

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE MIDWAY CITY
SANITARY DISTRICT OF ORANGE COUNTY
14451 CEDARWOOD STREET
WESTMINSTER, CA 92683**

August 1, 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 Street, Westminster, California on Tuesday, August 1, 2023 at 5:32 PM.

BOARD MEMBERS PRESENT:

Tyler Diep
Chi Charlie Nguyen
Andrew Nguyen
Sergio Contreras
Mark Nguyen

STAFF PRESENT:

Robert Housley, General Manager
Siamlu Cox, Director of Finance & Human Resources
Milo Ebrahimi, District Engineer P.E.
Cynthia Olsder, Executive/Board Secretary

OTHERS PRESENT:

James H. Eggart, General Counsel Woodruff & Smart
Joseph D. Larsen, Labor Counsel Rutan & Tucker, LLP

PLEDGE AND INVOCATION

Director of Finance & HR, Siamlu Cox led the Pledge of Allegiance. GM R. Housley gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON JULY 18, 2023

A motion was made by Director A. Nguyen, seconded by Director M. Nguyen, to approve the minutes of the Regular Meeting on July 18, 2023. The motion was approved by the following 4-0-1 vote:

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

NAYS:

ABSTAIN: S. Contreras

ABSENT:

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$1,327,564.52.

#	CK #	DATE	AMOUNT	VENDOR CHECKS:	MEMO:
1	14789	7/10	17,956.80	Dtnitech	Compost Giveaway Westminster Mall 07/22/2023 (32,157)
2	14790	7/13	168.00	Advanced Office	Ricoh Copier Svc 05/01/2023
3	14791	7/13	5,792.00	AKM Consulting Engineers, Inc.	Westminster mall project 05/29 - 06/30/23
4	14792	7/13	16,438.27	Alternative Fuel Solutions	Engine Repairs Replace Cylinder Head NG5
5	14793	7/13	450.37	AT&T Mobility (First Net)	June-2023
6	14794	7/13	3,076.50	Atlas Radiator, Inc.	Rebuilt Radiator NG-9
7	14795	7/13	400.00	Ayala's Car Wash	Fleet wash (7) 06/27/23 Fleet wash (3) 06/28/23
8	14796	7/13	2,418.32	Bodyworks Equip. Inc.	Heil system parts trash trucks
9	14797	7/13	274.66	Cameron Welding Supply	Forklift Propane, Wheel (5)
10	14798	7/13	2,953.42	Clean Energy	CNG Station Service
11	14799	7/13	1,529.32	Daniels Tire Service	Recap tires (6)
12	14800	7/13	36.96	Joshua Wilson	Refund Add Cart 5302 Saint Marys Circle, Wm APN 203054-36
13	14801	7/13	290.00	MemorialCare Medical Foundation	DMV Exam 04/25/23 S. Clarke
14	14802	7/13	299.80	SoCal Auto & Truck Parts, Inc.	Head Lights (5) Gasket Marker (2) Wrench (1)
15	14803	7/13	1,103.17	TEC Of California, Inc.	Brake switches (2) NG-9 Insulator (2) NG-13
16	14804	7/13	940.00	Ayala's Car Wash	Fleet wash (6) 07/05/23
17	14805	7/13	747.54	Bodyworks Equip. Inc.	Tube 1/2 Valves (5)
18	14806	7/13	207.53	Clean Energy	CNG Station Service 07/05/23
19	14807	7/13	1,260.00	Frog Environmental	IGP Storm Water Monitoring 07/01/- 12/31/2023
20	14808	7/13	533.62	Hillco Fastener Warehouse Inc.	Hex Cap Screws (10) Weather Pack Term Seals (53) Socket (20)
21	14809	7/13	49.06	Hose-Man, Inc.	JIC Tube Nut (5) Sleeve (5) NG-10
22	14810	7/13	828.36	Merchants Building Maintenance, LLC	Janitorial Services July-2023
23	14811	7/13	6,094.65	Motion and Flow Control Products, Inc.	Hose (165) Parker Swivel (10) Parker 90 Degree (6) Flare (6) Hydraulic
24	14812	7/13	21,507.79	Orange County Treasurer-Tax Collector	LAFCO FY2023-24
25	14813	7/13	100.00	Pitney Bowes/Purchase Power	Postage July-2023
26	14814	7/13	4,262.25	SDRMA - Employee Benefits	Aug-2023
27	14815	7/13	469,438.60	SDRMA - Property/Liability	Property Liability Ins FY 2023-24
28	14816	7/13	282.16	UniFirst Corporation	July - 2023
29	14817	7/7	37.41	City of Westminster-Water Billing	Westminster Lift Station 05/24-07/18/23 Hammond Lift Station 05/24-7/18/23
30	14818	7/7	12,207.50	Davis Farr LLP	Accounting Assistance June-2023
31	14819	7/7	2,503.80	NVB Equipment, Inc.	ProVision Camera Install NG-18
32	14820	7/7	1,935.50	Rutan & Tucker, LLP	Legal Services June-2023
33	14821	7/7	1,000.00	SDRMA - Claims	Claim Deductible 09/10/2022
34	14822	7/7	6,467.50	Woodruff & Smart	Legal Services June-2023
35	14823	7/7	560.78	AT&T (Brookhurst Lift Station)	Brookhurst July-2023
36	14824	7/7	580.00	Ayala's Car Wash	Fleet Wash
37	14825	7/7	1,639.65	Bodyworks Equip. Inc.	Tube Valves (2) T/G Cylinder (2) NG-8
38	14826	7/7	84.94	City of Westminster Hydrant	Hydrant Water Service July-2023
39	14827	7/7	1,691.12	Daniels Tire Service	Recap tires (7)
40	14828	7/7	58.28	Motion and Flow Control Products, Inc.	Triple-Lok Tube (24) Tube Nut (4)

41	14829	7/7	35.00	Pitney Bowes Global Financial Services	Postage Machine 07/10 - 10/09/23 Late Fee
42	14830	7/7	1,475.00	Radio Bolsa Corp.	Radio talkshows (3) 20Min 07/14-21/23
43	14831	7/7	72.00	Safety-Kleen Systems, Inc.	Used Oil MCSD (300) Antifreeze (75)
44	14832	7/7	11.43	SoCal Auto & Truck Parts, Inc.	Oil Filter (2)
45	14833	7/7	45.11	SoCalGas	Maint. Shop & Wash Rack July-2023
46	14834	7/7	10,237.65	Southern California Edison	Willow Jun-2023
47	14835	7/7	1,349.00	Spectrum Enterprise (Time Warner Cab	July-2023
48	14836	7/7	282.16	UniFirst Corporation	July -2023
49	14837	7/21	1,000.00	Westminster Mall, LLC	Compost Giveaway Mall Lease 07/22/2023
50			\$ 602,712.98	CHECKS SUBTOTAL	
51					
52				PAYROLL:	MEMO
53		7/12	95,618.21	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
54		7/14	6,306.47	Nationwide Retirement Solutions	457 Deferred Compensation (Employees)
55			\$ 101,924.68	ACH TRANSFERS SUBTOTAL	
56					
57				ACH PAYMENTS:	MEMO
58		7/12	456.54	Paychex	Time & Attendance
59		7/14	19,374.06	CalPERS-Retirement	Retirement Contribution
60		7/20	383.28	Paychex	Time & Attendance
61			\$ 20,213.88	ACH TRANSFERS SUBTOTAL	
62					
63			\$1,327,564.52	TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)	
64					
65				BANK TRANSFERS:	
66		7/14	\$ 569,645.13	Funds Transfer Money Markey to Checking	
67			\$ 569,645.13	BANK TRANSFERS	

A motion was made by Director S. Contreras, seconded by Director C. Nguyen, to approve the expenditures in the amount of \$1,327,564.52. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

REPORTS

Report of President:

None

Report of General Manager

GM R. Housley reported that the District Engineer M. Ebrahimi is finalizing a contract to hire a company to handle the roach infestation. The District is awaiting approval from OC San before moving forward. He also provided an update on the building's progress.

GM R. Housley reported that the event received a lot of positive feedback.

GM R. Housley reported that staff will meet with Townsend Public Affairs to discuss potential grant opportunities on August 11th, 2023. In addition, he reported that a lot of locals praised the compost event for running smoothly.

GM R. Housley reported that Director of Finance/ HR, S. Cox, and perhaps another director, are scheduled to attend a Legislative Roundtable with the Office of Congresswoman Michelle Steel on August 7, 2023.

Report from Building Project Ad Hoc Committee Meeting on July 18, 2023

Director S. Contreras and Director M. Nguyen reported that there will be a change order for the windows. Overall, the district continues to stay within budget.

Report from the Westminster Safety Day at Sigler Park on July 19, 2023

Director C. Nguyen, President T. Diep, Director A. Nguyen, and Director M. Nguyen attended the event and reported that the event was successful despite the lack of the anticipated helicopter show. Within an hour, the district's supply of promotional materials such kitchen pails, youth t-shirts, mugs, and informational things were out.

Report from the Compost Event on July 22, 2023

Director M. Nguyen, President T. Diep, Director A. Nguyen, Director S. Contreras, and Director C. Nguyen attended the event and praised staff on a job well done. Director M. Nguyen complimented the Director of Operations/Safety, N. Castro for coming up with a brilliant idea to hire a traffic control company for this event.

Report from the District Employee Luncheon on July 26, 2023

Director A. Nguyen, Director S. Contreras, and Director C. Nguyen attended the luncheon, and reported that certificates of appreciation were given to staff members who went above and beyond.

Report from the OC SAN District Regular Meeting on July 26, 2023

Director A. Nguyen reported that the installation of the bridge that will connect the new Headquarters Building to Plant No. 1 was successfully completed in one day. Additionally, he reported that construction work to upgrade the city of Newport Beach's infrastructure will begin later this year, replacing existing pipes built in the 1960's.

CONSENT CALENDAR

None

OLD BUSINESS

None

NEW BUSINESS

A. Discuss and Approve Recognition for Midway City Sanitary District Employees at Holiday Event

A staff report and recommendations were provided and considered by the Board. A motion was made by Director A. Nguyen, seconded by Director S. Contreras, to approve of a \$200 gift cards, an appreciation gift, and direct staff to choose between the Mastros or the Ranch . The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

B. Approval of Printer for 2024 Midway City Sanitary District Calendar

A staff report and recommendations were provided and considered by the Board. A motion was made by Director C. Nguyen, seconded by Director A. Nguyen, to approve hiring DTN Tech to print and mail the 2024 Midway City Sanitary District calendar to all residents and businesses within the District at a cost of \$42,821.43, plus any increases to postal service costs that occur after Board approval, including an additional \$750.00 for design, and to direct staff to bring this item back with bids from companies for a three-year contract for 2025-2027. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

INFORMATIONAL ITEMS

A. Westminster 2nd Annual Fall Festival September 22-24, 2023

Received and filed.

Director T. Diep informed the Board that he would add this item to the agenda under new business for the following Board meeting on August 15, 2023.

BOARD CONCERNS/COMMENTS

Each of the Directors thanked staff for putting together a successful compost event.

Director A. Nguyen thanked GM R. Housley and Director C. Nguyen for attending the funeral of his sister.

GM/STAFF CONCERNS/COMMENT

GM R. Housley reminded the Board that he's out of town on August 4 and returning on August 8th, 2023. He also reminded the Board that the next meeting of the Outreach Committee is August 2, 2023.

GM R. Housley wished Director C. Nguyen a happy birthday.

LEGAL COUNSEL CONCERNS/COMMENTS

At President Diep's direction, General Counsel, J. Eggart convened the meeting to closed session at 6:22 PM pursuant to Government Code Section 54957.6, as identified on the agenda as item 14A, in order for Board to confer with its designated Labor Negotiator representatives. General Counsel J. Eggart noted that Robert Housley and Joseph Larsen were the Designated Representatives.

CLOSED SESSION

CLOSED SESSION: During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government Code Sections 54956.8, 54956.9, 54957 or 54957.6, as noted.

Reports relating to (a) purchase and sale of property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time as the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

A. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6) Agency Designated Representatives: General Manager Robert Housley and Labor Counsel Joseph Larsen, Employee Organization: American Federation of State, County, and Municipal Employees, LOCAL 1734-01

President T. Diep reconvened the open session portion of the meeting at 7:00 PM.

General Counsel J. Eggart reported that the Board had met in closed session as identified on Agenda Item 14A, and that no reportable action had been taken.

ADJOURNMENT

President T. Diep adjourned the meeting at 7:00 PM to the next Board Meeting to be held at the District on Tuesday, August 15, 2023, at 5:30 PM.

Andrew Nguyen, Secretary