

**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 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.**

**September 1, 2020**

**CALL TO ORDER**

President C. 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, September 1, 2020 at 5:00 P.M.

**BOARD MEMBERS PRESENT:**

Margie L. Rice (via teleconference)  
Andrew Nguyen (via teleconference)  
Sergio Contreras (via teleconference)  
Chi Charlie Nguyen (via teleconference)

**OTHERS AT MEETING:**

Kenneth Robbins, General Manager (absent)  
Robert Housley, Acting GM/Finance/HR Director  
James Eggart, General Counsel (via teleconference)  
Danielle Gerardo, Board Secretary

**PLEDGE AND INVOCATION**

Director S. Contreras led the Pledge of Allegiance. Director M. Rice gave the Invocation.

## PUBLIC COMMENTS

None

## APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF AUGUST 18, 2020 (Roll Call Vote)

A motion was made by Director A. Nguyen, seconded by Director M. Rice, to approve the minutes of the special meeting of August 18, 2020. 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:

## APPROVAL OF EXPENDITURES

### A. Demands in the amount of \$ 433,181.90 (Roll Call Vote)

#	CK #	Date	AMOUNT	VENDOR	MEMO
1				<b>CHECKS:</b>	
2	11687	8/19	\$ 243.73	<b>Advanced Gas Products</b>	Restock welding supplies for shop
3	11688	8/19	\$ 102.09	<b>AT&amp;T Mobility</b>	Cell Phone Service for August 2020
4	11689	8/19	\$ 1,435.00	<b>Ayala's Car Wash</b>	Fleet wash 8/10, 8/13, 8/17
5	11690	8/19	\$ 4,765.13	<b>Bodyworks Equipment, Inc</b>	Restock hell parts for Solid Waste trucks
6	11691	8/19	\$ 261.41	<b>Cintas</b>	Uniform Services for 8/13
7	11692	8/19	\$ 56.23	<b>City of Westminster</b>	Hydrant Water Service for August 2020
8	11693	8/19	\$ 137,327.77	<b>CR Transfer</b>	Solid Waste, Recycle & Organics Tonnage Fees 7/15/20 - 7/31/20
9	11694	8/19	\$ 4,112.43	<b>Daniel's Tire Service</b>	(7) Restock recap tires & (6) restock new tires for Solid Waste trucks
10	11695	8/19	\$ 50.09	<b>SoCal Gas</b>	District Offices Usage Fees for July 2020
11	11696	8/19	\$ 76.08	<b>Hilco Fastener Warehouse, Inc</b>	Restock locknuts, washers and bolts for Solid Waste trucks
12	11697	8/19	\$ 150.00	<b>Purchase Power</b>	Postage for Postage Machine July 2020
13	11698	8/19	\$ 4,884.81	<b>SDRMA</b>	Annual Workers' Compensation Reconciliation Invoice
14	11699	8/19	\$ 115.71	<b>Tell Steel</b>	Restock steel material for shop use
15	11700	8/19	\$ 65.02	<b>TrucParCo</b>	Restock hydraulic fittings Solid Waste trucks, lubrication supplies for shop
16	11701	8/19	\$ 486.59	<b>TEC of California, Inc</b>	Replacement front fender for NG-2, alternator & batteries for NG-3
17				<b>TEC of California, Inc</b>	(2) Credits for Core Return & alternator return (\$258.89)
18	11702	8/25	\$ 59.50	<b>Advanced Workplace Strategies</b>	Random drug test & collection for Sewer Maintenance dept
19	11703	8/25	\$ 323.45	<b>AT&amp;T</b>	Brookhurst Lift Station August 2020
20	11704	8/25	\$ 345.00	<b>Ayala's Car Wash</b>	Fleet wash 8/20
21	11705	8/25	\$ 261.41	<b>Cintas</b>	Uniform Services for 8/20
22	11706	8/25	\$ 35.09	<b>City of Westminster</b>	Hydrant Water Service for August 2020
23	11707	8/25	\$ 110,688.06	<b>CR Transfer</b>	Solid Waste, Recycle, Organics Tonnage Fees 8/01/20 - 8/15/20
24	11708	8/25	\$ 75.00	<b>CRC Cloud</b>	Domain renewal of MCSD website 8/12/20-8/12/25
25	11709	8/25	\$ 771.99	<b>Dartco Transmission</b>	Restock transmission filters for Solid Waste trucks
26	11710	8/25	\$ 1,157.98	<b>Frontier Communications</b>	District Office Phones & Lift Stations for August 2020
27	11711	8/25	\$ 67.80	<b>LegalShield</b>	Legalshield/ID Svcs. August 2020
28	11712	8/25	\$ 150.00	<b>Purchase Power</b>	Postage for Postage Machine August 2020
29	11713	8/25	\$ 6,750.00	<b>SCI Consulting Group</b>	Sanitary Sewer Service/Solid Waste Fee: Annual Admin FY 2020-21
30	11714	8/25	\$ 345.21	<b>SoCal Auto &amp; Truck Parts, Inc</b>	Restock tailgate hose for Solice Waste trucks
31	11715	8/25	\$ 75.01	<b>Time Warner Cable</b>	Television service August 2020
32	11716	8/25	\$ 2,096.06	<b>TEC of California, Inc</b>	Restock batteries, gaskets, seals and filters for Solid Waste trucks
33				<b>TEC of California, Inc</b>	(1) Credit for Core Return (\$88.70)
34	11717	8/25	\$ 822.15	<b>Tell Steel</b>	Restock floor/hopper area material for Solid Waste trucks
35	11718	8/25	\$ 185.54	<b>TrucPar Company</b>	Restock clamps & mirrors for Solid Waste; brake cleaner for shop use
36	11719	8/25	\$ 5,025.52	<b>Woodruff, Spradlin &amp; Smart</b>	Legal Services for July 2020
37			\$ 283,366.86	<b>CHECKS SUBTOTAL</b>	
38					

38					
39				<b>PAYROLL</b>	
40	ACH	8/25	\$ 73,111.22	<b>Paychex</b>	Employee Payroll - Checks, Taxes, & Direct Deposits
41	ACH	8/26	\$ 3,368.54	<b>Nationwide Retirement Solutions</b>	457 Deferred Compensation (100% Paid By Employees)
42	ACH	8/26	\$ 560.00	<b>Nationwide Retirement Solutions</b>	457 Roth (100% Paid By Employees)
43			\$ 77,039.76	<b>ACH TRANSFERS SUBTOTAL</b>	
44					
46					
47				<b>ACH PAYMENTS</b>	
48	ACH	8/25	\$ 15,698.02	<b>CalPERS</b>	Retirement Contributions for 8/10/2020-08/23/2020
49	ACH	9/1	\$ 53,471.60	<b>CalPERS</b>	Active Employee and Retiree Health Ins Premiums for September 2020
50	ACH	9/1	\$ 3,605.66	<b>CalPERS</b>	Board of Directors Health Insurance Premiums for September 2020
51			\$ 72,775.28	<b>ACH TRANSFERS SUBTOTAL</b>	
52					
53			\$433,181.90	<b>TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)</b>	
54					
55				<b>BANK TRANSFERS</b>	
56	UB	8/25	\$200,000.00	<b>Transfer Funds from UB Money Market Account to UB Checking Account</b>	

A motion was made by Director M. Rice, seconded by Director A. Nguyen, to approve the expenditures in the amount of \$433,181.90. 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:

## REPORTS

### Report of President

None

### Report of Acting General Manager (Finance/HR Director R. Housley)

Acting GM R. Housley reported that GM K. Robbins was out on vacation and would be returning on Wednesday, September 9, 2020 instead of Tuesday, September 8, 2020. He is currently in Louisiana helping with the hurricane relief.

Acting GM R. Housley gave an update of the District's annual independent audit. He stated that it is ongoing and that they have concluded most of the fieldwork and is currently with the partners for review. The District will be provided with drafts and then it will be presented to the Board.

Acting GM R. Housley reported that the architect for Item 9A on today's agenda was already scheduled, per the timeline in the agreement, to do a survey and soil samples at the District.

Acting GM R. Housley reported that the District's new CNG bulky truck has gone back to the manufacturer for a new engine, as previously reported, and that it was all under warranty. Director of Operations N. Castro rented a stake-bed truck to help with the bulkies in the meantime.

Acting GM R. Housley reported that NG3 had a truck fire two weeks ago and that the driver was able to offload it in the District yard with no damage to the truck. The cause of the fire is unknown. The fire suppression system that the District was trying out as a pilot program was on this truck and did not work as expected.

Acting GM R. Housley reminded the Board that the temporary agreement with CR&R expired on August 31, 2020 and that the District is still taking loads to the CRT location on Knott. Dean Ruffridge from CR&R contacted the District to say that a 5-day characterization study is currently being performed on the District's recyclables due to low recyclables in the stream and that some loads were actually rejected due to high amounts of trash contamination. CR&R will present the data to the District once the study is done.

### **Report from the Orange County Sanitation District (OCSD) Meeting on Aug. 26, 2020**

Director A. Nguyen reported that OCSD recognized two long-standing employees and expenditures were paid. There are no new cases of COVID-19, everyone is back to work and construction of the new office building across the street has started.

### **CONSENT CALENDAR**

*(Roll Call Vote)*

- A. Receive and File the California Employers' Retiree Benefit Trust (CERBT) Program Financial Statement for the Fourth Quarter Ended June 30, 2020
- B. Receive and File the California Employers' Pension Prefunding Trust (CEPPT) Program Financial Statement for the Fourth Quarter Ended June 30, 2020
- C. Approve Removal of 2,421 Fully Depreciated Refuse Containers from the District's Assets List in the Amount of \$115,289.62

A motion was made by Director M. Rice, seconded by Director 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 and M. Rice

NAYS:

ABSTAIN:

ABSENT:

### **OLD BUSINESS**

None

## **NEW BUSINESS**

A. Approval of Public Service Agreement with Rengel & Company Architects for Architectural, Engineering and Construction Support for 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 President C. Nguyen, seconded by Director A. Nguyen, to approve staff recommendation to approve the public service agreement with Rengel & Company Architects in the amount of \$243,100.00 and authorize the General Manager to sign the agreement. 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:

B. Consider Approval of the Request for Proposal (RFP) for a Consultant to Prepare a Cost of Service Rate Study to Evaluate and Provide Recommendations Regarding the District's Fees and Rate Structures for Sewer Services and Residential Solid Waste 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 President C. Nguyen, seconded by Director M. Rice, to approve staff recommendation to approve the request for proposal for a cost of services study for residential and commercial sewer services and a cost of services study for residential solid waste services. 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. Discuss and Consider Changing the Midway City Sanitary District's Regularly Scheduled Board Meeting On Tuesday, September 15, 2020 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 President C. Nguyen, seconded by Director M. Rice, to approve changing the MCSD regularly scheduled meeting on Tuesday, September 15, 2020 at 5:30 P.M. to a special teleconference meeting at 5 P.M. 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:

**INFORMATIONAL ITEMS**

None

**BOARD CONCERNS/COMMENTS**

The Board of Directors thanked Acting GM R. Housley for standing in for GM K. Robbins and doing such a good job.

**GM/STAFF CONCERNS/COMMENT**

Acting GM R. Housley thanked the Board for their support.

**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 C. Nguyen adjourned the meeting to Tuesday, September 15, 2020 at 5:00 P.M. at the District office at approximately 5:25 P.M.

Sergio Contreras  
Sergio Contreras, Secretary