

**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**

March 1, 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, March 1, 2022 at 5:30 P.M.

BOARD MEMBERS PRESENT:

Tyler Diep (arrived @ 5:34 PM via teleconference)
Sergio Contreras
Chi Charlie Nguyen
Andrew Nguyen
Mark Nguyen

OTHERS AT MEETING:

Ken Robbins, General Manager
Robert Housley, Finance/HR Director
James Eggart, General Counsel
Danielle Gerardo, Executive Board Secretary

PLEDGE AND INVOCATION

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

PUBLIC COMMENTS

None

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF FEB. 15, 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 February 15, 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 THE MINUTES OF THE SPECIAL MEETING OF FEB. 22, 2022
(Roll Call Vote)

A motion was made by Director S. Contreras, seconded by President A. Nguyen, to approve the minutes of the special meeting of February 22, 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 \$ 408,690.85

| # | CK # | Date | AMOUNT | VENDOR CHECKS: | MEMO: |
|----|-------|------|---------------|-------------------------------------|---|
| 1 | 13503 | 2/11 | \$ 8,000.00 | 2T Media, LLC | Entertainment for open house 02/12/2022 |
| 2 | 13504 | 2/11 | \$ 834.00 | Advanced Office | Restock Ricoh MPC3503 Toners- Black, Cyan, Magenta, Yellow |
| 3 | 13505 | 2/11 | \$ 225.00 | Ayala's Car Wash | Fleet wash on 02/08/22 |
| 4 | 13506 | 2/11 | \$ 2,449.13 | Bodyworks Equip. Inc. | Restock filter heads for solid waste trucks |
| 5 | 13507 | 2/11 | \$ 1,683.74 | Chevron Texaco (Wex Bank) | Fuel credit card for Feb 2022 |
| 6 | 13508 | 2/11 | \$ 691.76 | Cintas Corporation | Employee uniform services for 02/11/22 |
| 7 | 13509 | 2/11 | \$ 170.46 | City of Westminster-Water Billing | District Offices 12/15/21 - 02/08/22 |
| 8 | 13510 | 2/11 | \$ 250.00 | Country City Towing | Tow service for NG2 |
| 9 | 13511 | 2/11 | \$ 3,350.62 | Daniels Tire Service | Restock tires for solid waste |
| 10 | 13512 | 2/11 | \$ 803.09 | Dartco Transmission Sales & Srvs. | Restock transmission filter for solid waste trucks |
| 11 | 13513 | 2/11 | \$ 153.22 | Driveshaftpro | Restock drive-shaft for solid waste trucks |
| 12 | 13514 | 2/11 | \$ 3,295.69 | HB Staffing | 01/24 - 02/06/22 Temp Services |
| 13 | 13515 | 2/11 | \$ 735.87 | Huntington Beach Ford | Gasket and filter for G2 service truck |
| 14 | 13516 | 2/11 | \$ 804.23 | Merchants Building Maintenance, LLC | Monthly janitorial service Feb-2022 |
| 15 | 13517 | 2/11 | \$ 2,316.34 | NVB Equipment, Inc. | A/C service NG-7 for solid waste truck |
| 16 | 13518 | 2/11 | \$ 10,998.50 | Pumpman | Pump system planned maintenance 07/01/21 to 07/01/22 |
| 17 | 13519 | 2/11 | \$ 119.00 | Remington Pure | Water filtration service |
| 18 | 13520 | 2/11 | \$ 25,717.69 | Remgel + Company Architects, Inc | Building Project: reproductions/plotting |
| 19 | 13521 | 2/11 | \$ 4,066.62 | SDRMA - Employee Benefits | Dental and Vision benefits Mar-2022 |
| 20 | 13522 | 2/11 | \$ 1,083.82 | SoCal Auto & Truck Parts, Inc. | Replacement trans filter, main seal, ATF for M-5 for Shop vehicle |
| 21 | 13523 | 2/11 | \$ 13,109.41 | SoCalGas | Restock hydraulic hose and fittings for solid waste trucks |
| 22 | 13524 | 2/11 | \$ 4,629.64 | US Bank Corporate | District credit cards |
| 23 | 13525 | 2/14 | \$ 209.33 | Los Angeles Freightliner | Misc. and tax short paid - repairs to NG-1 relay module |
| 24 | 13526 | 2/14 | \$ 22,677.96 | Orange County Sanitation District | Permit fees Jan-2022 |
| 25 | 13527 | 2/15 | \$ 413.20 | AT&T Mobility (First Net) | Cell phone fees |
| 26 | 13528 | 2/15 | \$ 170,880.49 | CR Transfer, Inc. | Tonnage from 01/01 - 01/31/22 |
| 27 | 13529 | 2/15 | \$ 161.37 | SoCalGas | District Offices Feb-2022 |
| 28 | 13530 | 2/15 | \$ 1,349.00 | Spectrum Enterprise | Internet service from 02/09-03/08/22 |
| 29 | 13531 | 2/22 | \$ 141.96 | Mark Nguyen | TET Parade reimbursement for car rental |
| 30 | 13532 | 2/22 | \$ 95.00 | Asbury Environmental Services | (500) Gallons Used Oil/Mixed Pick Up |
| 31 | 13533 | 2/22 | \$ 397.98 | AT&T (Brookhurst Lift Station) | Brookhurst Feb 2022 |
| 32 | 13534 | 2/22 | \$ 490.00 | Ayala's Car Wash | Fleet wash on 02/14/22 |
| 33 | 13535 | 2/22 | \$ 331.36 | Cintas Corporation | Employee uniform services for 02/22/22 |
| 34 | 13536 | 2/22 | \$ 84.94 | City of Westminster Hydrant | Hydrant water service Feb-2022 |
| 35 | 13537 | 2/22 | \$ 291.03 | Daniels Tire Service | Restock tires for solid waste |

| | | | | | | |
|----|-------|------|----|------------|--|--|
| 36 | 13538 | 2/22 | \$ | 1,188.00 | ehs International, Inc | CPR/First Aid/AED Training (12) |
| 37 | 13539 | 2/22 | \$ | 1,674.00 | HB Staffing | 02/07 - 02/13/22 Temp Services |
| 38 | 13540 | 2/22 | \$ | 350.00 | Memorial Care Medical Foundation | Pre-employment drug test and DMV physical for CDL |
| 39 | 13541 | 2/22 | \$ | 1,176.00 | Rutan & Tucker, LLP | Legal services Jan 2022 |
| 40 | 13542 | 2/22 | \$ | 56.30 | Underground Service Alert | New tickets & monthly fees for Nov and Dec 2021 |
| 41 | 13543 | 2/22 | \$ | 1,400.00 | Viet Link Radio | 30 Minute Radio Talk Show (AM1480) 01/28, 01/31, 02/04 & 02/09/22 |
| 42 | 13544 | 2/22 | \$ | 16,149.60 | Woodruff, Spradlin & Smart | Legal Services Jan-2022 |
| 43 | 13545 | 2/23 | \$ | 722.06 | NVB Equipment, Inc. | A/C repairs for solid waste truck |
| 44 | 13546 | 2/23 | \$ | 2,000.00 | Radio Bolsa Corp. | (4) 30 Minute talk shows on KVNR-AM 1480 |
| 45 | 13547 | 2/23 | \$ | 5,138.90 | Southern California Edison | District Offices, CNG station and Lift stations |
| 46 | 13548 | 2/23 | \$ | 1,257.45 | Standard Insurance Company Life | Life Insurance & AD&D Premium |
| 47 | 13549 | 2/25 | \$ | 33.90 | LegalShield | Prepaid legal Feb-2022 |
| 48 | | | \$ | 314,157.66 | CHECKS SUBTOTAL | |
| 49 | | | | | | |
| 50 | | | | | <u>PAYROLL:</u> | MEMO |
| 51 | ACH | 2/23 | \$ | 73,279.09 | Paychex | Employee Payroll - Checks, Taxes, & Direct Deposits |
| 52 | ACH | 2/23 | \$ | 6,178.19 | Nationwide Retirement Solutions | 457 Deferred Compensation (100% paid by employees) |
| 53 | | | \$ | 79,457.28 | ACH TRANSFERS SUBTOTAL | |
| 54 | | | | | | |
| 55 | | | | | <u>ACH PAYMENTS:</u> | MEMO |
| 56 | ACH | 2/22 | \$ | 296.19 | Paychex | Time & Attendance Feb-2022 |
| 57 | ACH | 2/22 | \$ | 15,075.91 | CalPERS | Retirement Contributions for 02/07 - 02/20/22 |
| 74 | ACH | 3/1 | \$ | 59,045.72 | CalPERS | Active Employee and Retiree Health Ins Premiums Mar-2022 |
| 75 | ACH | 3/1 | \$ | 6,385.14 | CalPERS | Board of Directors Health Insurance Premiums for Mar-2022 |
| 58 | | | \$ | 15,075.91 | ACH TRANSFERS SUBTOTAL | |
| 59 | | | | | | |
| 60 | | | \$ | 408,690.85 | TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS) | |
| 61 | | | | | | |
| 62 | | | | | <u>BANK TRANSFERS:</u> | |
| 63 | UB | 2/22 | \$ | 200,000.00 | Transfer Funds from UB Money Market to UB Checking | |
| 64 | | | \$ | 200,000.00 | BANK TRANSFERS | |

A motion was made by Director C. Nguyen, seconded by Director S. Contreras, to approve the expenditures in the amount of \$408,690.85. 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

President A. Nguyen reported that he attended the funeral for Director M. Nguyen's mother and that it was nice.

Report of General Manager

GM K. Robbins reported that he also attended the funeral service for Director M. Nguyen's mother.

GM K. Robbins reported that the District would be holding its first of five clean-up events at the District on Saturday, March 12, 2022.

Director T. Diep arrived at the meeting via teleconference at 5:34 PM.

GM K. Robbins reported that the District received a complaint regarding the one-day delay in service due to closure on President's Day and that the customer had asked which container would have a delayed pickup.

GM K. Robbins reported that TESCO installed the new SCADA system and that as they were doing it the old one died during installation.

Report from Orange County Sanitation District Meeting on Feb. 23, 2022

President A. Nguyen reported that there was discussion regarding community outreach programs, biosolids and SB 1383 requirements and compliance. He also stated that the project in Westminster would be delayed due to recent weather events.

CONSENT CALENDAR

(Roll Call Vote)

None

OLD BUSINESS

None

NEW BUSINESS

A. Sewer System Master Plan (SSMP) Update

(Roll Call Vote)

A motion was made by Director C. Nguyen, seconded by President A. Nguyen, to approve to receive and file the District's updated Sewer System Master Plan. 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:

B. RESOLUTION NO. 2022-07

(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 motion was made by Director S. Contreras, seconded by President A. Nguyen, to approve adoption of Resolution No. 2022-07. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ASTAIN:

ABSENT:

INFORMATIONAL ITEMS

A. CalPERS Names Nicole Musicco New Chief Investment Officer

Receive and file.

BOARD CONCERNS/COMMENTS

Director M. Nguyen thanked everyone who attended his mother's funeral service and for the flowers sent from the District.

Director S. Contreras asked when the Outreach Committee would be meeting again and stated that he has been requesting that Spectrum be looked into for outreach for the District. He asked that Staff bring back some options for the Board to consider on this matter.

GM/STAFF CONCERNS/COMMENT

Finance/HR Director R. Housley stated that he, GM K. Robbins and Daveta Kelley met with Shuster Advisory Group for a quarterly review and discussion of the District's 457 plan, its costs, and to inquire how the District could bring down its fees. He also stated that with regards to the pandemic, everything seemed to be opening up and that there were no staffing issues at District at this time and the sick leave that became available is retro to January 1, 2022 and is being worked out.

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, March 15, 2022 at 5:30 P.M. at the District office at approximately 5:48 P.M.

Sergio Contreras
Sergio Contreras, Secretary