

**MINUTES OF THE SPECIAL 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 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.

February 2, 2021

CALL TO ORDER

President A. Nguyen called the special teleconference meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Tuesday, February 2, 2021 at 5:04 P.M.

BOARD MEMBERS PRESENT:

Margie L. Rice (via teleconference)
Tyler Diep (via teleconference - arrived @ 5:09 PM)
Sergio Contreras (via teleconference)
Chi Charlie Nguyen (via teleconference)
Andrew Nguyen (via teleconference)

OTHERS AT MEETING:

Kenneth Robbins, General Manager
James Eggart, General Counsel (via teleconference)
Danielle Gerardo, Board Secretary
Gregory Karapoulous, CR&R (via teleconference)

PLEDGE AND INVOCATION

President A. Nguyen led the Pledge of Allegiance and gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF JAN. 19, 2021 (Roll Call Vote)

A motion was made by Director C. Nguyen, seconded by President A. Nguyen, to approve the minutes of the special meeting of January 19, 2021. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: T. Diep

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 185,302.49 (Roll Call Vote)

| # | CK # | Date | AMOUNT | VENDOR | MEMO |
|----|-------|------|--------------|--|---|
| 1 | | | | CHECKS: | |
| 2 | 12387 | 1/15 | \$ 99.67 | AT&T Mobility | Cell Phone Service for January 2021 |
| 3 | 12388 | 1/15 | \$ 390.00 | Ayala's Car Wash | Fleet wash 1/14 |
| 4 | 12389 | 1/15 | \$ 265.62 | Cintas | Uniform Services for 1/14 |
| 5 | 12390 | 1/15 | \$ 135.32 | SoCalGas | District offices, mechanics shop, and wash rack for December 2020 |
| 6 | 12391 | 1/15 | \$ 67.22 | Hillco Fastener Warehouse Inc | Restock hose clamp and grad locknuts |
| 7 | 12392 | 1/15 | \$ 1,000.95 | NVB Equipment, Inc | NG-8 A/C repairs |
| 8 | 12393 | 1/15 | \$ 119.00 | Remington Pure | January 2021 Water Filtration & Fountain |
| 9 | 12394 | 1/15 | \$ 833.00 | Rutan & Tucker, LLP | Professional Legal Services for December 2020 |
| 10 | 12395 | 1/15 | \$ 82.43 | TrucPar Company | Authorized for Gus Carrera work boot reimbursment for 2021 (\$66.33) |
| 11 | | | | TrucPar Company | Restock coupler plugs for Solid Waste trucks (\$16.10) |
| 12 | 12396 | 1/15 | \$ 1,908.29 | Verizon | Internet Connection for January 2021 |
| 13 | 12397 | 1/22 | \$ 78.47 | Advanced Gas Products | Restock argon for shop |
| 14 | 12398 | 1/22 | \$ 660.00 | Ayala's Car Wash | Fleet wash 1/18 |
| 15 | 12399 | 1/22 | \$ 3,210.62 | Bodyworks Equipment, Inc | Restock Heil parts for Solid Waste trucks |
| 16 | 12400 | 1/22 | \$ 265.62 | Cintas | Uniform Services for 1/21 |
| 17 | 12401 | 1/22 | \$ 160.10 | City of Westminster | District offices and wash rack 11/18/20-01/12/21 |
| 18 | 12402 | 1/22 | \$ 56.23 | City of Westminster | Hydrant Water Service for January 2021 |
| 19 | 12403 | 1/22 | \$ 4,020.40 | Daniel's Tire Service | (14) Restock tires for fleet & tire repairs |
| 20 | 12404 | 1/22 | \$ 522.80 | Hedman | Signature plate for Accounts Payable check signing machine |
| 21 | 12405 | 1/22 | \$ 67.80 | LegalShield | Legalshield/ID Svcs. January 2021 |
| 22 | 12406 | 1/22 | \$ 100.00 | MemorialCare Medical Foundatio | DMV Physical 12/10/20 |
| 23 | 12407 | 1/22 | \$ 250.22 | Pitney Bowes/Purchase Power | Ink Cartridge Refill for Postage Machine December 2020 |
| 24 | 12408 | 1/22 | \$ 5,288.30 | Reliable Monitoring Services | Replace & service work to 2 Honeywell Gas detection sensors on 12/29/20 |
| 25 | 12409 | 1/22 | \$ 3,322.54 | Rosemead Oil Products, Inc | Restock hydraulic, motor oil and transmission fluid for fleet |
| 26 | 12410 | 1/22 | \$ 950.00 | So. Cal Arborists | Trimming (11) Queen Palms, (6) King Palms, (6) DIF Palms, (10) Bushes & Haul ALL Debris |
| 27 | 12411 | 1/22 | \$ 341.13 | TEC of California, Inc | Flashers for NG-15, radiator clamps & hose for NG-3 |
| 28 | 12412 | 1/22 | \$ 97.24 | TrucPar Company | Restock heater hose for Solid Waste trucks |
| 29 | 12413 | 1/26 | \$ 45.29 | Advanced Gas Products | Restock welding materials for Solid Waste trucks |
| 30 | 12414 | 1/26 | \$ 326.74 | AT&T | Brookhurst Lift Station January 2021 |
| 31 | 12415 | 1/26 | \$ 840.00 | Ayala's Car Wash | Fleet wash 1/21, 1/25 |
| 32 | 12416 | 1/26 | \$ 771.99 | Dartco Transmission Sales & Svcs. | Restock transmission filter kits for Solid Waste trucks |
| 33 | 12417 | 1/26 | \$ 1,191.13 | Frontier Communications | District Office Phones & Lift Stations for January 2021 |
| 34 | 12418 | 1/26 | \$ 74.31 | Time Warner Cable | Television service January 2021 |
| 35 | 12419 | 1/26 | \$ 1,211.36 | Standard Insurance Company | Life Insurance & AD&D Premium Coverage for February 2021 |
| 36 | 12420 | 1/26 | \$ 892.30 | TEC of California, Inc | Restock filters and brake shoe kits, alternator for NG-3 and replacement starter for NG-2 |
| 37 | | | | TEC of California, Inc | Credit for Core Return (\$98.91) |
| 38 | 12421 | 1/26 | \$ 4,087.50 | Woodruff, Spradlin & Smart | General Counsel Legal Services for December 2020 |
| 39 | | | | CHECKS SUBTOTAL | |
| 40 | | | \$ 33,733.59 | | |

| | | | | | |
|----|-----|------|---------------|---|---|
| 41 | | | | PAYROLL | |
| 42 | ACH | 1/26 | \$ 71,906.25 | Paychex | Employee Payroll - Checks, Taxes, & Direct Deposits |
| 43 | ACH | 1/26 | \$ 4,280.00 | Nationwide Retirement Solutions | 457 Deferred Compensation (100% paid by employees) |
| 44 | ACH | 1/26 | \$ 560.00 | Nationwide Retirement Solutions | 457 Roth (100% paid by employees) |
| 45 | | | \$ 76,746.25 | ACH TRANSFERS SUBTOTAL | |
| 46 | | | | | |
| 47 | | | | ACH PAYMENTS | |
| 48 | ACH | 1/26 | \$ 16,072.32 | CalPERS | Retirement Contributions for 01/11/21-01/24/21 |
| 49 | ACH | 2/1 | \$ 3,817.97 | CalPERS | Board of Directors Health Insurance Premiums for February 2021 |
| 50 | ACH | 2/1 | \$ 54,932.36 | CalPERS | Active Employee and Retiree Health Ins Premiums for February 2021 |
| 51 | | | \$ 74,822.65 | ACH TRANSFERS SUBTOTAL | |
| 52 | | | | | |
| 53 | | | \$ 185,302.49 | TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS) | |
| 54 | | | | | |
| 55 | | | | BANK TRANSFERS | |
| 56 | UB | 1/19 | \$267,000.00 | Transfer Funds from UB Money Market to UB Checking Account | |

A motion was made by Director M. Rice, seconded by Director C. Nguyen, to approve the expenditures in the amount of \$ 185,302.49. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: T. Diep

Director T. Diep arrived at the meeting at 5:09 P.M.

REPORTS

Report of President

President A. Nguyen reported that he participated in the virtual ISDOC quarterly meeting on Thursday, January 28, 2021 which he found very interesting. Sheriff Don Barnes spoke regarding the COVID-19 pandemic and the possible release of 1,800 inmates.

Directors S. Contreras, T. Diep, M. Rice and C. Nguyen reported that they also enjoyed the meeting and found it to be interesting and informative.

Report of General Manager

GM K. Robbins reported that the City of Westminster planning department had responded to his inquiries regarding the District's building project and stated that they are planning to have approval at the end of the week and that it would go to the building department for plan check review next.

GM K. Robbins reported that solid waste driver and District employee, Raul Jimenez would be retiring at the end of February so he was planning a COVID-style retirement luncheon for him at the District on Wednesday, February 17 at noon.

GM K. Robbins stated that SB 1383 would be official in 2021 and its many regulations are unclear so he will be consulting with General Counsel J. Eggart in order to keep the

District compliant. He stated that an updated ordinance would be coming before the Board later in the summer in order to strengthen the language within the current ordinance.

Report from the Orange County Sanitation District (OCSD) Meeting on January 27, 2021

Director A. Nguyen reported that OCSD still has three (3) employees with COVID-19. The new administration buildings' estimated cost is around \$129 million and he was appointed to OCSD's legislative committee. He stated that on Thursday, February 4, 2021 there would be an orientation for new and alternate Directors and that he had forwarded the information to Director S. Contreras regarding that event since he is the alternate representative for the District.

Report from CR&R – 4th Quarter 2020 Tonnage Report

Gregory Karapoulous from CR&R gave the Board an update on the status of SB 1383 and the new requirements it will set forth for the District and CR&R and he went over a diversion report for the 4th quarter of 2020, which shows an uptick compared to the second and third quarters of 2020 due to the impacts of COVID-19.

CONSENT CALENDAR

A. Receive and File the California Employer's Retiree Benefit Trust (CERBT) Program Financial Statement for the Quarter Ended December 31, 2020

B. Receive and File the California Employer's Pension Prefunding Trust (CEPPT) Program Financial Statement for the Quarter Ended December 31, 2020

(Roll Call Vote)

A motion was made by Director M. Rice, seconded by Director T. Diep, to approve the Consent Calendar. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

OLD BUSINESS

None

NEW BUSINESS

A. Consider Approval of Supervisory Control and Data Acquisition (SCADA) Remote Lift Station Network Upgrades *(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 M. Rice, seconded by Director T. Diep, to approve TESCO Controls to upgrade the District's SCADA remote lift station network in the amount of \$49,550.00, and waive the formal bid process. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

B. Discuss and Consider Multi-Language Outreach including Media, SB1383 Publication and Recycling Mailer for February 2021 *(Roll Call Vote)*

Director T. Diep recused himself from this item due to a conflict of interest.

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 S. Contreras to approve the multi-language outreach including media, SB 1383 publication and recycling mailer for February 2021. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

C. Discussion and Consideration of Approval of Radio Outreach to the Vietnamese Community *(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 M. Rice, to approve radio outreach to the Vietnamese community and direct Director T. Diep to assist President A. Nguyen in order to advise staff of a date and time for the meeting in order for staff to post an agenda. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

D. Discussion and Consideration of Directors Having a District Email Address and Calendar for District Events
(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 of the Directors having a District email address and calendar for District events. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

E. Approve Budget Calendar for Fiscal Year 2021-2022 (July 1, 2021 through June 30, 2022)
(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 M. Rice, to approve the budget calendar for fiscal year 2021-2022 (July 1, 2021 through June 30, 2022). The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

F. Discuss and Consider Changing the Midway City Sanitary District's Regularly Scheduled Board Meeting on Tuesday, February 16, 2021 at 5:30 P.M. to a Special Teleconference Meeting at 5 P.M. due to the COVID-19 Pandemic
(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 M. Rice, seconded by President A. Nguyen to approve changing the District's regularly scheduled Board meeting on Tuesday, February 16, 2021 at 5:30 PM to a special teleconference meeting at 5 PM due to the COVID-19 pandemic. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

INFORMATIONAL ITEMS

A. CSDA Board of Directors Call for Nominations – Seat A

Receive and file.

BOARD CONCERNS/COMMENTS

Director C. Nguyen thanked General Counsel J. Eggart for the sympathy card he sent to his family.

GM/STAFF CONCERNS/COMMENT

GM K. Robbins stated that he is trying to set dates for District clean-up events in 2021 but continues to juggle dates due to the pandemic. He stated that the Waste Expo has been moved again from April 2021 to June 2021. He stated that he would like to schedule a big cleanup during the District's rebuild, but that there are logistical issues to consider. GM K. Robbins stated that there is currently one District employee out with COVID-19 and another coming back this week.

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, February 16, 2021 at 5:00 P.M. at the District office at approximately 5:57 P.M.

Sergio Contreras
Sergio Contreras, Secretary