

**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**

April 18, 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 Avenue, Westminster, California on Tuesday, April 18, 2023 at 5:37 PM.

BOARD MEMBERS PRESENT:

Tyler Diep
Andrew Nguyen
Chi Charlie Nguyen
Sergio Contreras
Mark Nguyen

STAFF PRESENT:

Robert Housley, General Manager
Cynthia Olsder, Executive/Board Secretary
Milo Ebrahimi, District Engineer

OTHERS PRESENT:

James Eggart, Legal Counsel

PLEDGE AND INVOCATION

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

PUBLIC COMMENTS

Ms. Farnaz Rahimi addressed the Board regarding Mike Parker and Yousef Alinaghian from CRC Cloud, the company that provides IT support for the District.

A motion was made by Director C. Nguyen, seconded by Director S. Contreras, to grant Ms. Rahimi an extra two minutes to complete her comment. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF APRIL 4, 2023

A motion was made by Director A. Nguyen, seconded by Director M. Nguyen, to approve the minutes of the Regular Meeting of April 4, 2023. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$500,061.28

| # | CK # | DATE | AMOUNT | VENDOR CHECKS: | MEMO: |
|----|-------|------|---------------|---|---|
| 1 | 14510 | 3/30 | 685.55 | Advanced Office | Toner for Ricoh copier |
| 2 | 14511 | 3/30 | 67,604.67 | AKM Consulting Engineers, Inc. | SSMP consultant 01/30-02/24/23 |
| 3 | 14512 | 3/30 | 640.00 | Ayala's Car Wash | Washing and cleaning of district's fleet |
| 4 | 14513 | 3/30 | 4,005.08 | Bodyworks Equip. Inc. | Heil and lift parts for solid waste trucks |
| 5 | 14514 | 3/30 | 174,475.04 | CR Transfer, Inc. | Tonnage fees Feb-2023 |
| 6 | 14515 | 3/30 | 2,110.20 | Cummins Pacific LLC | Engine spark plugs and seals for solid waste trucks |
| 7 | 14516 | 3/30 | 1,035.12 | Daniels Tire Service | Restock tires for solid waste |
| 8 | 14517 | 3/30 | 626.97 | Frontier Communications | District office phones & lift stations |
| 9 | 14518 | 3/30 | 399.64 | Motion and Flow Control Products, Inc. | Hydraulic hoses for solid waste trucks |
| 10 | 14519 | 3/30 | 359.10 | Paychex | Time & attendance Mar-2023 |
| 11 | 14520 | 3/30 | 33.90 | Pre-Paid Legal Services, Inc. | Prepaid legal Mar-2023 |
| 12 | 14521 | 3/30 | 1,611.47 | Raycom (Mobile Relay Assoc.) | 2-Way radio C2B10568 for NG-18 |
| 13 | 14522 | 3/30 | 3,482.87 | Safety-Kleen Systems, Inc. | Transmission oil for solid waste trucks |
| 14 | 14523 | 3/30 | 310.86 | Snap-On Tools | Tools for shop |
| 15 | 14524 | 3/30 | 28.46 | SoCal Auto & Truck Parts, Inc. | Head lamp for NG-16 |
| 16 | 14525 | 3/30 | 9,308.37 | Southern California Edison | District Offices, CNG station, and lift stations |
| 17 | 14526 | 3/30 | 98.02 | Spectrum Enterprise (Time Warner Cable) | Internet Services Mar-2023 |
| 18 | 14527 | 3/30 | 1,349.84 | Standard Insurance Company Life | Life Insurance & AD&D premiums |
| 19 | 14528 | 3/30 | 278.54 | UniFirst Corporation | Employee uniform & laundry services |
| 20 | 14529 | 3/30 | 25.52 | Union Bank (NC) | Wiper blades for solid waste truck |
| 21 | 14530 | 3/31 | 40,221.73 | Ken Grody Ford | 2023 Ford Ranger crewcab XLT pickup truck |
| 22 | 14531 | 4/6 | 930.38 | Advanced Office | Ricoh copier service 04/04/2023 |
| 23 | 14532 | 4/6 | 510.00 | Ayala's Car Wash | Washing and cleaning of district's fleet |
| 24 | 14533 | 4/6 | 1,532.06 | Betts Truck Parts & Service | Walking beam part rear suspension NG-4 |
| 25 | 14534 | 4/6 | 1,419.68 | Bodyworks Equip. Inc. | Hydraulic hose tray kits for solid waste truck |
| 26 | 14535 | 4/6 | 255.92 | Cameron Welding Supply | Welding supplies for shop |
| 27 | 14536 | 4/6 | 37.41 | City of Westminster-Water Billing | Hammon and Westminster lift station water |
| 28 | 14537 | 4/6 | 2,205.03 | Clean Energy | CNG Station site service (2) |
| 29 | 14538 | 4/6 | 1,370.00 | CRC Cloud | Monthly support and reconfigure computer for Engineer |
| 30 | 14539 | 4/6 | 4,762.57 | Daniels Tire Service | Restock tires for solid waste |
| 31 | 14540 | 4/6 | 601.00 | Hillco Fastener Warehouse Inc. | Restock lock nuts and bolts for solid waste |
| 32 | 14541 | 4/6 | 170.00 | MemorialCare Medical Foundation | DMV physicals and random drug testing - all departments |
| 33 | 14542 | 4/6 | 1,255.00 | Odyssey Power Corporation | Generator maintenance (3) |
| 34 | 14543 | 4/6 | 145.46 | PSI | Replace leaking hand gun for wash rack |
| 35 | 14544 | 4/6 | 11,087.00 | Rengel + Company Architects, Inc | Building project management Mar-2023 |
| 36 | 14545 | 4/6 | 1,080.24 | Samsara Inc. | License & GPS/Camera System for NG-18 |
| 37 | 14546 | 4/6 | 274.81 | Snap-On Tools | Tools for shop use |
| 38 | 14547 | 4/6 | 10,802.15 | SoCalGas | Natural Gas for offices, shop, and wash rack |
| 39 | 14548 | 4/6 | 904.29 | Staples Business Credit | Restock office supplies for Mar-2023 |
| 40 | 14549 | 4/6 | 300.00 | Streamline | Website monthly member fee |
| 41 | 14550 | 4/6 | 22,317.39 | TEC Of California, Inc. | Restock parts, supplies, fleet repairs and maintenance |
| 42 | 14551 | 4/6 | 17,180.00 | Tesco Controls, Inc. | SCADA upgrade |
| 43 | 14552 | 4/6 | 24.00 | Underground Service Alert | Underground dig alerts Mar-2023 |
| 44 | 14553 | 4/6 | 277.74 | UniFirst Corporation | Employee uniform & laundry services |
| 45 | | | \$ 388,133.08 | CHECKS SUBTOTAL | |
| 46 | | | | | |
| 47 | | | | PAYROLL: | MEMO |
| 48 | ACH | 4/5 | \$ 81,365.56 | Paychex | Employee Payroll - Checks, Taxes, & Direct Deposits |
| 49 | ACH | 4/7 | \$ 7,939.13 | Paychex | Board of Directors Payroll - Checks, Taxes, & Direct Deposits |
| 50 | ACH | 4/10 | \$ 846.00 | Nationwide Retirement Solutions | 457 Deferred Compensation (Board of Directors) |
| 51 | ACH | 4/10 | \$ 5,605.23 | Nationwide Retirement Solutions | 457 Deferred Compensation (Employees) |
| 52 | | | \$ 95,755.92 | ACH TRANSFERS SUBTOTAL | |
| 53 | | | | | |

| | | | | | |
|----|-----|------|---------------|---|---|
| 53 | | | | | |
| 54 | | | | ACH PAYMENTS: | MEMO |
| 55 | ACH | 3/24 | \$ 72.00 | WEX Health | HRA Monthly Fee for Feb-23 |
| 56 | ACH | 4/5 | \$ 16,100.28 | CalPERS | Retirement Contributions for 03/20 - 04/02/23 |
| 57 | | | \$ 16,172.28 | ACH TRANSFERS SUBTOTAL | |
| 58 | | | | | |
| 59 | | | \$ 500,061.28 | TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS) | |
| 60 | | | | | |
| 61 | | | | BANK TRANSFERS: | |
| 62 | UB | 3/31 | \$ 100,000.00 | Transfer Funds from UB Money Market to UB Checking | |
| 63 | UB | 4/5 | \$ 200,000.00 | Transfer Funds from LAIF to UB Checking | |
| 64 | | | \$ 200,000.00 | BANK TRANSFERS | |

A motion was made by Director S. Contreras, seconded by Director C. Nguyen, to approve the expenditures in the amount of \$500,061.28. The motion was approved by the following 5-0 vote:

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

REPORTS

Report of President:

None

Report of General Manager

GM R. Housley reported that an employee, Robert Rojas, will be acknowledged at the district luncheon for his great customer service. He also added that the field trip to the CR&R Anaerobic Digestion Plant will be pushed out to May and that the request to change the domain name has been submitted and is presently undergoing a 20-day reviewing process.

GM R. Housley provided an update on the recruitment for the position of Director of Finance and Human Resources and the Building Construction Project, and he reported that a written engineer report will be included in the board packet starting in May. Additionally, he gave an update on the trash rate survey that was presented during the Public Budget Workshop/Study Sessions.

GM R. Housley provided an update on the sewer system master plan, noting that it has been nearly ten years since the last update. This item will be presented and included in the budget at the next Public Budget Workshop/Study Sessions.

Report from the Outreach Committee Meeting on April 5, 2023

Director C. Nguyen and Director A. Nguyen met with Staff to go over the radio schedule for May, talk about giveaway goods for promotions, and discuss the ordering of compost for the compost event.

Report from Clean-up Event Meeting at Bowling Green Park on April 8, 2023

Director A. Nguyen reported that the event was a huge success. The containers were all filled up by 10 am. The Board recommended that the District should consider adding more containers at this location in the future.

Director C. Nguyen thanked Julia Book, a former employee, for continuing to assist at these events and thanked the staff who brought their families along.

Report from the Building Project Ad Hoc Committee Meeting on April 11, 2023

Director S. Contreras deferred to GM R. Housley to provide the update.

GM R. Housley reported that he attended a meeting with Rengel+CO Architects, to go over the layout of the furniture for the new building. He also added that there will be a change order for the Solar Project.

CONSENT CALENDAR

- A. Approve the 3rd Quarter Fiscal Year 2022-2023 Financial Reports and Budget Review
- B. Approve and File the Treasurer's Investment Report for March 2023

A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve the Consent Calendar. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

OLD BUSINESS

None

NEW BUSINESS

- A. RESOLUTION 2023-10

A RESOLUTION No. 2023-10 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY CALIFORNIA, DECLARING THAT VOLUNTEERS SHALL BE DEEMED TO BE EMPLOYEES FOR THE PURPOSE OF PROVIDING WORKERS' COMPENSATION COVERAGE FOR SAID CERTAIN INDIVIDUALS WHILE PROVIDING THEIR SERVICES **(Roll Call Vote)**

A staff report and recommendations were provided and considered by the Board. A motion was made by Director C. Nguyen, seconded by Director S. Contreras, to adopt of Resolution No. 2023-10, declaring that volunteers shall be deemed to be employees for the purpose of providing workers' compensation coverage while providing their services. The motion was approved by the following 5-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

B. Consider Approval of the Outreach Committee Recommendations

A staff report and recommendation were provided and considered by the Board. A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve the Outreach Committee Recommendations. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

C. Consider Partnering with Orange County Waste and Recycling (OCWR) for a Midway City Sanitary District Compost Giveaway Event

A staff report and recommendation were provided and considered by the Board. A motion was made by Director C. Nguyen, seconded by Director S. Contreras, to approve partnering with OCWR for a Midway City Sanitary District compost giveaway event, and to direct staff to look into potential locations and dates for two Compost Events in June. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

INFORMATIONAL ITEMS

A. OC San Letter Announcing New General Manager

B. Earth Day 2023 Flyer

C. Support of Proposal to Maintain \$345 Million from FY 21-22 and FY 22-23 for SB 1383 Implementation Grants and the Organic Waste Infrastructure Program

Received and Filed

BOARD CONCERNS/COMMENTS

All the Directors thanked staff for their hard work.

GM/STAFF CONCERNS/COMMENT

GM R. Housley reminded the Board that the District will participate in the Westminster City's Senior Earth Day event on April 19, 2023, and that there won't be a Board Meeting on May 2nd, 2023 because of the WasteExpo Convention.

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.

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

The Board did not convene into closed session.

ADJOURNMENT

President T. Diep adjourned the meeting at 6:37 PM to the next Board meeting to be held at the District on Monday, May 15, 2023, at 5:30 PM

Andrew Nguyen, Secretary