

**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**

**EVERYONE WHO ATTENDED THIS HYBRID/TELECONFERENCE MEETING  
ATTENDED IN PERSON; HOWEVER, PARTICIPANTS WERE ELIGIBLE TO  
ATTEND FROM VARIOUS LOCATIONS PURSUANT TO THE PROVISION OF THE  
GOVERNOR'S EXECUTIVE ORDER WHICH SUSPENDS CERTAIN  
REQUIREMENTS OF THE RALPH M. BROWN ACT. AGENDA PACKETS WERE  
MADE AVAILABLE AT THE DISTRICT OFFICE AND A LINK, PHONE NUMBER AND  
ACCESS NUMBER WERE MADE AVAILABLE TO ANYONE WISHING TO ATTEND.  
PER STATE OF CALIFORNIA EXECUTIVE ORDER NO. N-29-20, AND IN THE  
INTEREST OF PUBLIC HEALTH AND SAFETY, THE DISTRICT STRONGLY  
ENCOURAGED MEMBERS OF THE PUBLIC TO PARTICIPATE IN THIS MEETING  
TELEPHONICALLY RATHER THAN ATTENDING IN PERSON.**

**July 20, 2021**

**CALL TO ORDER**

President A. Nguyen called the regular in-person hybrid/teleconference meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Tuesday, July 20, 2021 at 5:33 P.M.

**BOARD MEMBERS PRESENT:**

Margie L. Rice (absent)  
Tyler Diep  
Sergio Contreras  
Chi Charlie Nguyen  
Andrew Nguyen

**OTHERS AT MEETING:**

Robert Housley, Acting General Manager  
James Eggart, General Counsel  
Danielle Gerardo, Board Secretary

**PLEDGE AND INVOCATION**

Director C. Nguyen led the Pledge of Allegiance. Acting General Manager R. Housley gave the Invocation.

**PUBLIC COMMENTS**

None

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JULY 6, 2021  
(Roll Call Vote)**

A motion was made by Director T. Diep, seconded by Director C. Nguyen, to approve the minutes of the regular meeting of July 6, 2021. The motion was approved by the following 4-0 roll call vote:

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

**APPROVAL OF EXPENDITURES**

A. Demands in the amount of \$872,299.05 **(Roll Call Vote)**

#	CK #	Date	AMOUNT	VENDOR	MEMO
1				<b>CHECKS:</b>	
2	12892	7/1	\$ 271.10	<b>Advanced Workplace Strategies, Inc</b>	DOT Random Drug Testing
3	12893	7/1	\$ 341.70	<b>AT&amp;T</b>	Brookhurst Lift Station Phone & Internet
4	12894	7/1	\$ 500.00	<b>Ayala's Car Wash</b>	Fleet vehicle wash 6/25/21
5	12895	7/1	\$ 424.65	<b>Cameron Welding Supplies</b>	Welding supplies for shop use
6	12896	7/1	\$ 263.28	<b>Cintas</b>	Employee uniform services for 6/24
7	12897	7/1	\$ 1,750.00	<b>Clean Energy</b>	CNG Station Site Inspection
8	12898	7/1	\$ 836.00	<b>CRC Cloud</b>	Maintenance & Support July-2021
9	12899	7/1	\$ 3,796.84	<b>Daniel's Tire Service</b>	Restock and recap tires for Solid Waste trucks
10	12900	7/1	\$ 645.00	<b>Environmental Outsource</b>	Forklift Safety Training x 15 (4/19/21)
11	12901	7/1	\$ 549.00	<b>Frog Environmental</b>	MCSO Facility industrial storm water monitoring
12	12902	7/1	\$ 1,200.62	<b>Frontier Communications</b>	District Office Phones & Lift Stations
13	12903	7/1	\$ 1,612.00	<b>HB Staffing</b>	06/21/21-06/27/21 for Daveta Kelley-Bishop
14	12904	7/1	\$ 33.90	<b>LegalShield</b>	Prepaid legal & theft svcs. June 2021
15	12905	7/1	\$ 863.98	<b>NVB Equipment, Inc.</b>	A/C repairs NG-7 for Solid Waste truck
16	12906	7/1	\$ 254.48	<b>Pitney Bowes Global Financial Services</b>	Leasing Payment for 07/10/21 - 10/09/21
17	12907	7/1	\$ 1,960.00	<b>Rutan &amp; Tucker, LLP</b>	Legal Services May-2021
18	12908	7/1	\$ 617.13	<b>Safety-Kleen Systems, Inc.</b>	Restock antifreeze for Refuse Trucks
19	12909	7/1	\$ 4,315.46	<b>SDRMA - Employee Benefits</b>	Dental benefits July-2021
20	12910	7/1	\$ 304,425.17	<b>SDRMA - Property/Liability</b>	FY 2021-22 Property & Liability Package
21	12911	7/1	\$ 72,576.74	<b>SDRMA - Workers' Compensation</b>	FY 2021-22 Workers' Compensation Program
22	12912	7/1	\$ 582.74	<b>South Coast AQMD</b>	ICE(>500 HP)EM ElecGenDiesel@District(Next to CNG Station)
23	12913	7/1	\$ 5,426.76	<b>Southern California Edison</b>	District Offices, CNG Station and Lift Stations for June 2021
24	12914	7/1	\$ 1,191.12	<b>Standard Insurance Company</b>	Life Insurance & AD&D Premium Coverage
25	12915	7/5		<b>Voided Check - Robert Cruz</b>	Void- Duplicate check
26	12916	7/7	\$ 225.00	<b>Ayala's Car Wash</b>	Fleet vehicle wash 6/28/21
27	12917	7/7	\$ 263.28	<b>Cintas</b>	Employee uniform services for 7/02/21
28	12918	7/7	\$ 177.15	<b>City of Westminster</b>	Hydrant Water Service 05/05/21-06/29/21
29	12919	7/7	\$ 99,170.45	<b>CR Transfer Incorporated</b>	Tonnage from 06/16/21 through 06/30/21
30	12920	7/7	\$ 295.68	<b>Nick Castro</b>	Mileage for Waste Expo 06/28/21-07/01/21
31	12921	7/7	\$ 18,338.80	<b>County of Orange Treasurer-Tax Collector</b>	Allocation of FY 2021-22 LAFCO Costs
32	12922	7/7	\$ 119.00	<b>Remington Pure</b>	Water Filtration Service
33	12923	7/7	\$ 9,917.50	<b>Renegel &amp; Company Architects</b>	Directive from OCFA for sprinklers / hydrant work
34	12924	7/7	\$ 47.50	<b>SDRMA - Property/Liability</b>	FY 2021-22 Property & Liability Package
35	12925	7/7	\$ 264.43	<b>SoCal Auto &amp; Truck Parts, Inc.</b>	Turn signal and parts for Shop use
36	12926	7/7	\$ 652.79	<b>TrucPar Company</b>	Restock supplies for Solid Waste trucks
37	12927	7/7	\$ 6,019.23	<b>US Bank Corporate Payment Systems</b>	District Credit Cards
38	12928	7/13	\$ 560.00	<b>Ayala's Car Wash</b>	Fleet vehicle wash 7/05/21
39	12929	7/13	\$ 76.23	<b>Bodyworks Equipment, Inc.</b>	Replacement filter for NG-13 Solid Waste
40	12930	7/13	\$ 1,278.82	<b>Wex Bank (Chevron)</b>	Fuel Credit Card for June 2021
41	12931	7/13	\$ 263.28	<b>Cintas</b>	Employee uniform services for 7/09/21
42	12932	7/13	\$ 814.30	<b>CR&amp;R</b>	Bins for Clean-Up Event on 06/19/21
43	12933	7/13	\$ 3,733.86	<b>Daniel's Tire Service</b>	Restock and recap tires for Solid Waste trucks
44	12934	7/13	\$ 8,289.16	<b>SoCal Gas</b>	CNG Station from 06/01/2021 through 07/01/2021

45	12935	7/13	\$ 1,224.23	<b>Merchants Building Maintenance, LLC</b>	Monthly Janitorial Service and COVID-19 Enhanced cleaning
46	12936	7/13	\$ 5,700.00	<b>MITN Studio</b>	Facebook Mgmt. for April / May / June and Videos
47	12937	7/13	\$ 196,814.35	<b>Orange County Sanitation District</b>	Permit Fees June- 2021
48	12938	7/13	\$ 1,000.00	<b>Shuster Advisory Group, LLC</b>	Advisory Fee 457(b) and OBRA-Q2 2021
49	12939	7/13	\$ 227.29	<b>Snap-On Tools</b>	Tools for Shop
50	12940	7/13	\$ 31.64	<b>SoCal Auto &amp; Truck Parts, Inc.</b>	Restock mini lamps for Shop
51	12941	7/13	\$ 300.00	<b>Streamline</b>	Website Monthly Member Fee 07/01/21-08/01/21
52	12942	7/13	\$ 14,260.30	<b>TEC of California, Inc.</b>	Restock parts for Solid Waste trucks
53	12943	7/13	\$ 20.45	<b>TrucPar Company</b>	Restock coupling for Shop use
54	12944	7/13	\$ 8,191.00	<b>Woodruff, Spradlin &amp; Smart</b>	Legal Services June-2021
55	12945	6/14		<b>Voided Check - Andrew Nguyen</b>	Void- Wrong check date
56	12946	6/14		<b>Voided Check - HB Staffing</b>	Void- Wrong check date
55	12947	7/14	\$ 310.42	<b>Andrew Nguyen</b>	Reimb. Waste Expo Las Vegas 06/28/21-07/02/21
56	12948	7/14	\$ 1,612.00	<b>HB Staffing</b>	06/28/21-07/04/21 for Daveta Kelley-Bishop
57					
58			<b>\$ 782,713.39</b>	<b>CHECKS SUBTOTAL</b>	
59					
60				<b>PAYROLL:</b>	<b>MEMO</b>
61	ACH	6/30	\$ 756.00	<b>Nationwide Retirement Solutions</b>	457 Deferred Compensation (100% Paid By Board of Directors)
62	ACH	7/2	\$ 7,085.31	<b>Paychex</b>	Board of Directors Payroll - Checks, Taxes, & Direct Deposits
63	ACH	7/13	\$ 74,040.78	<b>Paychex</b>	Employee Payroll - Checks, Taxes, & Direct Deposits
64	ACH	7/13	\$ 4,746.26	<b>Nationwide Retirement Solutions</b>	457 Deferred Compensation (100% paid by employees)
65	ACH	7/13	\$ 835.00	<b>Nationwide Retirement Solutions</b>	457 Roth (100% paid by employees)
66					
67			<b>\$ 74,040.78</b>	<b>ACH TRANSFERS SUBTOTAL</b>	
68					
69				<b>ACH PAYMENTS:</b>	<b>MEMO</b>
70	ACH	7/13	\$ 15,544.88	<b>CalPERS</b>	Retirement Contributions for 06/28/2021- 07/11/2021
71					
72			<b>\$ 15,544.88</b>	<b>ACH TRANSFERS SUBTOTAL</b>	
73					
74					
75			<b>\$ 872,299.05</b>	<b>TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)</b>	
76					
77				<b>BANK TRANSFERS:</b>	
78	UB	7/1	\$ 250,000.00	<b>Transfer Funds from LAIF to Union Bank Checking</b>	
79	UB	7/13	\$ 300,000.00	<b>Transfer Funds from LAIF to Union Bank Checking</b>	
80					
81			<b>\$ 550,000.00</b>	<b>BANK TRANSFERS</b>	

A motion was made by Director T. Diep, seconded by President A. Nguyen to approve the expenditures in the amount of \$872,299.05. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: M. Rice

## REPORTS

### Report of President

None

### Report of General Manager

Acting General Manager R. Housley reported that the Board was being provided with a letter from Gregory Karapoulos from CR&R following a conversation they had regarding the complaints from residents and that CR&R has taken action against and are dealing with the situation.

Acting General Manager R. Housley reminded the Board that the Orange County Registrar of Voters sent a reminder that the Board's semi-annual campaign disclosure forms 460 or 470 are due by July 31, 2021.

Acting General Manager R. Housley reported that District receptionist Julia Book gave notice that she would be retiring at the end of this year. The District will start the process of finding someone through HB Staffing and training for that position early.

Director T. Diep stated that a few meetings ago the Franchise Committee met regarding complaints from residents and that there was discussion regarding some outreach that would be done by CR&R, but that he has not heard any follow up regarding that topic.

Acting General Manager R. Housley stated that he would look into it and report back.

### **Report from the Orange County Sanitation District Meeting on July 14, 2021**

President A. Nguyen reported that there was discussion regarding health benefits, cyber-security, OC San's triple-A rating and their outreach committees.

### **Report from the Sub-Committee Meeting for Groundbreaking/Open House on July 9, 2021**

Director T. Diep reported that he and Director C. Nguyen met with staff and provided some ideas and made some proposals which would be discussed further during Item 9C on the agenda.

## **CONSENT CALENDAR**

None

## **OLD BUSINESS**

None

## **NEW BUSINESS**

- A. Approval of Second Amendment to General Manager's Employment Agreement **(Roll Call Vote)**

General Counsel J. Eggart provided an oral report to the Board pursuant to Government Code Section 54953(c)(3) regarding the recommended action to approve the proposed Second Amendment to the General Manager Employment Agreement with Kenneth

Robbins and provided a summary of the impact to the General Manager's compensation.

The Board considered the oral and written reports provided. A motion was made by President A. Nguyen, seconded by Director T. Diep, to approve the proposed Second Amendment to the General Manager's Employment Agreement. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: M. Rice

B. A RESOLUTION NO. 2021-08 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ADOPTING THE 2021-2022 SALARY SCHEDULE FOR REPRESENTED EMPLOYEES  
**(Roll Call Vote)**

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director T. Diep, seconded by Director S. Contreras, to approve adoption of Resolution No. 2021-08, adopting the 2021-2022 salary schedule for represented Midway City Sanitary District employees. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: M. Rice

C. Discussion of the 2021 Open House/Groundbreaking Event at the District, Including Establishing a Budget, Possible Alternative Date(s), and Potentially Hiring an Event Planner  
**(Roll Call Vote)**

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by President A. Nguyen, seconded by Director C. Nguyen, to approve changing the date of the District's Open House/Groundbreaking Event to Saturday, August 28 and Sunday, August 29, 2021 from 4-7 P.M., looking at a budget of \$20,000 plus 10% per day and looking into the cost for an event planner to assist with the event. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: M. Rice

## **INFORMATIONAL ITEMS**

- A. CalPERS Reports Preliminary 21.3% Investment Returns for Fiscal Year 2020-21; Strong Returns Trigger Reduction in Discount Rate to 6.8%
- B. CalPERS Announces Health Plan Premiums for 2022

Receive and file.

## **BOARD CONCERNS/COMMENTS**

None

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

Acting General Manager R. Housley reminded the Board of the ISDOC Quarterly meeting on Thursday, July 29, 2021 via Zoom and he let the Board know that GM K. Robbins was enjoying his vacation.

## **GENERAL COUNSEL CONCERNS/COMMENTS**

None

## **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.

None

## **ADJOURNMENT**

President A. Nguyen adjourned the meeting to Tuesday, August 3, 2021 at 5:30 P.M. at the District office at approximately 6:10 P.M.

\_\_\_\_\_  
Sergio Contreras  
Sergio Contreras, Secretary