOCUMENTS AND DIRECTING THE COUNTY AUDITOR TO ADD SUCH SPECIAL USAGE CHARGES TO THE JULY 1, 2023 THROUGH JUNE 30, 2024 SECURED TAX ROLL PURSUANT TO ORDINANCE NO.26

President T. Diep read the title of Resolution No. 2023-12 and opened the public hearing.

There were no public comments.

President T. Diep closed the public hearing.



A staff report and recommendations were provided and considered by the Board. A motion was made by Director C. Nguyen, seconded by Director M. Nguyen, to approve adoption of Resolution No. 2023-12, approving a report on special user fees pursuant to special district permit agreement and covenant documents and directing the county auditor to add such special usage charges to the July 1, 2023 through June 30, 2024 secured tax roll pursuant to Ordinance No. 26. The motion was approved by the following roll call 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

**B. PUBLIC HEARING AND ADOPTION OF RESOLUTION NO. 2023-13 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY CALIFORNIA, APPROVING A REPORT ON SANITATION AND SEWER USER FEES AND DIRECTING THE COUNTY AUDITOR TO ADD SUCH USER CHARGES TO THE JULY 1, 2023 THROUGH JUNE 30, 2024 SECURED TAX ROLL PURSUANT TO ORDINANCE NO.72 AND ORDINANCE NO.73**

President T. Diep read the title of Resolution No. 2023-13 and opened the public hearing.

There were no public comments.

President T. Diep closed the public hearing.

A staff report and recommendations were provided and considered by the Board. A motion was made by Director A. Nguyen, seconded by Director M. Nguyen, to approve adoption of Resolution No. 2023-13, approving a report on sanitation and sewer user fees and directing the county auditor to add such user charges to the July 1, 2023 through June 30, 2024 secured tax roll pursuant to Ordinance No. 72 and Ordinance No. 73. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

**C. PUBLIC HEARING AND ADOPTION OF RESOLUTION NO. 2023-14 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY CALIFORNIA, ADOPTING THE SPECIAL DISTRICT GENERAL FUND BUDGET FOR THE FISCAL YEAR JULY 1, 2023 THROUGH JUNE 30, 2024**

President T. Diep read the title of Resolution No. 2023-14 and opened the public hearing.

There were no public comments.

President T. Diep closed the public hearing.

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 approve adoption of Resolution No. 2023-14, adopting the special district general fund budget for the fiscal year July 1, 2023 through June 30, 2024. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

- D. Consider Attendance to the Little Saigon 35<sup>th</sup> Anniversary Celebration to Celebrate the Designation of the Little Saigon District, June 10, 2023, for Board Members and Staff Who Wish to Attend and Sponsorship Opportunity

A staff report and recommendation were provided and considered by the Board. A motion was made by Director C. Nguyen, seconded by Director A. Nguyen, to approve attendance and the amount of \$3,000 in sponsorship. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

- E. Consider Attendance to the Westminster Chamber of Commerce Lunch and Learn Event on Workplace Safety, June 14, 2023, for Board Members and Staff Who Wish to Attend and Consider Membership and Sponsorship Opportunity

President T. Diep recused himself due to a conflict of interest because he is a member of the Chamber of Commerce Board of Directors and left the meeting room for the duration of discussion on the item.

President T. Diep left the meeting at 6:13 p.m. Vice President M. Nguyen presided over the meeting during President Diep's absence.

A staff report and recommendation were provided and considered by the Board. A motion was made by Director C. Nguyen, seconded by Director S. Contreras, to approve attendance, a \$400 annual membership, and rejection of sponsorship. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:  
ABSENT: T. Diep

President T. Diep returned to the meeting at 6:18 p.m. and assumed chairmanship of the meeting.

- F. Consider Approving the proposed Job Description, Job Title and Salary Range for the Director/Manager of Services and Program Development

A staff report and recommendation were provided and considered by the Board. A motion was made by Director S. Contreras, seconded by Director C. Nguyen, to approve the proposed job description, job title of director, and salary range for the director/manager of services and program development. The motion was approved by the following 5-0 vote:

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

## **INFORMATIONAL ITEMS**

- A. Notification of Election Ballot – 2023 SDRMA Board of Directors Election
- B. ISDOC “Virtual” Quarterly Meeting – June 22, 2023
- C. Support for Director Al Nederhood, CSDA Board of Directors, Southern Network Seat C

Receive and file.

## **BOARD CONCERNS/COMMENTS**

The Directors expressed their appreciation to staff for their hard work.

## **GM/STAFF CONCERNS/COMMENT**

GM R. Housley thanked the Board for their support.

GM R. Housley reminded the Board that from June 16 through July 5, he will be on vacation. He also reminded the Board of upcoming events, including the outreach meeting on June 7, the franchise meeting on June 9, the clean-up event on June 10, the next Board Meeting on June 27, and the employee luncheon on June 28.

## **LEGAL COUNSEL CONCERNS/COMMENTS**

J. Eggart reminded the Board that he will be on vacation for two weeks beginning on June 9.

He also gave an update on the Levine Act, stating that it is still in effect and continues to apply to the District.

## **CLOSED EXECUTIVE 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.

The Board did not convene into closed session.

## **ADJOURNMENT**

President T. Diep adjourned the meeting at 6:53 PM to the next Board meeting to be held at the District on Tuesday, June 27, 2023, at 5:30 PM.

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Andrew Nguyen, Secretary

AGENDA ITEM 5A

Date: June 27, 2023

To: Board of Directors

Prepared by: Robert Housley, Director of Finance & Human Resources

Subject: Approval of Demands in the Amount of \$796,855.47

**BACKGROUND**

The laws of the State of California governing Special Districts provide that the Midway City Sanitary District Board of Directors shall review for approval all payments made by the District.

A Register of Demands is provided at each regular Midway City Sanitary District Board Meeting describing each payment made or to be made by the district during the specified period. The report is designed to communicate fiscal activity based upon adopted and approved budget appropriations.

The demands on the attached register have been duly reviewed by the Treasurer.

**FISCAL IMPACT**

The total value of demand for this period is 796,855.47. This includes expenses, payroll and payroll related disbursements.

Sufficient funds are available to process all payments.

**STAFF RECOMMENDATION**

Staff recommends that the Board of Directors review and approve the attached Register of Demands.

**DISBURSEMENTS FOR  
June 27, 2023**

#	CK #	DATE	AMOUNT	VENDOR CHECKS:	MEMO:
1	14673	5/31	400.00	City of Westminster	Flow Monitor Permit @ Mall
2	14674	6/1	1,063.67	Advanced Office	Ricoh copier toner (5)
3	14675	6/1	2,503.00	Advanced Thermal Products, Inc	Exhaust fire blankets (2) NG-2   Cab firewall Insulation (6) NG-2
4	14676	6/1	46.00	AFSCME District Council 37	Juan Arvizu Sr. Dues 04/17 - 05/14/23
5	14677	6/1	500.00	Ayala's Car Wash	Fleet wash 05/24/23
6	14678	6/1	10,748.07	Bodyworks Equip. Inc.	Packer paddle kit NG-10
7	14679	6/1	41.55	City of Westminster-Water Billing	Hammon Lift Station and Westminster Lift Station 03/29 - 05/23/23
8	14680	6/1	30.00	Cynthia Loan Olsder	Intern Appreciation 05/25/23
9	14681	6/1	3,081.79	Daniels Tire Service	Recap tires (4) and Front tires (4)
10	14682	6/1	1,063.50	Dartco Transmission Sales & Srvs.	Transmission filter kits (12)
11	14683	6/1	601.39	Frontier Communications	(714)903-1863 Willow May - 2023
12	14684	6/1	213.14	Haaker Equipment Co.	Drain valves gaskets (4)
13	14685	6/1	139.71	Hillco Fastener Warehouse Inc.	Washers, flange bolts, wire ties
14	14686	6/1	520.00	Kenneth J. Robbins Jr.	Engineer Consulting 05/05, 05/08 05/19 (4)
15	14687	6/1	190.00	MemorialCare Medical Foundation	Medical Exams & Testing
16	14688	6/1	399.53	Motion and Flow Control Products, Inc.	Hydraulic fittings(2) NG-5
17	14689	6/1	21,907.00	Performance Pipeline Technologies	8" CIPP Line 350' Shawnee Road MH 458-419
18	14690	6/1	66,807.50	Rengel + Company Architects, Inc	Building Proj Mgt May-2023
19	14691	6/1	389.87	Snap-On Tools	Fiberglass grip handle (2)
20	14692	6/1	243.39	SoCal Auto & Truck Parts, Inc.	Sandpaper (2)
21	14693	6/1	8,475.36	Southern California Edison	Willow May-2023
22	14694	6/1	1,427.20	Standard Insurance Company Life	Jun - 2023
23	14695	6/1	300.00	Streamline	Website hosting June- 2023
24	14696	6/1	282.16	UniFirst Corporation	Uniforms & Laundry Service May -2023
25	14697	6/1	290.50	Union Bank (NC)	District credit cards May-2023
26	14698	6/1	402,640.11	Woodcliff Corporation - Contractor	Building Proj Pay Application #7 Apr-23
27	14699	6/1	21,191.58	Woodcliff Corporation - Escrow Account	Building Project #7 Apr-2023 - Retention Payment
28	14700	6/8	320.00	Ayala's Car Wash	Fleet wash 05/31/23
29	14701	6/8	232,255.73	CR Transfer, Inc.	Tonnage Fees May-2023
30	14702	6/8	2,282.75	CRC Cloud	Domain Registration Integration, Maintenance & Support Jun-2023
31	14703	6/8	1,798.54	Daniels Tire Service	Rear Tires NG-12
32	14704	6/8	178.26	Hillco Fastener Warehouse Inc.	Nuts and bolts NG-6
33	14705	6/8	80.00	MemorialCare Medical Foundation	Pre-Employment Exam S.Cox
34	14706	6/8	828.36	Merchants Building Maintenance, LLC	Janitorial Services Jun-2023
35	14707	6/8	8,400.53	SoCalGas	CNG Station May-2023
36	14708	6/8	313.02	Staples Business Credit	Office Supplies May-2023
37	14709	6/8	1,900.00	Studio E. Interiors	Furniture programming, selection, budget
38	14710	6/8	2,969.51	Sunrise Automotive	Engine Repairs S-2
39	14711	6/8	32.75	Underground Service Alert	Underground Dig Alerts May-2023
40			<b>\$ 796,855.47</b>	<b>CHECKS SUBTOTAL</b>	
41					
42				<b>PAYROLL:</b>	<b>MEMO</b>
43	ACH	5/31	\$ 84,233.85	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
44	ACH	5/31	\$ 5,881.93	Nationwide Retirement Solutions	457 Deferred Compensation (Employees)
45	ACH	6/2	\$ 7,939.13	Paychex	Board of Directors Payroll - Checks, Taxes, & Direct Deposits
46	ACH	6/2	\$ 846.00	Nationwide Retirement Solutions	457 Deferred Compensation (Board of Directors)
47			<b>\$ 98,900.91</b>	<b>ACH TRANSFERS SUBTOTAL</b>	
48					
49				<b>ACH PAYMENTS:</b>	<b>MEMO</b>
50	ACH	5/25	\$ 72.00	WEX Health	HRA Monthly Fee Apr-23
51	ACH	6/6	\$ 15,870.70	CalPERS	Retirement Contributions for 05/01 - 05/14/23
52			<b>\$ 15,942.70</b>	<b>ACH TRANSFERS SUBTOTAL</b>	
53					
54			<b>\$ 911,699.08</b>	<b>TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)</b>	
55					

AGENDA ITEM 7A

Date: June 27, 2023

To: Board of Directors

Prepared by: Siamlu Cox, Director of Finance and Human Resources

Subject: Approve and File the Treasurer's Investment Report for May 2023

**BACKGROUND**

Midway City Sanitary District's investment policy requires a monthly investment report, which includes all financial investments of the District and provides information on the investment type, value and yield for all investments. The report also provides the Board of Directors an update on the balances of the District's various funds.

Per the State Government Code 53600 et seq., and the Midway City Sanitary District's (District) Investment Policy, the District may invest up to a maximum percentage of the entire portfolio funds in authorized financial investments.

The following table shows a summary of the District's authorized financial investments, the yield, the book and market value of the District's funds, the percentage of the District's pooled funds that are invested in each financial investment and the maximum percentage (or dollar limit), allowable per the State Government Code and the District's investment policy.

**The District's total invested cash as of May 31, 2023 is: \$56,506,669.46**

				BOOK VALUE	MARKET VALUE		MAXIMUM
	TYPE OF	MATURITY		AS OF	AS OF	% OF	PERCENTAGE
INVESTMENT	INVESTMENT	DATE	YIELD	5/31/2023	5/31/2023	PORTFOLIO	OF PORTFOLIO
<b>FDIC Insured Accounts</b>							
US Bank Interest Checking	Checking	Liquid	1.34%	\$ 1,262,425.70	\$ 1,262,425.70	2.23%	None
US Bank Money Market	Money Market	Liquid	0.05%	\$ 1,600,061.46	\$ 1,600,061.46	2.83%	20%
<b>Total FDIC Insured Accounts</b>				<b>\$ 2,862,487.16</b>	<b>\$ 2,862,487.16</b>	<b>5.06%</b>	
<b>LAIF</b>							
LAIF	Pool	Liquid	2.993%	\$ 52,189,841.88	\$ 52,189,841.88	92.36%	\$75 million
CalTRUST (Medium Term Fund)	Pool/Bond Fund	Liquid	0.29%	\$ 1,532,350.47	\$ 1,454,340.42	2.58%	30%
Certificate of Deposits	CD	-	-	\$ -	\$ -	0.00%	30%
U.S. Treasury Securities	US Securities	-	-	\$ -	\$ -	0.00%	None
<b>TOTAL Investments</b>				<b>\$ 56,584,679.51</b>	<b>\$ 56,506,669.46</b>	<b>100.00%</b>	

**STAFF RECOMMENDATION**

Approve and file the Treasurer's Investment Report.

**FISCAL IMPACT**

Informational report only.

MIDWAY CITY SANITARY DISTRICT  
District Investment Activities  
5/31/2023

	Operating Fund 1040.10	Midway City 1040.20	Buildings Equipment & Facilities 1040.30	Lift Stations & Sewer Lines 1040.40	CNG Station & Fueling Facilities 1040.50	Vehicle Replacement 1040.60	Total LAIF Account No. 7030-005	Emergency Fund CaITRUST Medium-Term #114.00
Beginning Balance, 4.30.2023	\$ 9,401,379.29	\$ 1,623,919.55	\$ 4,820,862.51	\$ 30,815,388.33	\$ 1,947,820.17	\$ 3,580,472.03	\$ 52,189,841.88	\$ 1,461,806.23
Investment Income, LAIF & CaITRUST								\$ 4,482.39
Market Value Capital Gain/(Loss)								\$ (7,465.81)
Transfer from LAIF to Union Bank								\$ -
Transfer from Union Bank to LAIF								\$ -
Transfers LAIF to LAIF	\$ 577,613.39		\$ (552,804.69)	\$ (21,907.00)	\$ -	\$ (2,901.70)	\$ (0.00)	\$ -
Transfer from CaITRUST to Union Bank								\$ (4,482.39)
Ending Balance, 5.31.2023	\$ 9,978,992.68	\$ 1,623,919.55	\$ 4,268,057.82	\$ 30,793,481.33	\$ 1,947,820.17	\$ 3,577,570.33	\$ 52,189,841.88	\$ 1,454,340.42

TOTAL LAIF, U.S. SECURITIES, CaITRUST  
& INTEREST RECEIVABLE \$ 53,644,182.30  
 ADD: UNION BANK \$ 1,262,425.70  
 a. Checking (2740015683)  
 b. Savings/Money Market (2740015691) \$ 1,600,061.46  
 TOTAL DISTRICT CASH ON HAND \$ 56,506,669.46

C E R T I F I C A T I O N

I certify that (1) all investment actions executed since the last report have been made in full compliance with the District's Investment Policy and, (2) the District will meet its expenditure obligations for the next six months as required by California Government Code Sections 53646(b)(2) and (3), respectively.



Prepared & Submitted by  
Siamlu Cox, Director of Finance and Human Resources

6/12/2023

Dated



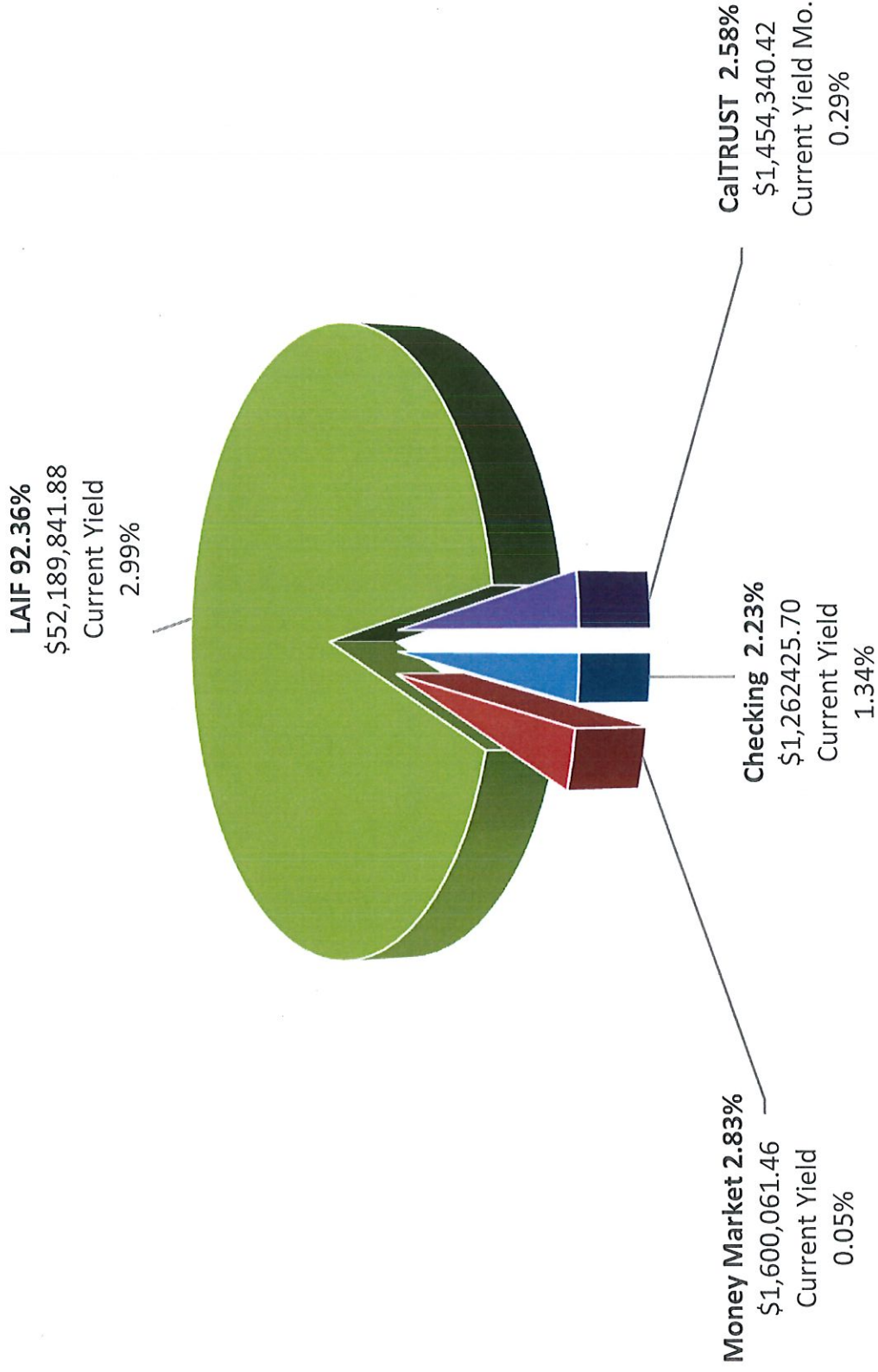
Robert Housley, General Manager

06.13.2023

Dated



# MCSD PORTFOLIO as of 05.31.2023



California State Treasurer  
**Fiona Ma, CPA**



Local Agency Investment Fund  
P.O. Box 942809  
Sacramento, CA 94209-0001  
(916) 653-3001

June 07, 2023

[LAIF Home](#)  
[PMIA Average Monthly Yields](#)

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MIDWAY CITY SANITARY DISTRICT

GENERAL MANAGER  
14451 CEDARWOOD STREET  
WESTMINSTER, CA 92683

[Tran Type Definitions](#)

Account Number: 70-30-005

May 2023 Statement

**Account Summary**

Total Deposit:	0.00	Beginning Balance:	52,189,841.88
Total Withdrawal:	0.00	Ending Balance:	52,189,841.88



CalTRUST  
 PO Box 2709  
 Granite Bay, CA 95746  
 www.caltrust.org  
 Email: admin@caltrust.org  
 Fax: 402-963-9094  
 Phone: 833-CALTRUST (225-8787)

## Investment Account Summary

05/01/2023 through 05/31/2023

### SUMMARY OF INVESTMENTS

Fund	Account Number	Total Shares Owned	Net Asset Value per Share on May 31 (\$)	Value on May 31 (\$)	Average Cost Amount (\$)	Cumulative Change in Value (\$)
MIDWAY CITY SANITARY DISTRICT	20100007910					
CalTRUST Medium Term Fund	20100007910	149,316.265	9.74	1,454,340.42	1,532,350.47	(78,010.05)
Portfolios Total value as of 05/31/2023				1,454,340.42		

### DETAIL OF TRANSACTION ACTIVITY

Activity Description	Activity Date	Amount (\$)	Amount in Shares	Balance in Shares	Price per Share (\$)	Balance (\$)	Average Cost Amt (\$)	Realized Gain/(Loss) (\$)
CalTRUST Medium Term Fund		MIDWAY CITY SANITARY DISTRICT			Account Number: 20100007910			
Beginning Balance	05/01/2023			149,316.265	9.79	1,461,806.23		
Accrual Income Div Cash	05/31/2023	4,482.39	0.000	149,316.265	9.74	1,454,340.42	0.00	0.00
Change in Value						(7,465.81)		
Closing Balance as of	May 31			149,316.265	9.74	1,454,340.42		

Please note that this information should not be construed as tax advice and it is recommended that you consult with a tax professional regarding your account.



## 2023 CalTRUST Closures

Please note that the CalTRUST Funds will be closed for trading on the following days:

Date	Holiday
January 2, 2023	New Year's Day
January 16, 2023	Martin Luther King, Jr. Day
February 20, 2023	Washington's Birthday
April 7, 2023	Good Friday
May 29, 2023	Memorial Day
June 19, 2023 (observed)	Juneteenth National Independence Day
July 4, 2023	Independence Day
September 4, 2023	Labor Day
October 9, 2023	Indigenous Peoples Day
November 10, 2023	Veterans Day
November 23, 2023	Thanksgiving Day
December 25, 2023 (observed)	Christmas Day

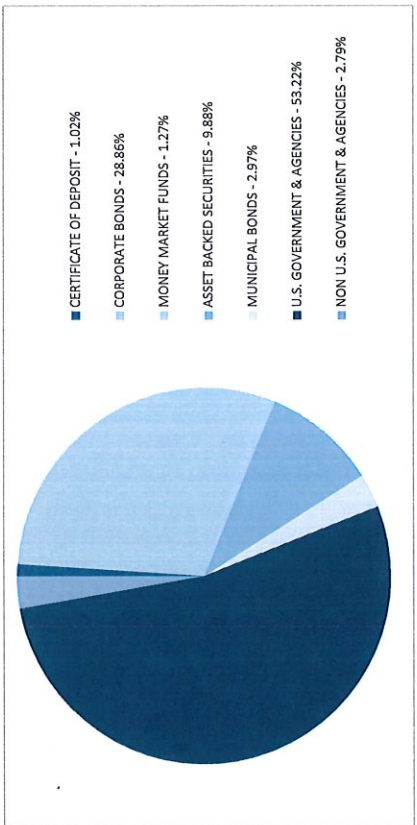
### EARLY CLOSES:

April 6, May 26, July 3, November 24, December 22, and December 29



	CalTRUST Medium Term	BofAML 1-3 Corp & Gov't, A Rated and Above	CalTRUST Medium Term Net Total Return	CalTRUST Medium Term Yield	BofAML 1-3 Corp & Gov't, A Rated and Above
Net Assets	\$965,731,364.41	N/A	-0.20%	0.29%	-0.30%
NAV per Share	\$9.74	N/A	1.48%	0.85%	1.48%
30 Day SEC Yield	4.36%	N/A	1.94%	1.52%	1.79%
Distribution Yield	3.41%	N/A	0.63%	2.36%	0.30%
Period Net Total Return	-0.20%	-0.30%	-1.22%	1.42%	-1.43%
Effective Duration	1.85 yrs	N/A	-0.61%	1.22%	-0.66%
Average Maturity	2.16 yrs	N/A	1.23%	1.58%	1.23%
Weighted Average Life	2.01 yrs	N/A	0.95%	1.30%	1.03%
			1.77%	1.90%	2.05%

\*Annualized



Rated AA-F by S&P Global Ratings



[Home](#) >> [PMIA](#) >> PMIA Average Monthly Effective Yields



**POOLED MONEY INVESTMENT ACCOUNT**

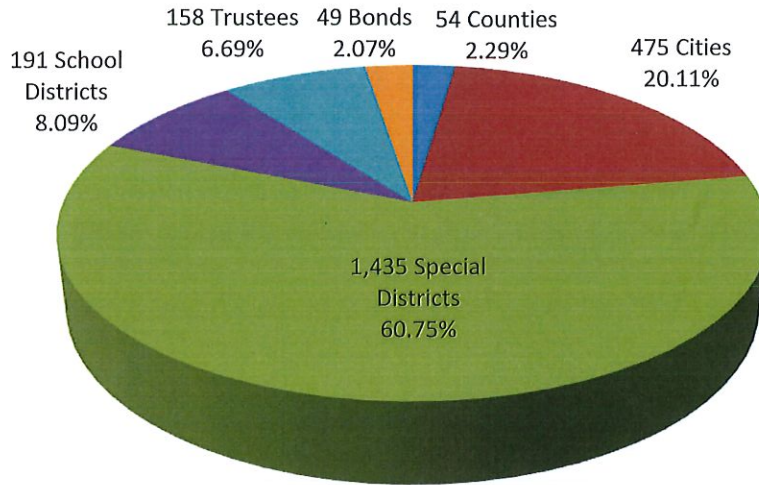
## PMIA Average Monthly Effective Yields

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1977	5.770	5.660	5.660	5.650	5.760	5.850	5.930	6.050	6.090	6.090	6.610	6.730
1978	6.920	7.050	7.140	7.270	7.386	7.569	7.652	7.821	7.871	8.110	8.286	8.769
1979	8.777	8.904	8.820	9.082	9.046	9.224	9.202	9.528	9.259	9.814	10.223	10.218
1980	10.980	11.251	11.490	11.480	12.017	11.798	10.206	9.870	9.945	10.056	10.426	10.961
1981	10.987	11.686	11.130	11.475	12.179	11.442	12.346	12.844	12.059	12.397	11.887	11.484
1982	11.683	12.044	11.835	11.773	12.270	11.994	12.235	11.909	11.151	11.111	10.704	10.401
1983	10.251	9.887	9.688	9.868	9.527	9.600	9.879	10.076	10.202	10.182	10.164	10.227
1984	10.312	10.280	10.382	10.594	10.843	11.119	11.355	11.557	11.597	11.681	11.474	11.024
1985	10.579	10.289	10.118	10.025	10.180	9.743	9.656	9.417	9.572	9.482	9.488	9.371
1986	9.252	9.090	8.958	8.621	8.369	8.225	8.141	7.844	7.512	7.586	7.432	7.439
1987	7.365	7.157	7.205	7.044	7.294	7.289	7.464	7.562	7.712	7.825	8.121	8.071
1988	8.078	8.050	7.945	7.940	7.815	7.929	8.089	8.245	8.341	8.397	8.467	8.563
1989	8.698	8.770	8.870	8.992	9.227	9.204	9.056	8.833	8.801	8.771	8.685	8.645
1990	8.571	8.538	8.506	8.497	8.531	8.538	8.517	8.382	8.333	8.321	8.269	8.279
1991	8.164	8.002	7.775	7.666	7.374	7.169	7.098	7.072	6.859	6.719	6.591	6.318
1992	6.122	5.863	5.680	5.692	5.379	5.323	5.235	4.958	4.760	4.730	4.659	4.647
1993	4.678	4.649	4.624	4.605	4.427	4.554	4.438	4.472	4.430	4.380	4.365	4.384
1994	4.359	4.176	4.248	4.333	4.434	4.623	4.823	4.989	5.106	5.243	5.380	5.528
1995	5.612	5.779	5.934	5.960	6.008	5.997	5.972	5.910	5.832	5.784	5.805	5.748
1996	5.698	5.643	5.557	5.538	5.502	5.548	5.587	5.566	5.601	5.601	5.599	5.574
1997	5.583	5.575	5.580	5.612	5.634	5.667	5.679	5.690	5.707	5.705	5.715	5.744
1998	5.742	5.720	5.680	5.672	5.673	5.671	5.652	5.652	5.639	5.557	5.492	5.374
1999	5.265	5.210	5.136	5.119	5.086	5.095	5.178	5.225	5.274	5.391	5.484	5.639
2000	5.760	5.824	5.851	6.014	6.190	6.349	6.443	6.505	6.502	6.517	6.538	6.535
2001	6.372	6.169	5.976	5.760	5.328	4.958	4.635	4.502	4.288	3.785	3.526	3.261
2002	3.068	2.967	2.861	2.845	2.740	2.687	2.714	2.594	2.604	2.487	2.301	2.201
2003	2.103	1.945	1.904	1.858	1.769	1.697	1.653	1.632	1.635	1.596	1.572	1.545
2004	1.528	1.440	1.474	1.445	1.426	1.469	1.604	1.672	1.771	1.890	2.003	2.134
2005	2.264	2.368	2.542	2.724	2.856	2.967	3.083	3.179	3.324	3.458	3.636	3.808
2006	3.955	4.043	4.142	4.305	4.563	4.700	4.849	4.946	5.023	5.098	5.125	5.129
2007	5.156	5.181	5.214	5.222	5.248	5.250	5.255	5.253	5.231	5.137	4.962	4.801
2008	4.620	4.161	3.777	3.400	3.072	2.894	2.787	2.779	2.774	2.709	2.568	2.353
2009	2.046	1.869	1.822	1.607	1.530	1.377	1.035	0.925	0.750	0.646	0.611	0.569
2010	0.558	0.577	0.547	0.588	0.560	0.528	0.531	0.513	0.500	0.480	0.454	0.462
2011	0.538	0.512	0.500	0.588	0.413	0.448	0.381	0.408	0.378	0.385	0.401	0.382
2012	0.385	0.389	0.383	0.367	0.363	0.358	0.363	0.377	0.348	0.340	0.324	0.326
2013	0.300	0.286	0.285	0.264	0.245	0.244	0.267	0.271	0.257	0.266	0.263	0.264
2014	0.244	0.236	0.236	0.233	0.228	0.228	0.244	0.260	0.246	0.261	0.261	0.267
2015	0.262	0.266	0.278	0.283	0.290	0.299	0.320	0.330	0.337	0.357	0.374	0.400
2016	0.446	0.467	0.506	0.525	0.552	0.576	0.588	0.614	0.634	0.654	0.678	0.719
2017	0.751	0.777	0.821	0.884	0.925	0.978	1.051	1.084	1.111	1.143	1.172	1.239
2018	1.350	1.412	1.524	1.661	1.755	1.854	1.944	1.998	2.063	2.144	2.208	2.291
2019	2.355	2.392	2.436	2.445	2.449	2.428	2.379	2.341	2.280	2.190	2.103	2.043
2020	1.967	1.912	1.787	1.648	1.363	1.217	0.920	0.784	0.685	0.620	0.576	0.540
2021	0.458	0.407	0.357	0.339	0.315	0.262	0.221	0.221	0.206	0.203	0.203	0.212
2022	0.234	0.278	0.365	0.523	0.684	0.861	1.090	1.276	1.513	1.772	2.007	2.173
2023	2.425	2.624	2.831	2.870	2.993							

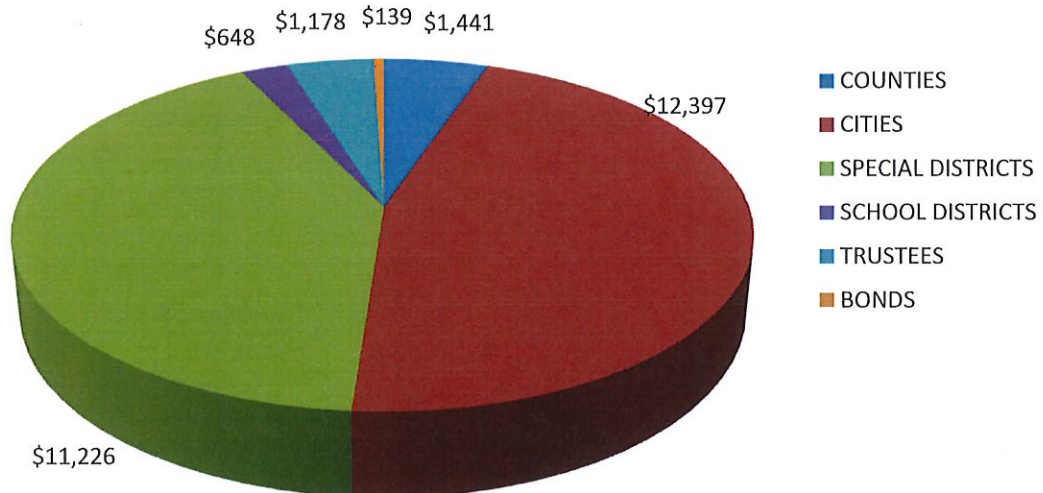
## LAIF STATISTICS AS OF 4/30/23

	Balance By Type	Participation	% of Fund
54 COUNTIES	1,441,205,853.69	2.29%	5.33%
475 CITIES	12,396,807,446.86	20.11%	45.86%
1,435 SPECIAL DISTRICTS	11,225,879,264.33	60.75%	41.53%
191 SCHOOL DISTRICTS	648,455,110.19	8.09%	2.40%
158 TRUSTEES	1,177,519,464.81	6.69%	4.36%
49 BONDS	139,300,345.26	2.07%	0.52%
<b>2,362 Fund Balance:</b>	<b>\$27,029,167,485.14</b>	<b>100.00%</b>	<b>100.00%</b>

Participation:



Balance by Type (dollars in millions):



**Midway City Sanitary District  
CalTRUST Summary**

**CalTRUST - Medium-Term Fund**

	Investment or (Withdrawal)	Dividends '+'	Capital Gain or Loss (-)	Balance
Investment May-2020	\$ 750,000.00	432.90	1,460.57	\$ 751,893.47
June-2020		857.56	730.70	\$ 753,481.73
July-2020		765.26	731.54	\$ 754,978.53
August-2020		745.40	-	\$ 755,723.93
September-2020		677.57	(733.01)	\$ 755,668.49
October-2020		621.72	(733.66)	\$ 755,556.55
November-2020		476.58	-	\$ 756,033.13
December-2020		439.21		\$ 756,472.34
January-2021		387.68		\$ 756,860.02
February-2021		342.73	(1,471.06)	\$ 755,731.69
March-2021		354.98	(735.87)	\$ 755,350.80
April-2021		251.06		\$ 755,601.86
May-2021	750,000.00	316.74	736.45	\$ 1,506,655.05
June-2021		473.98	(1,467.04)	\$ 1,505,661.99
July-2021		415.67	1,467.51	\$ 1,507,545.17
August-2021		390.03	0.01	\$ 1,507,935.21
September-2021		370.72	(1,468.29)	\$ 1,506,837.64
October-2021		396.41	(5,874.61)	\$ 1,501,359.44
November-2021		461.36	(1,469.04)	\$ 1,500,351.76
December-2021		516.64	(2,938.98)	\$ 1,497,929.42
January-2022		598.08	(10,289.99)	\$ 1,488,237.51
February-2022		610.05	(7,352.96)	\$ 1,481,494.60
March-2022		836.34	(20,596.74)	\$ 1,461,734.20
April-2022		1,028.38	(8,832.23)	\$ 1,453,930.35
May-2022		1,290.86	5,892.32	\$ 1,461,113.53
June-2022		1,354.72	(8,846.29)	\$ 1,453,621.96
July-2022		1,518.86	5,903.03	\$ 1,461,043.85
August-2022		1,986.06	(11,818.35)	\$ 1,451,211.56
September-2022		2,166.97	(20,710.46)	\$ 1,432,668.07
October-2022		2,438.11	(4,444.68)	\$ 1,430,661.50
November-2022		2,709.46	8,904.53	\$ 1,442,275.49
December-2022		2,890.90	1,486.88	\$ 1,435,039.28
January-2023		3,227.48	8,939.16	\$ 1,442,828.14
February-2023	(3,447.06)	3,447.06	(13,438.46)	\$ 1,417,223.04
March-2023	(4,147.17)	4,147.17	14,931.62	\$ 1,445,593.12
April-2023	(3,791.32)	3,791.32	1,493.16	\$ 1,432,154.66
May-2023	(4,482.39)	4,482.39	(7,465.81)	\$ 1,434,809.68
<div style="display: flex; justify-content: space-between; padding: 5px;"> <span>\$ 1,484,132.06</span> <span>\$ 48,218.41</span> <span>\$ (78,010.05)</span> <span>\$ 1,454,340.42</span> </div>				



## AGENDA ITEM 7B

Date: June 27, 2023

To: Board of Directors

Prepared by: Milo Ebrahimi, PE, District Engineer

Subject: Approve the Engineer Report for May 2023

### **BACKGROUND/DISCUSSION**

1. District Building Project by Woodcliff
  - 1.1. The new office building:
    - 1.1.1. The wood panel floor is complete.
    - 1.1.2. The contractor is working on the framing and plumbing.
  - 1.2. The locker room building:
    - 1.2.1. Masonry work is complete.
    - 1.2.2. The contractor is working on the roof.
  - 1.3. Trenching:
    - 1.3.1. Gas line removal and replacement is complete.
    - 1.3.2. Fire water line has been completed and back filled however the inspection of the line had not been done yet by the OCFA. The contractor is working with OCFA to resolve this issue.
  - 1.4. Housekeeping and dust control:
    - 1.4.1. The contractor sweeps the site more frequently.
    - 1.4.2. All the dirt area inside the yard is covered by metal plate.
2. Sewer System Master Plan (SSMP) and Spill Emergency Response Plan (SERP) by AKM
  - 2.1. SSMP:
    - 2.1.1. It is in progress. There is a monthly meeting with AKM about the progress.
    - 2.1.2. Flow monitoring data is being analyzed and I&I study is being worked on.
    - 2.1.3. GIS is being developed.
    - 2.1.4. The consultant will finish in about 10 months.
  - 2.2. SERP:
    - 2.2.1. The draft version of the report is complete.
    - 2.2.2. The district is reviewing the report.
3. Plans Reviewed during the month of May:
  - 3.1. OCSD sewer permits: 15.
  - 3.2. Development projects (trash enclosures and/or sewer lines): 2.
4. Westminster Mall project
  - 4.1. Ownership of the existing sewer line inside the mall property:
    - 4.1.1. Unfortunately, there is not enough information on the plans and other documents regarding this matter. The sewer line was built around 1973.
    - 4.1.2. A lot of research has been done so far.
    - 4.1.3. The result is still pending. The district and the legal counsel are working on it.

4.2. Will serve letter:

4.2.1. Will Serve Letter is requested for the new development by the developer's engineer.

4.2.2. The initial calculations show that public sewer line up sizing is required to meet the demand.

4.2.3. The result is still pending. The district and the consultant, AKM, are working on the Will Serve Letter. The legal council is involved as well.

5. Shawnee Road Emergency Repair

5.1. Due to the broken MCSD's sewer line on Shawnee Road, the street was settled.

5.2. The sewer line repair is complete by CIPP lining of the 8" sewer main.

5.3. The street was repaired, and the STOP legend was painted.

**FISCAL IMPACT**

There is no fiscal impact.

**STAFF RECOMMENDATION**

Informational item only. Receive and file.

## AGENDA ITEM 7C

Date: June 27, 2023

To: Board of Directors

Prepared by: Cynthia Olsder, Executive/Board Secretary

Subject: Approve the June 15, 2023 Outreach Committee Recommendations

### **BACKGROUND**

At the April 5, 2022 meeting the Board approved the formation of a standing Outreach Committee. The Outreach Committee recommends meeting regularly on the first Wednesday of each month to plan and discuss upcoming outreach activities. The weekly calendar will be used to communicate what outreach activities are happening for the upcoming week. The Committee recommends continued radio and media outreach, averaging up to two radio programs per month on an ongoing basis.

The Outreach Committee met on June 15, 2023 and their recommendations are as follows:

1. The Committee recommends that Director C. Nguyen attend the radio outreach with Radio Bolsa with either Director M. Nguyen, Director S. Contreras, or President T. Diep. An appointment will be set up in July.
2. The Committee recommends Director A. Nguyen attend the radio outreach with VNCR with either Director M. Nguyen, Director S. Contreras, or President T. Diep. An appointment will be set up in July.
3. The Committee recommends actively soliciting sponsorships for the open house event to showcase the renovation of the building and yard (non- tax deductible).
4. The Committee recommends placing orders for banners to use at the Compost Event.
5. The Committee recommends placing a 2<sup>nd</sup> order of dress shirts for the Directors, this time with their names and titles embroidered on the right chest.
6. The next Outreach Committee meeting is planned for July 5, 2023 at 12:00 noon.

### **FISCAL IMPACT**

The potential fiscal impact of the Outreach Committee's recommendations are as follows:

- Monthly radio outreach \$ 3,000.00

### **STAFF RECOMMENDATION**

Staff recommends that the Board of Directors approve the Outreach Committee's recommendations as presented.

## AGENDA ITEM 7D

Date: June 27, 2023

To: Board of Directors

Prepared by: Robert Housley, General Manager

Subject: Approve the June 9, 2023 Franchise Committee Report

### **BACKGROUND**

The Midway City Sanitary District Franchise Committee met with CR&R on May 12, 2023, at 12:00 PM.

In attendance were:

MCS D General Manager, Robert Housley  
MCS D Board Director, Sergio Contreras  
MCS D Board Director, Mark Nguyen  
MCS D Director of Finance & Human Resources, Sia Cox  
MCS D Accountant/Administrative Secretary, Daveta Kelly-Bishop  
CR&R, Julie Barreda  
CR&R, Gabriel Angulo

The following items were discussed:

1. MCS D discussed issues with the tonnage tickets and tare weights being incorrect. CR&R is going to investigate this and rectify the issues.
2. CR&R is still analyzing the results from the Waste Characterization Study and will have the results available at the next committee meeting.
3. CR&R will set up meetings with customers to talk about the recycling, organics, and food waste programs and how to right size their services. MCS D will partner with CR&R to attend those meetings when possible.
4. MCS D staff and board members will start reaching out to Westminster School District and Oceanside School District in June and July to see if they are interested in having recycling and food waste/organics programs for the students in the next school year. CR&R reaffirmed that they would assist MCS D with the programs.
5. The Anaerobic Digester Tour of CR&R Facilities and its anaerobic digester is set for Friday, July 7<sup>th</sup>.
6. MCS D is continuing to review and update its bin enclosure requirements. MCS D will work with CR&R to also review and provide comments on the requirements before approved.

7. MCSD verified that CR&R is responsible for completing the annual reporting to CalRecycle per the District's Franchise Contract, in coordination with the City of Westminster.
8. The committee decided to meet on a bi-monthly basis instead of monthly.

The next Franchisee Committee meeting is planned for August 11, 2023, at 12:00 PM.

**FINANCIAL IMPACT**

No fiscal impact.

**STAFF RECOMMENDATION**

Staff recommends that the Board of Directors approve the franchise committee report.

AGENDA ITEM 9A

Date: June 27, 2023

To: Board of Directors

Prepared by: Robert Housley, General Manager

Subject: **A RESOLUTION NO. 2023-15 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ESTABLISHING A POLICY APPLICABLE TO DISTRICT DEPOSITS AND INVESTED FUNDS**

**BACKGROUND**

Annually at a public meeting, the Board of Directors reviews and adopts the Midway City Sanitary District's (District) policy applicable to District Deposits and Investment Funds. This Resolution guides the management of District funds as well as it delegates authority and establishes funds consistent with the annual budget.

There are no recommended changes to the policy.

**FISCAL IMPACT**

No fiscal impact; provides policy and guidance for Fiscal Year 2023-2024.

**STAFF RECOMMENDATION**

Staff recommends the Board of Directors approve Resolution No. 2023-15 establishing Midway City Sanitary District's Policy Applicable to District Deposits and Invested Funds as presented.

1 **RESOLUTION NO. 2023-15**

2 **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE**  
3 **MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY**  
4 **CALIFORNIA, ESTABLISHING A POLICY APPLICABLE TO**  
5 **DISTRICT DEPOSITS AND INVESTED FUNDS.**

6 **WHEREAS**, pursuant to Government Code Section 53630 *et seq.*, all money  
7 belonging to the Midway City Sanitary District ("District") shall be deposited for  
8 safekeeping in accordance with the provisions of Government Code Section 53635 and  
9 may be invested in accordance therewith or in compliance with Government Code Section  
10 53601; and

11 **WHEREAS**, the Board of Directors desires to consolidate the District's resolutions  
12 authorizing the deposit, transfer and investment of the District's funds; and

13 **WHEREAS**, the Board of Directors finds that it is in the best interests of the District  
14 to authorize the Board President, Treasurer, General Manager and the Director of  
15 Finance and Human Resources to establish certain funds, undertake investments and  
16 deposits, and transfer District money by their joint action in accordance with this  
17 Resolution.

18 **NOW, THEREFORE**, the Board of Directors of the Midway City Sanitary District  
19 does hereby **RESOLVE** as follows:

20 **Section 1.** The Board of Directors does hereby authorize the creation of such  
21 funds as are consistent with the Annual Budget adopted by the Board, including but not  
22 limited to the following:

- 23 (a) The Operating Fund.
- 24 (b) The Orange County, Midway City Reserve Fund.
- 25 (c) The Lift (Pump) Station and Sewer Line Reserve Fund (*Urgent*  
*Repairs, Capital Projects, Lift Station Replacement*).
- 26 (e) The Vehicle Replacement Reserve Fund (*Renovation and*  
*Replacement*).

- 1 (f) Buildings, Equipment, and Facilities Reserve Fund.
- 2 (g) Compressed Natural Gas (CNG) Fueling Station & Facilities Reserve
- 3 Fund.
- 4 (h) Emergency and Contingency Reserve Fund.

5 **Section 2.** District funds may be deposited into one or more accounts of different  
6 types, including: (i) restricted accounts, to be restricted in use or application by contract,  
7 trust, ordinance or otherwise, (ii) general accounts, the depository of general funds for  
8 general purposes of the District, and (iii) payroll accounts, the depository of general funds  
9 for the payment of the District's payroll.

10 **Section 3.** Pursuant to Health and Safety Code Section 6801, the District has  
11 appointed a member of the Board of Directors to serve as Treasurer. Pursuant to  
12 Government Code Section 53607, the District will elect in each annual period by its  
13 Resolution Approving a Statement of Investment Policy to either delegate its investment  
14 authority for a one-year period to the Treasurer or to reserve all investment authority to  
15 the Board of Directors or its designees. When the Treasurer is delegated the investment  
16 authority of the District in each annual period, then he or she shall report to the Board of  
17 Directors each month the investment and reinvestment of funds authorized by him or her  
18 in that period. When the Board has authority, then the Director of Finance and Human  
19 Resources shall report to the Board of Directors each month the investment and  
20 reinvestment of funds in that period.

21 **Section 4.** Pursuant to Government Code Section 53649, the Treasurer of the  
22 District is responsible for the safekeeping of the District's money. The deposit, transfer, or  
23 withdrawal of District money may be made by joint action of any two (2) of the following  
24 four (4) individuals: the Board President, the Treasurer, the General Manager and the  
25 Director of Finance and Human Resources. The authority of the Board President, the  
26 Treasurer, the General Manager and the Director of Finance and Human Resources shall



1 be limited by the following:

2 (a) The Board President, Treasurer, General Manager and the Director  
3 of Finance and Human Resources shall make only those withdrawals of District's money  
4 (whether by check, warrant or electronic transfer) as are consistent with the Annual  
5 Budget (or any amendments, additions, modifications or corrections thereto) as approved  
6 by the Board of Directors, or

7 (b) The Board President, Treasurer, General Manager, and the Director  
8 of Finance and Human Resources shall make only those withdrawals of District's money  
9 (whether by check, warrant or electronic transfer) as are authorized by the Board of  
10 Directors through action to approve the payment of the regular expenses of the District,  
11 and

12 (c) All deposits of funds shall be made in accordance with this  
13 Resolution.

14 **Section 5.** The Board of Directors does hereby authorize the deposit and  
15 withdrawal of District money (whether assigned to the funds identified in Sections 1 or 2  
16 above or otherwise accruing as general funds) in the following entities and institutions:

17 (a) The Local Agency Investment Fund in accordance with the provisions  
18 of Government Code Section 16429.1 for the purposes of investment  
19 as set forth therein;

20 (b) US Bank or any other financial institution located in Orange County  
21 meeting the requirements of Government Code Section 53601 or  
22 53630 et seq. for the purposes of deposit and investment as set forth  
23 therein.

24 (c) The Investment Trust of California, doing business as CalTrust, in  
25 accordance the provisions of Government Code Section 16429.1 for  
26 the purposes of investment as set forth therein.

1 (d) As otherwise authorized pursuant to the District's Investment Policy.

2 **Section 6.** In addition to Section 4 above, all transfers between accounts may  
3 be made by joint action of any two (2) of the following four (4) individuals: the Board  
4 President, Treasurer, General Manager and the Director of Finance and Human  
5 Resources, without the prior approval of the Board; provided, however, that the General  
6 Manager and Director of Finance and Human Resources shall record such transfers and  
7 report the same to the Treasurer and the Board at the next regularly scheduled meeting.  
8 In no event shall transfers between investment accounts and operational accounts exceed  
9 the amount of funds sufficient for the normal operations of the District in accordance with  
10 the Annual Budget, unless otherwise specifically approved by the Board of Directors.

11 **Section 7.** Pursuant to Government Code Sections 53635 and 53601, the  
12 District's investments may include (but are not limited to):

13 (a) Deposits of no more than \$1 million dollars in negotiable certificates  
14 of deposit (including accruing interest), provided however, that in no event shall  
15 purchases of certificates of deposit exceed thirty (30%) of the District's surplus money.  
16 Certificate of Deposit (or Time Deposits) shall be placed with commercial banks and/or  
17 savings and loan companies that are insured by the Federal Deposit Insurance  
18 Corporation (FDIC).

19 (b) Deposits of no more than \$2 million dollars in securities of the U.S.  
20 Government or its agencies, fully guaranteed as to payment by the U.S. Government or  
21 the agency.

22 **Section 8.** The General Manager and the Director of Finance and Human  
23 Resources at the direction of the Treasurer shall prepare and present to the Board an  
24 annual statement of investment policy as required by Government Code Section 53646.  
25 The annual statement of investment policy shall be approved by resolution of the Board,  
26 and it shall include the names and signatures of the then current Board President,

1 Treasurer, General Manager and Director of Finance and Human Resources as the  
2 persons authorized to deposit, transfer, and withdraw District money.

3 **Section 9.** The General Manager, and the Director of Finance and Human  
4 Resources shall at the direction of the Treasurer prepare and present to the Board for  
5 approval the quarterly reports required by Government Code Section 53646.

6 **Section 10.** All other resolutions and minute orders inconsistent with this  
7 Resolution are repealed to the extent the same are inconsistent herewith.

8 **PASSED AND ADOPTED**, at a regular meeting of the Board of Directors of  
9 Midway City Sanitary District of Orange County, California, held this 27<sup>th</sup> day of June,  
10 2023.

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12 \_\_\_\_\_  
13 Tyler Diep, President

14 ATTEST:

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17 Andrew Nguyen, Secretary

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**CERTIFICATION**

I, Andrew Nguyen, Secretary of the Midway City Sanitary District of Orange County, California, do hereby certify that the foregoing Resolution No. 2023-15 was duly adopted at a regular meeting of the Board of Directors of said District, held on the 27<sup>th</sup> day of June, 2023, by the following vote of the members of the Board:

AYES:

NOES:

ABSENT:

and I further certify that Tyler Diep, as President, and Andrew Nguyen as Secretary, signed and approved said Resolution on the 27<sup>th</sup> Day of June 2023.

\_\_\_\_\_  
Andrew Nguyen, Secretary

(District Seal)  
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STATE OF CALIFORNIA )  
                                  ) §§  
COUNTY OF ORANGE )

I, Andrew Nguyen, Secretary of Midway City Sanitary District of Orange County, California, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 2023-15 passed and adopted by the Board of Directors of said District at a regular meeting thereof held on the 27<sup>th</sup> Day of June 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal of said District this 27<sup>th</sup> day of June, 2023.

\_\_\_\_\_  
Andrew Nguyen, Secretary

(District Seal)

## AGENDA ITEM 9B

Date: June 27, 2023

To: Board of Directors

Prepared by: Robert Housley, General Manager

Subject: **A RESOLUTION NO. 2023-16 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, APPROVING THE ANNUAL STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2023-2024 (JULY 1, 2023 THROUGH JUNE 30, 2024)**

### **BACKGROUND**

Annually at a public meeting, the Board of Directors reviews and adopts the Midway City Sanitary District's (District) Investment Policy. The annual adoption of the investment policy and delegation of investment authority are required by Government Code Sections 53607 and 53646.

This resolution and the Investment Policy (Exhibit A) guide the management of District funds as well as delegates authority and covers the areas of investment objectives, standards of care, safekeeping and custody, investment parameters and reporting requirements.

Staff is not recommending any changes.

### **FISCAL IMPACT**

No fiscal impact; provides policy and guidance for Fiscal Year 2023-2024.

### **STAFF RECOMMENDATION**

Staff recommends that the Board of Directors approve Resolution No. 2023-16 establishing Midway City Sanitary District's Investment Policy as presented.

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**RESOLUTION NO. 2023-16**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
MIDWAY CITY SANITARY DISTRICT OF ORANGE  
COUNTY, CALIFORNIA, APPROVING THE ANNUAL  
STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR  
2023-2023 (JULY 1, 2023 THROUGH JUNE 30, 2024).**

**WHEREAS**, pursuant to Government Code Section 53630 et seq., all money belonging to the Midway City Sanitary District ("District") shall be deposited for safekeeping in accordance with the provisions of Government Code Section 53635 and may be invested in accordance therewith; and

**WHEREAS**, pursuant to Government Code Section 53601 the District's Board of Directors may direct the investment of surplus money in its treasury that is not required for the immediate necessities of the District; and

**WHEREAS**, this Resolution sets forth the District's Investment Policy and provides for compliance with the above referenced Government Code provisions.

**WHEREAS**, pursuant to Government Code Section 53646, the Board of Directors of the District must consider in each year a Statement of the District's Investment Policy; and

**WHEREAS**, this Resolution sets forth the election of the Board of Directors of the District to delegate the authority for investment and reinvestment of District funds to the Finance/HR Director with the signatures as authorized by the Board of Directors of the District.

**WHEREAS**, this Resolution sets forth the names and signatures of the persons authorized to deposit, transfer and withdrawal the moneys of the District in accordance with the District's Investment Policy and applicable law.

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**NOW, THEREFORE,** the Board of Directors of the Midway City Sanitary District does hereby **RESOLVE** as follows:

**Section 1:** The Statement of Investment Policy stated in Exhibit "A" hereto, and incorporated herein by this reference, is approved for the 2023-2024 Fiscal Year (July 1, 2023 through June 30, 2024).

**Section 2:** In accordance with the District's Investment Policy, the officials of the District set forth in Section 3 herein or their successors are authorized for the 2023-2024 Fiscal Year (July 1, 2023 through June 30, 2024) to approve the investment and reinvestment of the District's monies and surplus funds in accordance with Government Code Sections 53635 and 53601.

**Section 3:** The following Midway City Sanitary District officers or their successors in office shall be authorized to order the deposit, transfer or withdrawal of money on behalf of the District so long as the same shall be in accordance with the District's approved Investment Policy:

<u>Name and Title of Authorized Signatories</u>	<u>Signatures</u>
Director Serving as President	_____
Director Serving as Treasurer	_____
General Manager	_____
Director of Finance and Human Resources	_____

For any such transaction, one of the two signatories shall be a member of the Board of Directors.

**Section 4:** If any prior resolution is inconsistent with this Resolution, it is hereby repealed as to any inconsistent part.

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**PASSED AND ADOPTED**, at a regular meeting of the Board of Directors of Midway City Sanitary District of Orange County, California, held this 27<sup>th</sup> day of June, 2023.

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Tyler Diep, President

ATTEST:

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Andrew Nguyen, Secretary



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**CERTIFICATION**

I, Andrew Nguyen, Secretary of the Midway City Sanitary District of Orange County, California, do hereby certify that the foregoing Resolution No. 2023-16 was duly adopted at a regular meeting of the Board of Directors of said District, held on this 27<sup>th</sup> day of June, 2023, by the following vote of the members of the Board:

AYES:

NOES:

ABSENT:

and I further certify that Tyler Diep, as President, and Andrew Nguyen, as Secretary, signed and approved said Resolution on the 27<sup>th</sup> day of June, 2023.

\_\_\_\_\_  
Andrew Nguyen, Secretary

(District Seal)

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STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) §§

I, Andrew Nguyen, Secretary of Midway City Sanitary District of Orange County, California, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 2023-16 passed and adopted by the Board of Directors of said District at a regular meeting thereof held on the 27<sup>th</sup> day of June, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal of said District this 27<sup>th</sup> day of June, 2023.

\_\_\_\_\_  
Andrew Nguyen, Secretary

(District Seal)

1 EXHIBIT "A"

2 MIDWAY CITY SANITARY DISTRICT  
3 STATEMENT OF INVESTMENT POLICY

4 FISCAL YEAR 2023-2024 (July 1, 2023 through June 30, 2024)

5 **A. PURPOSE**

6 This statement of investment policy is provided for the following purposes:

- 7 1. To report the principles applicable to the prudent investment of all District monies available for deposit or investment as surplus funds.
- 8 2. To provide a clear understanding to the Board of Directors, the Board President, the Treasurer, the General Manager and Director of Finance and Human Resources (as the District's responsible employees under Resolution 9 2021-02) and to third parties (whether investment advisors or otherwise), as to the objectives and policies of the District applicable to the investment of its 10 money.
- 11 3. To establish a basis for evaluating investment results.

12 **B. TERM**

13 This statement is applicable to investments made in fiscal year 2023/2024 (July 1, 2023 through June 30, 2024), and it shall be revised as appropriate and presented to the Board on an annual basis.

14 **C. SCOPE**

15 This statement applies to the general funds of the District necessary for day-to-day operations, which are generally kept in accounts that are available to be drawn upon on an as needed basis. This statement also applies to the surplus money of the District that is available for investment.

16 **D. STANDARD OF CARE**

17 The District shall operate with a cash management system that is sufficient to allow the General Manager and the Director of Finance and Human Resources to monitor and forecast accurately the expenditures and revenues of the District. The District's 18 investments shall be selected and maintained in accordance with the prudent investor standard, which means that the District's Board President, its Treasurer, its General 19 Manager, its Director of Finance and Human Resources, and all of the Directors of the District, when participating in investment decisions on behalf of the District, are considered trustees having a fiduciary relationship to the public. This duty shall mean:

20  
21 When investing, reinvesting, purchasing, acquiring, exchanging, selling, or  
22 managing public funds, the trustee shall act with care, skill, prudence, and  
23 diligence under the circumstances then prevailing, including, but not limited  
24 to, the general economic conditions and the anticipated needs of the agency,  
25 that a prudent person acting in a like capacity and familiarity with those  
26 matters would use in the conduct of funds of a like character and with like  
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1 aims, to safeguard the principal and maintain the liquidity needs of the  
2 agency.  
3 See, Government Code Section 53600.3.

4 The Standard of Care should be viewed in the context of overall management of the  
5 District's money, and it shall be the policy of the District to view investments made in  
6 accordance with this policy and under applicable law as exercised with reasonable care;  
7 accordingly, the Board President, the Treasurer, the General Manager and the Director of  
8 Finance and Human Resources shall be relieved of personal responsibility for investments  
9 that deviate from all reasonable expectations if the same are reported in a timely fashion to  
10 the Board and appropriate corrective action is taken to control adverse developments.

11 **E. ETHICS AND CONFLICTS OF INTEREST:**

12 The Board of Directors, the Treasurer, the General Manager, and the Director of Finance  
13 and Human Resources, as involved in the investment process, shall refrain from personal  
14 business activities that could conflict with proper execution of the District's investment  
15 program, or which could impair their ability to make impartial investment decisions.

16 **F. OBJECTIVES**

17 The primary objective of the District's cash management system is to meet the operating  
18 expenses and capital requirements of the District first and foremost, and second to provide  
19 excess funds for investment to the fullest extent possible. The primary objectives for the  
20 investment program are, in priority order:

- 21 1. To Safely Preserve Capital
- 22 2. To Provide Liquidity
- 23 3. To Earn a Reasonable Rate of Return Commensurate with Safety and  
24 Liquidity

25 To accomplish the safety objective, all deposits and investments of the District shall comply  
26 with the limitations on deposits and investments imposed by Government Code Sections  
27 53601 and 53630 et seq., including but not limited to all diversification or percentage  
28 investment restrictions.

To accomplish the liquidity objective, the District's Board President, Treasurer, General  
Manager and Director of Finance and Human Resources shall determine no less frequently  
than quarterly the amount of money recommended to be held by the District in liquid or  
readily available investments. Acceptable liquid investments include, subject only to  
limitations of applicable law:

1. Checking and Savings Accounts, whether interest bearing or otherwise to be  
established at US Bank or any other financial institution located in Orange  
County and meeting the requirements of Government Code Section 53601 or  
53630 et seq. for the purposes of deposit or investment.
2. Interest Bearing Fund Deposits into the State Local Agency Investment Fund  
(LAIF), and US Bank.

- 1           3.     Short-term certificates of deposit 90 days to maturity provided that not more  
2           than 30% of District's surplus funds are placed on deposit pursuant to  
            Government Code Section 53601.
- 3           4.     Shares of beneficial interest issued by a joint powers authority organized  
4           pursuant to Government Code Section 6509.7, including but not limited to the  
            Investment Trust of California, doing business as CalTrust.

5     To accomplish the reasonable rate of return objective, the District's Board President,  
6     Treasurer, General Manager and Director of Finance and Human Resources shall  
7     determine no less frequently than quarterly the amount of money recommended to be held  
8     by the District in inactive or long-term investments. Acceptable inactive (investments  
          unavailable without 30 days or more notice) or long-term investments include, subject only  
          to limitations of applicable law:

- 9           1.     Certificates of deposit having a maturity date no greater than one-year from  
10           the date of purchase, provided that not more than 30% of the District's  
            surplus funds are placed on deposit, pursuant to Government Code Section  
            53601.
- 11          2.     Securities of the U.S. Government or its agencies fully guaranteed as to  
12           payment by the U.S. Government or the agency.
- 13          3.     Shares of beneficial interest issued by a joint powers authority organized  
14           pursuant to Government Code Section 6509.7, including but not limited to the  
            Investment Trust of California, doing business as CalTrust.

15     **G.     ADVISORS**

16     The Board of Directors may engage the services of one or more registered investment  
17     advisors to assist the Board President, Treasurer, General Manager and Director of  
18     Finance and Human Resources in the management of the District's investments. Such  
19     advisors are expected to act in accordance with this statement of policy and shall be  
          familiar with investment laws applicable to public agencies. Further, any external  
          investment advisor shall be registered under the Investment Advisors Act of 1940, or shall  
          be exempt from such registration.

20     The District has established an annual process of independent review by an external  
21     auditor. The objective of the review is to provide internal control by assuring compliance  
          with policies and procedures.

22     **H.     REPORTING**

23     No less frequently than monthly, the Treasurer shall report to the Board of Directors the  
24     investment and reinvestment of funds authorized by the Treasurer in that period.

25     No less frequently than quarterly, the General Manager and the Director of Finance and  
26     Human Resources, at the direction of the Treasurer, shall present to the Board of Directors  
          a report stating:

- 27           1.     The types of investments currently held by the District.

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- 2. The issuers, dates of maturity, and par and dollar amount of all investments.
- 3. Descriptions of any money invested in programs managed by contract parties.
- 4. Current market value of any securities managed by outside parties.
- 5. Status of compliance with the investment policy.
- 6. Statement of ability to meet expenditure requirements for the next six months.
- 7. If investments are held in the State LAIF, CalTrust, or in FDIC insured accounts or county investment pools, then the most recent statements received by the District from these institutions may be provided in lieu of items 1 through 4 above.

See, Government Code Section 53646.

## AGENDA ITEM 9C

Date: June 27, 2023

To: Board of Directors

Prepared by: Robert Housley, General Manager

Subject: **A RESOLUTION NO. 2023-17 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ADOPTING THE 2023-2024 SALARY SCHEDULE FOR NON-REPRESENTED EMPLOYEES**

### **BACKGROUND**

This Salary Schedule includes the Director of Services and Program Development, which was approved by the Board of Directors at the June 6, 2023, meeting.

Accurate payroll reporting is crucial for providing accurate member retirement benefits. The purpose of this resolution is to adopt a District wide salary schedule pursuant to Public Employees' Retirement Law (PERL).

Only those pay amounts that meet the definition of compensation earnable are used when calculating retirement benefits. Compensation earnable is clarified by California Code of Regulations Section 570.5.

Pursuant to the regulations the Midway City Sanitary District is required to adopt a pay schedule that meets all the following requirements:

1. identifies the position title for every employee position;
2. shows the pay rate for each identified position, which may be stated as a single amount or multiple amounts within a range;
3. indicates the time base of the range such as hourly, monthly, or annually;
4. is posted at the office or immediately accessible and available for public review during normal business hours or posted on the District's website
5. indicates an effective date and date of any revisions;
6. is retained by the District and available for public inspection for not less than five years;
7. does not reference another document in lieu of disclosing the pay rate.

### **FISCAL IMPACT**

The salary scales are reflective of the District's current structure and are competitive within the industry.

### **STAFF RECOMMENDATION**

Staff recommends the Board of Directors approve Resolution No. 2023-17 to adopt a salary schedule for non-represented employees.

*Attachment:* Resolution 2023-17 adopting the 2023-2024 salary schedule for non-represented employees

MIDWAY CITY SANITARY DISTRICT

Pay Schedule  
 Fiscal Year 2023-2024  
 Effective 07/01/2023

**NON-REPRESENTED EMPLOYEES**

JOB TITLE								
	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
<b>ADMIN SECRETARY/RECEPTIONIST</b>								
BI-WEEKLY	2,548.00	2,638.40	2,729.60	2,825.60	2,924.00	3,026.40	3,132.80	3,242.40
MONTHLY	5,520.67	5,716.53	5,914.13	6,122.13	6,335.33	6,557.20	6,787.73	7,025.20
ANNUAL	66,248.00	68,598.40	70,969.60	73,465.60	76,024.00	78,686.40	81,452.80	84,302.40
BASE PAY RATE PER HOUR	\$31.85	\$32.98	\$34.12	\$35.32	\$36.55	\$37.83	\$39.16	\$40.53
<b>ADMIN SECRETARY/ACCOUNTANT</b>								
BI-WEEKLY	2,548.00	2,638.40	2,729.60	2,825.60	2,924.00	3,026.40	3,132.80	3,242.40
MONTHLY	5,520.67	5,716.53	5,914.13	6,122.13	6,335.33	6,557.20	6,787.73	7,025.20
ANNUAL	66,248.00	68,598.40	70,969.60	73,465.60	76,024.00	78,686.40	81,452.80	84,302.40
BASE PAY RATE PER HOUR	\$31.85	\$32.98	\$34.12	\$35.32	\$36.55	\$37.83	\$39.16	\$40.53
<b>ADMIN SECRETARY/HUMAN RESOURCES COORDINATOR</b>								
BI-WEEKLY	2,548.00	2,638.40	2,729.60	2,825.60	2,924.00	3,026.40	3,132.80	3,242.40
MONTHLY	5,520.67	5,716.53	5,914.13	6,122.13	6,335.33	6,557.20	6,787.73	7,025.20
ANNUAL	66,248.00	68,598.40	70,969.60	73,465.60	76,024.00	78,686.40	81,452.80	84,302.40
BASE PAY RATE PER HOUR	\$31.85	\$32.98	\$34.12	\$35.32	\$36.55	\$37.83	\$39.16	\$40.53
<b>EXECUTIVE/BOARD SECRETARY</b>								
BI-WEEKLY	3,159.20	3,269.60	3,384.00	3,502.40	3,625.60	3,752.00	3,883.20	4,018.40
MONTHLY	6,844.93	7,084.13	7,332.00	7,588.53	7,855.47	8,129.33	8,413.60	8,706.53
ANNUAL	82,139.20	85,009.60	87,984.00	91,062.40	94,265.60	97,552.00	100,963.20	104,478.40
BASE PAY RATE PER HOUR	\$39.49	\$40.87	\$42.30	\$43.78	\$45.32	\$46.90	\$48.54	\$50.23
<b>DISTRICT ENGINEER</b>								
BI-WEEKLY	3,961.60	4,131.20	4,301.60	4,471.20	4,640.80	4,810.40	4,980.00	5,150.40
MONTHLY	8,583.47	8,950.93	9,320.13	9,687.60	10,055.07	10,422.53	10,790.00	11,159.20
ANNUAL	103,001.60	107,411.20	111,841.60	116,251.20	120,660.80	125,070.40	129,480.00	133,910.40
BASE PAY RATE PER HOUR	\$49.52	\$51.64	\$53.77	\$55.89	\$58.01	\$60.13	\$62.25	\$64.38
<b>DIRECTOR OF SERVICES &amp; PROGRAM DEVELOPMENT [Exempt]</b>								
BI-WEEKLY	3,961.60	4,131.20	4,301.60	4,471.20	4,640.80	4,810.40	4,980.00	5,150.40
MONTHLY	8,583.47	8,950.93	9,320.13	9,687.60	10,055.07	10,422.53	10,790.00	11,159.20
ANNUAL	103,001.60	107,411.20	111,841.60	116,251.20	120,660.80	125,070.40	129,480.00	133,910.40
BASE PAY RATE PER HOUR	\$49.52	\$51.64	\$53.77	\$55.89	\$58.01	\$60.13	\$62.25	\$64.38
<b>DIRECTOR OF OPERATIONS &amp; SAFETY [Exempt]</b>								
BI-WEEKLY	4,783.25	4,982.55	5,190.16	5,406.42	5,631.68	5,866.34	6,110.77	6,365.38
MONTHLY	10,363.71	10,795.53	11,245.35	11,713.90	12,201.98	12,710.40	13,240.00	13,791.67
ANNUAL	124,364.56	129,546.41	134,944.18	140,566.86	146,423.81	152,524.80	158,880.00	165,500.00
BASE PAY RATE PER HOUR	\$59.79	\$62.28	\$64.88	\$67.58	\$70.40	\$73.33	\$76.38	\$79.57
<b>DIRECTOR OF FINANCE &amp; HUMAN RESOURCES [Exempt]</b>								
BI-WEEKLY	4,995.20	5,271.20	5,546.40	5,822.40	6,097.60	6,373.60	6,648.80	6,924.80
MONTHLY	10,822.93	11,420.93	12,017.20	12,615.20	13,211.47	13,809.47	14,405.73	15,003.73
ANNUAL	129,875.20	137,051.20	144,206.40	151,382.40	158,537.60	165,713.60	172,868.80	180,044.80
BASE PAY RATE PER HOUR	\$62.44	\$65.89	\$69.33	\$72.78	\$76.22	\$79.67	\$83.11	\$86.56

**RESOLUTION NO. 2023-17**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE MIDWAY CITY SANITARY DISTRICT OF  
ORANGE COUNTY, CALIFORNIA, ADOPTING THE  
2023-2024 SALARY SCHEDULE FOR NON-  
REPRESENTED EMPLOYEES**

**WHEREAS**, California Code Regulations, Title 2, Section 570.5 was adopted by CalPERS to provide specific requirements on how public agencies should document pay rates;

**WHEREAS**, to comply with Section 570. 5, the District's salary schedule listing all titles for every employee position, pay rates for each position, and the time base for each pay rate must be adopted by the Board of Directors.

**NOW, THEREFORE, BE IT RESOLVED THAT**, in accordance with California Code Regulations, Title 2, Section 570.5, the Board of Directors of the Midway City Sanitary District hereby adopts the Salary Schedule, Effective July 1, 2023 – June 30, 2024, which is attached hereto as Exhibit A.

**PASSED AND ADOPTED**, at a regular meeting of the Board of Directors of Midway City Sanitary District of Orange County, California, held this 27<sup>th</sup> day of June 2023.

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Tyler Diep, President

ATTEST:

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Andrew Nguyen, Secretary



**CERTIFICATION**

I, Andrew Nguyen, Secretary of the MIDWAY CITY SANITARY DISTRICT of Orange County, California, do hereby certify that the foregoing Resolution No. 2023-17 was duly adopted at a meeting of the Governing Board of said District held on the 27<sup>th</sup> day of June 2023 by the following vote of the members of the Board:

AYES:

NOES:

ABSENT:

and I further certify that Tyler Diep, as President, and Andrew Nguyen, as Secretary, signed and approved said Resolution No. 2023-17 on the 27<sup>th</sup> day of June 2023.

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Andrew Nguyen, Secretary

(District Seal)

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**STATE OF CALIFORNIA**        )  
  ) **ss.**  
**COUNTY OF ORANGE**        )

I, Andrew 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 2023-17 passed and adopted by the Board of Directors of said District at a meeting thereof held on the 27<sup>th</sup> day of June 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed my official Seal of said District this 27<sup>th</sup> day of June 2023.

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Andrew Nguyen, Secretary

## AGENDA ITEM 9D

Date: June 27, 2023

To: Board of Directors

Prepared by: Cynthia Olsder, Executive/ Board Secretary

Subject: Consider Discussion Regarding the Building Project Ad Hoc Committee Attendance for the Purposes of Reviewing Matters Related to the District's Building and Solar Project

### **BACKGROUND**

At the February 7, 2023 meeting, the Board of Directors directed staff to add an item to the agenda for the Board to consider the creation of a temporary ad hoc committee for the purposes of reviewing and advising the Interim General Manager and Board regarding change orders and other matters related to the District's 2023 building and solar project. The public notice and meeting requirements of the Brown Act do not apply to temporary ad hoc advisory committees. Pursuant to the Brown Act, an ad hoc committee may consist of no more than two (2) Board Members, must be of limited scope and duration, and may be advisory only (i.e., the committee cannot have decision-making authority). At the February 21, 2023 meeting, the Board of Directors approved creating a temporary Building Project Ad Hoc Committee comprised of Director M. Nguyen and Director S. Contreras.

### **FISCAL IMPACT**

Discussion only. No fiscal impact.

### **STAFF RECOMMENDATION**

Staff recommends that the Board of Directors discuss and provide feedback.