

**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**

October 4, 2022

CALL TO ORDER

President A. Nguyen called the regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Tuesday, October 4, 2022 at 5:41 P.M.

BOARD MEMBERS PRESENT:

Andrew Nguyen
Sergio Contreras
Chi Charlie Nguyen (via teleconference)
Tyler Diep (via teleconference)
Mark Nguyen

BOARD MEMBERS ABSENT:

None

STAFF PRESENT:

Ken Robbins, General Manager
Robert Housley, Finance/HR Director
Cynthia Olsder, Executive/Board Secretary

OTHERS PRESENT:

James Eggart, General Counsel
Joseph Saullo, First-Class Connection
Yousef Alinaghian, CRC Cloud
Mike Parker, CRC Cloud

PLEDGE AND INVOCATION

Director M. Nguyen led the Pledge of Allegiance. GM K. Robbins gave the Invocation.

PUBLIC COMMENTS

None

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 20, 2022
(Roll Call Vote)**

A motion was made by President A. Nguyen, seconded by Director M. Nguyen to approve the minutes of the regular meeting of September 20, 2022. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

APPROVAL OF EXPENDITURES

(Roll Call Vote)

A. Demands in the amount of \$357,651.35

#	CK #	DATE	AMOUNT	VENDOR CHECKS:	MEMO:
1	14014	9/20	13,121.92	Millennium UPS LLC	T1000 Series tower for Sewer trucks
2	14015	9/22	181.60	Advanced Workplace Strategies, Inc.	DOT random drug and alcohol testing
3	14016	9/22	439.49	AT&T (Brookhurst Lift Station)	Brookhurst Sep- 2022
4	14017	9/22	313.46	AT&T Mobility (First Net)	Cell phone service
5	14018	9/22	715.00	Ayala's Car Wash	Washing and cleaning of District's fleet
6	14019	9/22	1,342.25	Betts Truck Parts & Service	NG-8 Bushings for axle suspension
7	14020	9/22	84.94	City of Westminster Hydrant	Hydrant water services
8	14021	9/22	316.76	Clean Energy	CNG Station inspection and service
9	14022	9/22	1,000.00	Country City Towing	Tow service for NG-4
10	14023	9/22	197,539.04	CR Transfer, Inc.	Residential solid waste & organic tonnage fees
11	14024	9/22	787.65	CR&R Incorporated	Bins for Clean-Up Event on 08/13/22
12	14025	9/22	886.28	Dartco Transmission Sales & Srvs.	Restock transmission filter for solid waste trucks
13	14026	9/22	10.00	DMV	5-Yr License 4DJ8832-Permanent Trailer Identification
14	14027	9/22	523.78	Haaker Equipment Co.	Repairs for NG-16 Vactor Trucks R&R sensors on controls
15	14028	9/22	582.52	Hillco Fastener Warehouse Inc.	Restock lock nuts and bolts for Solid Waste
16	14029	9/22	16.43	Hose-Man, Inc.	Restock hydraulic O-Rings for trash trucks
17	14030	9/22	804.23	Merchants Building Maintenance, LLC	Janitorial services Sep -2022
18	14031	9/22	357.47	Motion and Flow Control Products, Inc.	Hydraulic fittings for solid waste trucks
19	14032	9/22	100.00	Pitney Bowes/Purchase Power	Postage for Sep -2022
20	14033	9/22	2,200.00	PumpMan	Lift Station Pump System Maintenance Jul-2022
21	14034	9/22	1,348.72	Rengel + Company Architects, Inc	Solar Project - Posting & Bids
22	14035	9/22	735.00	Rutan & Tucker, LLP	Legal services Aug-2022
23	14036	9/22	14,337.00	SCI Consulting Group	Sewer & Trash Fee Levy Admin/Services FY 2022-23
24	14037	9/22	4,426.93	SDRMA - Employee Benefits	Dental and Vision benefits
25	14038	9/22	627.49	Snap-On Tools	Lights and tools for Shop use
26	14039	9/22	59.72	SoCalGas	Natural Gas for offices, shop, and wash rack
27	14040	9/22	195.36	Staples Business Credit	Restock Office supplies for Aug-2022
28	14041	9/22	232.15	UniFirst Corporation	Employee uniform & laundry services
29	14042	9/22	1,200.00	Viet Link Radio	15 Minute Radio Talk Show (AM1480) 08/04 - 08/011
30	14043	9/22	825.00	VNCR	15 Minute Radio Talk Show (2) Runs 09/13 - 09/20/22
31	14044	9/22	9,334.50	Woodruff, Spradlin & Smart	Legal Services Aug-2022
32	14045	9/22	1,675.41	SoCal Auto & Truck Parts, Inc.	Tools and equipment for Shop use
33	14046	9/23	188.71	City of Westminster-Water Billing	Westminster lift station water
34	14047	9/23	238.00	Remington Pure	Water filtration service
35			\$ 256,746.81	CHECKS SUBTOTAL	
36					
37				PAYROLL:	MEMO
38	ACH	9/7	\$ 75,419.80	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
39	ACH	9/8	\$ 7,850.54	Nationwide Retirement Solutions	457 Deferred Compensation (Employees)
40			\$ 83,270.34	ACH TRANSFERS SUBTOTAL	
41					
42				ACH PAYMENTS:	MEMO
43	ACH	9/8	\$ 16,091.73	CalPERS	Retirement Contributions for 08/22 - 09/04/22
44	ACH	9/9	1,476.47	Chevron Texaco (Wex Bank)	Gasoline and diesel fuel for Sep-2022
45	ACH	9/26	\$ 66.00	WEX Health	HRA Monthly Fee for Sep - 2022
46			\$ 17,634.20	ACH TRANSFERS SUBTOTAL	
47					
48			\$ 357,651.35	TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)	

A motion was made by Director C. Nguyen, seconded by Director S. Contreras, to approve the expenditures in the amount of \$357,651.35. The motion was approved by the following 5-0 roll call vote:

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

REPORTS

Report of President

The President reported that he visited the venue of where the Holiday Appreciation event will take place.

Report of General Manager

GM K. Robbins reported that the District received the building permit for the building project, and demolition of the building is scheduled to start the 2nd week of November. Staffs are scheduled to move into the trailer the first week of November, still subject to change.

GM K. Robbins reported that there's still only one potential bid, CSI Electrical, for the District's solar project, and bid is expected on October 21st, 2022.

Report from the Westminster Fall Festival on September 24, 2022

President A. Nguyen reported that all of the directors attended the Westminster Fall Festival and it was a good turnout.

Report from the Calendar Committee Meeting on September 27, 2022

Director M. Nguyen reported that he attended the meeting with Director S. Contreras to review the 1st draft of the calendar, and the next meeting will be to review the final draft. Director S. Contreras reported that the cost of the calendar has gone up due to inflation, and he feels more comfortable staying with DTN.

Report from Orange County Sanitation District Meeting on September 28, 2022

President A. Nguyen reported that OC San plans to invest over \$2.7 billion in infrastructure over the next ten years at their two facilities. The President also reported that the sewer project construction on Seal Beach Blvd is still ongoing as planned.

CONSENT CALENDAR

None

OLD BUSINESS

- A. Discussion and Consideration of Technology Upgrades and Voice Over IP Phone System, Cloud Based Computing and Camera System Project Proposals and Timeline **(Roll Call Vote)**

A staff report and recommendations were provided and considered by the Board. A motion was made by Director T. Diep, seconded by Director S. Contreras, to (1) direct the General Manager to solicit informal proposals for the voice over IP phone system and to bring it back to the Board at the earliest opportunity, and (2) to prepare a new request for proposals for the additional technology upgrades and services that the District will need, to be brought back to the Board for future consideration. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

NEW BUSINESS

- A. Discussion and Consideration of doing a Cost, Rate and Legal Study to provide Solid Waste Service to Mobile Homes within the District Sphere of Influence **(Roll Call Vote)**

A staff report and recommendations were provided and considered by the Board. A motion was made by Director S. Contreras, seconded by Director C. Nguyen, to direct the General Manager to solicit proposals from qualified firms to prepare a cost, rate and legal study to provide solid waste service to mobile homes within the District's sphere of influence. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

- B. Approval to Hire Special Inspection Firm for Building and Solar Project **(Roll Call Vote)**

A staff report and recommendations were provided and considered by the Board. A motion was made by Director S. Contreras, seconded by President A. Nguyen, to approve hiring Commerford Inspection Inc. to provide special inspection services for the District's building and solar project and to authorize the General Manager to enter into the agreement. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

C. Approval of Printer for 2023 Midway City Sanitary District calendar **(Roll Call Vote)**

A staff report and recommendations were provided and considered by the Board. A motion was made by President A. Nguyen, seconded by Director M. Nguyen, to approve hiring DTN Tech to print and mail the 2023 Midway City Sanitary District calendar to all residents and businesses within the District at a cost of \$43,854.51, plus any increases to postal service costs that occur after Board approval, and an additional \$750 for design. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

D. 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)**

A motion was made by Director S. Contreras, seconded by President A. Nguyen, to approve adoption of Resolution No. 2022-22. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

INFORMATIONAL ITEMS

Receive and file

BOARD CONCERNS/COMMENTS

The President and Directors thanked staff.

GM/STAFF CONCERNS/COMMENT

GM K. Robbins thanked the Directors.

Finance/HR Director R. Housley reminded the Board the CalPERS health open enrollment ends Friday, October 14, 2022.

GENERAL COUNSEL CONCERNS/COMMENTS

General Counsel J. Eggart informed the Directors of the new laws (SB 1100, AB 2449, SB 1439-the Levine Act) that will impact the Directors and the conduct of District Board Meetings.

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.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION / EMPLOYMENT / APPOINTMENT (Government Code Section 54957(b)(1))

Title: General Manager

No closed session was held. President A. Nguyen requested to move the Closed Session to another date when all of the Directors can be present in person.

A motion was made by President A. Nguyen, seconded by Director M. Nguyen, to consider the matter agendaized for closed session at a Special Meeting to be held on October 11th, 2022 at 11:30 AM in at the District's offices. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

ADJOURNMENT

President A. Nguyen adjourned the meeting at the District office at 6:37 PM to the next Board meeting to be held on Tuesday, October 18, 2022 at 5:30 pm.

Sergio Contreras

Sergio Contreras, Secretary