

**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 7, 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, June 7, 2022 at 5:34 P.M.

BOARD MEMBERS PRESENT:

Tyler Diep (6:04 via teleconference)
Sergio Contreras
Chi Charlie Nguyen
Andrew Nguyen
Mark Nguyen (via teleconference)

OTHERS AT MEETING:

Ken Robbins, General Manager
Robert Housley, Finance/HR Director
Omar Sandoval, Assistant General Counsel
Danielle Gerardo, Executive Board Secretary
Cynthia Olsder, MCSD Admin. Secretary
Ashton Kauwe, Resident
Douglass Davert, OC LAFCO (via teleconference)
James Fisler, OC LAFCO (via teleconference)
John Lewis, OC LAFCO (via teleconference)

PLEDGE AND INVOCATION

Director S. Contreras led the Pledge of Allegiance. GM K. Robbins gave the Invocation.

PUBLIC COMMENTS

Douglass Davert from OC LAFCO addressed the Board via teleconference, stating that they were the District's special district elected representatives to LAFCO and that they wanted to say hello and give the Board a brief update. They stated that when they became OC LAFCO Board

members, they made promises to make LAFCO more user friendly and more of a resource than an authority to be feared.

James Fidler from OC LAFCO stated that they wanted to make LAFCO a better resource for special districts, and he explained two resources - the monthly Special Districts Dialogue Newsletter that was provided to the Board and the Municipal Service Review (MSR) that is done every five years.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MAY 17, 2022
(Roll Call Vote)

A motion was made by Director S. Contreras, seconded by President A. Nguyen, to approve the minutes of the regular meeting of May 17, 2022. The motion was approved by the following 4-0 roll call vote:

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

APPROVAL OF EXPENDITURES *(Roll Call Vote)*

A. Demands in the amount of \$ 853,526.02

#	CK #	Date	AMOUNT	VENDOR CHECKS:	MEMO:
1	13710	5/10	468.24	Grainger	Axial Fan for Sewer Lift Station
2	13711	5/12	286.20	Advanced Workplace Strategies, Inc.	DOT Random Drug and Alcohol Testing
3	13712	5/12	225.00	Ayala's Car Wash	Solid waste trucks fleet wash
4	13713	5/12	1,813.24	Chevron Texaco (Wex Bank)	Fuel for May-2022
5	13714	5/12	4,261.81	Clean Energy	CNG Station site inspection
6	13715	5/12	295.38	Grainger	Axial Fan for Sewer Lift Station
7	13716	5/12	3,348.00	HB Staffing/Cathyjon Enterprises, Inc.	Temporary employee services
8	13717	5/12	1,672.94	Hose-Man, Inc.	Hydraulic hose with fittings
9	13718	5/12	1,560.00	IB Consulting, LLC	Prop 218 Notice, report revisions, & conference calls
10	13719	5/12	804.23	Merchants Building Maintenance, LLC	Monthly janitorial service
11	13720	5/12	1,225.00	Odyssey Power Corporation	District Yard Generator Preventative Maintenance
12	13721	5/12	32,322.79	Orange County Sanitation District	Permit Fees May-2022
13	13722	5/12	119.00	Remington Pure	Water filtration service
14	13723	5/12	20,018.12	Rengel + Company Architects, Inc	Bldg. Proj. revise landscape plans for project
15	13724	5/12	4,310.12	SDRMA - Employee Benefits	Dental and Vision benefits May-2022
16	13725	5/12	6,971.96	Siemens Industry, Inc.	Hydro rangers for sewer lift stations
17	13726	5/12	11,051.00	SoCalGas	Gas service for CNG Station
18	13727	5/12	143.88	South Coast Air Quality Management Dist.	AQMD Fee July 2021 thru June 2022 (District Generator)
19	13728	5/12	144.39	Staples Business Credit	MCSD office supplies
20	13729	5/12	300.00	Streamline	Website monthly member fee
21	13730	5/13	0.00	Verizon Enterprise	Void check -
22	13731	5/13	1,876.66	Verizon Enterprise	SCADA Mar-2022
23	13732	5/18	293.23	Advanced Office	Copier repairs
24	13733	5/18	560.00	Ayala's Car Wash	Solid waste trucks fleet wash
25	13734	5/18	448.11	Cameron Welding Supply	Restock welding materials for Shop
26	13735	5/18	3,179.06	Daniels Tire Service	Restock tires for solid waste
27	13736	5/18	2,376.97	Los Angeles Freightliner	Left side door regulators for solid waste truck
28	13737	5/18	10,185.42	Motion and Flow Control Products, Inc.	Press Machine for Shop
29	13738	5/18	4,136.50	NVB Equipment, Inc.	A/C repairs for solid waste truck
30	13739	5/18	196.62	Pitney Bowes/Purchase Power	Postage for May-2022
31	13740	5/18	66.86	SoCalGas	Gas service for CNG Station

32	13741	5/18	1,349.00	Spectrum Enterprise (Time Warner Cable)	Television service
33	13742	5/18	36.40	Underground Service Alert	Dig Alerts Apr-2022
34	13743	5/18	342.14	AT&T Mobility (First Net)	Cell phone service
35	13744	5/18	84.94	City of Westminster Hydrant	Hydrant water service
36	13745	5/18	181,780.78	CR Transfer, Inc.	Residential Waste & Organic tonnage fees
37	13746	5/18	12,437.14	Woodruff, Spradlin & Smart	Legal Services Apr-2022
38	13747	5/18	2,684.04	US Bank Corporate Payment System	District credit cards
39	13748	5/23	743.98	Andrew Nguyen	Exp. Reimb. Waste Expo 05/09/22-05/12/22
40	13749	5/23	669.60	HB Staffing/Cathyjon Enterprises, Inc.	Temporary employee services
41	13750	5/26	486.41	Alfa Auto Glass	Windshield for NG-8 solid waste truck
42	13751	5/26	419.07	AT&T (Brookhurst Lift Station)	Brookhurst May- 2022
43	13752	5/26	750.00	Ayala's Car Wash	Solid waste trucks fleet wash
44	13753	5/26	2,624.22	Bodyworks Equip. Inc.	Heil parts for solid waste trash truck
45	13754	5/26	429.43	Cameron Welding Supply	Restock welding materials for Shop
46	13755	5/26	2,301.67	Daniels Tire Service	Restock tires for solid waste
47	13756	5/26	886.28	Dartco Transmission Sales & Srvs.	Restock transmission filter for solid waste trucks
48	13757	5/26	305.00	Four Pals, Inc.	Backflow testing and repairs
49	13758	5/26	1,830.94	HB Staffing/Cathyjon Enterprises, Inc.	Temporary employee services
50	13759	5/26	141.45	Hillico Fastener Warehouse Inc.	Weather pack seal, terminals, washers, lock nuts and bolts for solid waste
51	13760	5/26	425.00	Konecranes, Inc.	Qtrly. Inspection & Preventative Maint. of Shop Crane
52	13761	5/26	33.90	LegalShield	Prepaid legal Mayr-2022
53	13762	5/26	100.00	MemorialCare Medical Foundation	Pre-employment drug test and DMV physical for CDL
54	13763	5/26	59.14	Raycom	Repair 2-Way radio for solid waste
55	13764	5/26	555.00	RMS	Service on CNG Gas Detection System at District
56	13765	5/26	381.13	Robbins, Kenneth	2022 Waste Expo Mileage
57	13766	5/26	1,862.00	Rutan & Tucker, LLP	Legal services Apr- 2022
58	13767	5/26	681.36	Safety-Kleen Systems, Inc.	Restock grease for solid waste trucks
59	13768	5/26	1,000.00	SDRMA - Property/Liability	Deductible for 03/25/22 accident claim
60	13769	5/26	287.76	South Coast Air Quality Management Dist.	AQMD Fee July 2021 thru June 2022 (Hot Spot Fee)
61	13770	5/26	5,874.80	Southern California Edison	District Offices, CNG station and Lift stations
62	13771	5/26	89.01	Spectrum Enterprise (Time Warner Cable)	Service from 05/17 - 06/16/22
63	13772	5/26	1,291.68	Standard Insurance Company Life	Life Insurance & AD&D Premium Coverage
64	13773	5/26	952.45	UniFirst Corporation	Employee uniform & laundry services
65			\$ 338,556.45	CHECKS SUBTOTAL	
66					
67				PAYROLL:	MEMO
68	ACH	5/18	\$ 68,277.63	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
69	ACH	5/18	\$ 6,670.24	Nationwide Retirement Solutions	457 Deferred Compensation (Employees)
70	ACH	6/1	\$ 73,064.20	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
71	ACH	6/1	\$ 7,219.57	Nationwide Retirement Solutions	457 Deferred Compensation (Employees)
72	ACH	6/3	\$ 7,569.00	Paychex	Board of Directors Payroll - Checks, Taxes, & Direct Deposits
73	ACH	6/3	\$ 801.00	Nationwide Retirement Solutions	457 Deferred Compensation (Board of Directors)
74			\$ 163,601.64	ACH TRANSFERS SUBTOTAL	
75					
76				ACH PAYMENTS:	MEMO
77	ACH	5/18	\$ 15,096.01	CalPERS	Retirement Contributions for 05/02 - 05/15/22
78	ACH	5/18	\$ 255,000.00	CalPERS	Contribution for CEPPT 115 Trust Account
79	ACH	5/20	\$ 290.99	Paychex	Time & Attendance May-2022
80	ACH	6/1	\$ 15,268.15	CalPERS	Retirement Contributions for 05/16 - 05/29/22
81	ACH	6/1	\$ 6,385.14	CalPERS	Board of Directors Health Insurance Premiums for Jun-2022
82	ACH	6/1	\$ 59,327.64	CalPERS	Active Employee and Retiree Health Ins Premiums Jun-2022
83			\$ 351,367.93	ACH TRANSFERS SUBTOTAL	
84					
85			\$ 853,526.02	TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)	
86					
87				BANK TRANSFERS:	
88	UB	5/18	\$ 150,000.00	Transfer Funds from UB Money Market to UB Checking	
89	UB	5/26	\$ 100,000.00	Transfer Funds from UB Money Market to UB Checking	
90	UB	5/27	\$ 1,500,000.00	Transfer Funds from UB Money Market to UB Checking	
91	UB	5/31	\$ 1,000,000.00	Transfer Funds from Union Bank Checking to LAIF	
92			\$ 2,750,000.00	BANK TRANSFERS	

A motion was made by Director C. Nguyen, seconded by President A. Nguyen, to approve the expenditures in the amount of \$ 853,526.02. The motion was approved by the following 4-0 roll call vote:

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

REPORTS

Report of President

None

Report of General Manager

GM K. Robbins reported that the District received a grant from CalRecycle in the amount of \$141,153.00 which will go towards residential carts, kitchen pails and District promotions.

GM K. Robbins reminded the Board of the Clean Up event at Bolsa Chica Park on Saturday, June 18, 2022

GM K. Robbins stated that, to date, the District received twelve (12) protests against the District's upcoming rate increase.

Report from Orange County Sanitation District Meeting on May 25, 2022

President A. Nguyen reported that Chad Wanke from the City of Placentia was appointed OCSD's new chairman and that the project on Westminster Blvd. was 75% complete and should be finished in 3-4 weeks.

Report from City of Westminster Public Works Open House on May 18, 2022

Directors S. Contreras and C. Nguyen attended and stated that the event was well organized and thanked staff for their support and attendance at the event.

Report from the VNCR Outreach on May 24, 2022

Directors S. Contreras and M. Nguyen along with Mike Carey from CR&R attended and spoke regarding signing up for the organics program, the June 18 clean up event, the District's mattress and bulky programs, and stated that CR&R is contributing toward the cost of some of the radio shows.

Report from the Employee Luncheon on May 25, 2022

Directors M. Nguyen, S. Contreras, T. Diep and President A. Nguyen attended the District's annual Memorial Day luncheon.

Report from the Radio Bolsa Outreach on May 26, 2022

Director C. Nguyen reported that there was a 20-minute recording done that was aired twice.

President A. Nguyen stated that the programs are useful to inform residents and businesses within the District of SB1383 and other District outreach programs.

Report from the Outreach Committee Meeting on June 1, 2022

Directors C. Nguyen and T. Diep, Finance/HR Director R. Housley and Admin. Secretary, C. Olsder met to review the June schedule for radio outreach, preliminary planning for an Open House in late August to promote SB1383, and to have CR&R contribute to the cost of radio outreach done by the District.

CONSENT CALENDAR

(Roll Call Vote)

- A. Approve a Lump Sum Payment to CalPERS to Prepay the 2022-2023 Employers Annual Required Unfunded Liability Payment in the Amount of \$16,907.00
- B. Approve the Travel and Expense Claims Forms for Reimbursement to Director Chi Charlie Nguyen for Attendance to the 2021 CSDA Conference and 2021 Waste Expo
- C. Approval of \$500,000 to the District's CEPPT Trust Account and Authorize the Director of Finance and Human Resources to Execute the Transactions

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

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

NAYS:

ABSTAIN:

ABSENT: T. Diep

OLD BUSINESS

None

NEW BUSINESS

- A. Approval of Change Order No. 4 from Rengel Architects to Rebid New Office Building, New Archive Building, Locker Rooms, and Solar Equipment at the Midway city Sanitary District, Westminster, CA *(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 C. Nguyen, seconded by President A. Nguyen, to approve Change Order #4 from Rengel Architects to rebid the District's new office building, archive building, locker rooms and solar equipment in the amount of \$10,750. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: T. Diep

Director T. Diep arrived at the meeting at 6:04 PM.

B. Approval of Continued Lift Station Maintenance and Agreement to PumpMan for Fiscal Years 2022-2023
(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 C. Nguyen, seconded by Director S. Contreras, to approve staff recommendation and waive the pre-bid process and award the contract and continued lift station maintenance and agreement to PumpMan for fiscal years 2022-2023. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

C. Approval A Language Services Agreement with Interpreters Unlimited for Translation Services
(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 S. Contreras, seconded by President A. Nguyen, to approve staff recommendation and approve a language services agreement with Interpreters Unlimited for translation services for the District and authorize the General Manager to take any and all actions necessary to enter into contract and execute the agreement. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

D. Consider Approval of the Outreach Committee Recommendations **(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 C. Nguyen, seconded by President A. Nguyen, to approve the Outreach Committee recommendations for June, as presented. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

E. RESOLUTION NO. 2022-14

(Roll Call Vote)

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

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 adoption of Resolution No. 2022-14. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

INFORMATIONAL ITEMS

A. Special District Risk Management Authority (SDRMA) Letter Re: Bylaw Revisions

B. Phelan Pinon Hills CSD Letter Re: CSDA Seat B – Southern Network Election

Receive and file.

BOARD CONCERNS/COMMENTS

Director C. Nguyen made a correction to the staff report for agenda item 9D - the Outreach Committee.

GM/STAFF CONCERNS/COMMENT

Finance/HR Director R. Housley stated that the third-party administrator (Wex) is in the process of getting the HRA insurance up and running and is set for a start date of July 1, 2022. He stated that some District staff would be attending a celebration of life for Ronny Liddell on Thursday, who was a former employee of the District.

GENERAL COUNSEL CONCERNS/COMMENTS

General Counsel, O. Sandoval stated that he was attending due to a death in the family of his partner, General Counsel, J. Eggart.

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 in memory of General Counsel J. Eggart's brother to Tuesday, June 21, 2022 at 5:30 P.M. at the District office at approximately 6:21 P.M.

Sergio Contreras

Sergio Contreras, Secretary