

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF THE MIDWAY CITY  
SANITARY DISTRICT OF ORANGE COUNTY  
14451 CEDARWOOD STREET  
WESTMINSTER, CA 92683**

**November 21, 2023**

**CALL TO ORDER**

President Pro Tem M. Nguyen called the regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Street, Westminster, California on Tuesday, November 21, 2023 at 5:31 PM.

**BOARD MEMBERS PRESENT:**

Tyler Diep (arrived @ 5:58 PM)  
Chi Charlie Nguyen  
Andrew Nguyen  
Sergio Contreras  
Mark Nguyen

**STAFF MEMBERS PRESENT:**

Robert Housley, General Manager  
Milo Ebrahimi, District Engineer, P.E  
Ashley Davies, Director of Servs. & Program Development  
Siamlu Cox, Director of Finance & Human Resources  
Cynthia Olsder, Executive/Board Secretary

**OTHER MEMBERS PRESENT:**

James H. Eggart, General Counsel, Woodruff & Smart

**PLEDGE AND INVOCATION**

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

**PUBLIC COMMENTS**

None

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON NOVEMBER 7, 2023**

A motion was made by Director A. Nguyen, seconded by Director S. Contreras, to approve the minutes of the Regular Meeting on November 7, 2023. The motion was approved by the following 3-0-1 vote:

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

NAYS:

ABSTAIN: C. Nguyen

ABSENT: T. Diep

## APPROVAL OF EXPENDITURES

### A. Demands in the amount of \$609,080.86.

	CK #	DATE	AMOUNT	VENDOR CHECKS:	MEMO:
1	15085	10/25	640.00	Eduardo Ceja	District Luncheon 2023_10_25
2	15087	10/23	19,839.07	PeopleSpace	Dais Per REVC   9TO5 SEATING - CORTINA   Laminate Tables
3	15088	10/25	9,633.45	SoCalGas	CNG Station Aug-2023 (11,423)
4	15089	10/25	1,349.00	Spectrum Enterprise (Time Warner Cable)	Oct-2023
5	15090	10/27	650.00	Ayala's Car Wash	Fleet Wash
6	15091	10/27	2,485.66	Bodyworks Equip. Inc.	Rocker Switch (20), Bearing (10), RR Pivot Hose Kit (1), RR Hose Tray Kit (1), Husco Control Box...
7	15092	10/27	735.00	California Air Resources Board	Registration for Portable Generator Permit 3 Years (Serial no. 604104)
8	15093	10/27	9,050.00	California Special Districts Association	2024 CSDA Membership Renewal
9	15094	10/27	187.74	City of Westminster-Water Billing	Wash Rack   District Office
10	15095	10/27	1,891.48	Clean Energy	CNG Station Service 10/25/23
11	15096	10/27	127.25	County of Orange Treasurer-Tax Collector	WEROC/Emergency Radio
12	15097	10/27	244,070.89	CR Transfer, Inc.	Tonnage Fees Aug-2023
13	15098	10/27	1,168.36	Daniels Tire Service	Recap Tires (5)
14	15099	10/27	54.95	Hilco Fastener Warehouse Inc.	Washers (50) Bolts (20)
15	15100	10/27	33.90	Pre-Paid Legal Services, Inc.	Prepaid legal Oct-2023
16	15101	10/27	98.02	Spectrum Enterprise (Time Warner Cable)	Oct-2023
17	15102	10/27	414.13	UniFirst Corporation	October - 2023
18	15103	10/27	2,400.00	Viet Lnk Radio	Radio outreach (8) 10/5/23 - 10/16/23
19	15104	10/27	520.00	Westminster Herald	PHN User Fee Report 05/18/23 - 5/25/23
20	15105	10/27	8,918.40	Woodruff & Smart	Legal Services Sep-2023
21	15106	10/31	3,273.64	SDRMA - Property/Liability	Insurance for Chevy Bolt, Mack, M-1 Ranger
22	15107	11/3	320.00	Ayala's Car Wash	Fleet Wash
23	15108	11/3	100.92	Cameron Welding Supply	CO2, Compressed (1)
24	15109	11/3	1,575.00	CliftonLarsonAllen, LLP	Financial Stmt Audit FYE 06/30/2023 Progress Billing
25	15110	11/3	565.35	Cummins Pacific LLC	Restock Engine Parts for Trash Trucks
26	15111	11/3	625.93	Frontier Communications	September 2023
27	15112	11/3	2,493.00	Rengel + Company Architects, Inc	Bldg Proj Mgt October-2023
28	15113	11/3	112.58	Robert Housley	Expense Reimbursement
29	15114	11/3	427.80	Siamlu Cox	Expense Reimbursement
30	15115	11/3	2,042.97	Southern California Edison	October 2023
31	15116	11/3	1,541.44	Standard Insurance Company Life	Nov - 2023
32	15117	11/3	3,223.25	TEC Of California, Inc.	Restock suspension parts, filters, fuel filters, fuses.
33	15118	11/3	25.75	Underground Service Alert	Underground Dig Alerts October-2023 (9)
34	15119	11/3	325.83	UniFirst Corporation	October - 2023
35	15120	11/10	240.00	Ayala's Car Wash	Fleet Wash
36	15121	11/10	37.41	City of Westminster-Water Billing	Lift Stations
37	15122	11/10	800.00	Commerford Inspection, Inc.	New Concrete Inspection
38	15123	11/10	1,056.87	CR&R Incorporated	Clean-Up Event Gillespie Park 10/21/23
39	15124	11/10	537.85	Cummins Pacific LLC	Inspected NG-13
40	15125	11/10	1,638.33	Daniels Tire Service	(2) Tires for NG12
41	15126	11/10	1,673.41	Hydraulic Solutions And Supplies	Heil cylinders (6)
42	15127	11/10	828.36	Merchants Building Maintenance, LLC	Janitorial Services November-2023
43	15128	11/10	13,240.48	Orange County Sanitation District	MCSO Oct Permit Fees 2023
44	15129	11/10	127.25	Orange County Treasurer-Tax Collector	WEROC/Emergency Radio
45	15130	11/10	61.66	Petty Cash - Robert Housley	Petty Cash Jul-2023
46	15131	11/10	15,169.80	Rutan & Tucker, LLP	Legal Services Oct-2023
47	15132	11/10	4,361.63	SDRMA - Employee Benefits	Dec-2023
48	15133	11/10	8,429.41	SoCalGas	CNG Station Oct-2023 (11,384)
49	15134	11/10	481.70	Staples Business Credit	Office Supplies Oct-2023
50	15135	11/10	2,109.95	Studio E. Interiors	09/01 - 10/31
51	15136	11/10	1,068.34	Tell Steel	Metal plates (15) Solid Waste trucks

52	15137	11/10	325.83	UniFirst Corporation	November - 2023
53			<b>\$ 373,109.04</b>	<b>CHECKS SUBTOTAL</b>	
54					
55				<b>PAYROLL:</b>	<b>MEMO</b>
56		10/23	\$ 4,133.70	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
57		11/1	\$ 91,550.88	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
58		11/1	\$ 5,679.60	Nationwide	457 Deferred Compensation (Employees)
59		11/3	\$ 8,221.16	Paychex	Bord of Directors Payroll - Checks, Taxes, & Direct Deposits
60		11/3	\$ 846.00	Nationwide	457 Deferred Compensation (Board of Directors)
61			<b>\$ 110,431.34</b>	<b>ACH TRANSFERS SUBTOTAL</b>	
62					
63				<b>ACH PAYMENTS:</b>	<b>MEMO</b>
64		10/30	\$ 9,633.45	SoCalGas	CNG Station Aug-2023 (11,423)
65		10/25	\$ 17,822.28	US Bank Corporate Payment System	CAL-Card Expenses Oct 2023
66		10/25	\$ 84.00	WEX Health Inc	Monthly HRA Admin Fee August - 2023
67		11/2	\$ 19,748.41	CalPERS-Retirement	Earned Period 10/16/23-10/29/23
68		11/2	\$ 6,874.06	CalPERS - Health Benefits	November 2023
69		11/2	\$ 69,635.12	CalPERS - Health Benefits	November 2023
69		11/9	\$ 1,743.16	Chevron Texaco (Wex Bank)	Oct-2023
70			<b>\$ 125,540.48</b>	<b>ACH TRANSFERS SUBTOTAL</b>	
72					
73			<b>\$ 609,080.86</b>	<b>TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)</b>	
74					
75				<b>BANK TRANSFERS:</b>	
76		10/23	\$ 100,000.00	From Money Market to Checking	
76		10/24	\$ 500,000.00	From LAIF to Checking	
77		11/1	\$ 1,443,000.00	From LAIF to Checking	
79			<b>\$2,043,000.00</b>	<b>BANK TRANSFERS</b>	

A motion was made by Director C. Nguyen, seconded by Director S. Contreras, to approve the expenditures in the amount of \$609,080.86. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: T. Diep

## REPORTS

### Report of President:

None

### Report of General Manager

GM R. Housley reported that he attended the Westminster Chamber of Commerce Lunch and Learn Event and spoke with Gunn Marie Hansen, the superintendent of the Westminster School District. He discussed how the district would like to partner with them on an organics and recycling program.

GM R. Housley reported that he had a meeting with Westminster Code Enforcement to go over and define responsibilities related to enforcement of SB 1383. They will keep meeting regularly going forward. Additionally, he reported that he met with LaBrie, who assessed NG1 CC 2014 and NG2 Mack 2014 regarding the potential for a new body and arm and concluded that it is not feasible at this point.

### **Report of Director of Services & Program Development**

Director of Services & Program Development Ashley Davies reported that she's been very busy finishing up the 2024 Calendar project, organizing the Open House event, attending the VNCR radio outreach to talk about fats, oil, and grease, and closely working with the General Counsel on sponsorship policy. She informed the Board that the sponsorship policy will be on the December 5, 2023 agenda.

### **Report of Calendar Committee Meeting on November 9, 2023**

Director S. Contreras and Director M. Nguyen attended the meeting and reported that the purpose of the meeting was to review final details and pictures for the calendar.

### **Report of Chamber of Commerce Lunch & Learn on November 14, 2023**

Director M. Nguyen attended the event and reported that it was informative.

### **Report of Outreach Committee Meeting on November 15, 2023**

Director A. Nguyen and Director C. Nguyen both attended the meeting to plan the open house and discuss the sponsorship opportunities.

### **Report of OC San Board of Directors Meeting on November 15, 2023**

Director A. Nguyen reported that OC San has adopted the 2023 Strategic Plan that sets policy for the agency and captures OC San's goals and corresponding initiatives for the next two years.

### **Report of VNCR Radio on November 16, 2023**

Director C. Nguyen and Director A. Nguyen attended the recording to talk about SB 1383, the District's services and upcoming events.

### **Report of Building Project Ad Hoc Committee Meeting on November 21, 2023**

GM R. Housley reported that he met with a solar subcontractor and work is soon to begin. The building project is expected to be completed in December.

## **CONSENT CALENDAR**

- A. Approve and File the Treasurer's Investment Report for October 2023
- B. Approve the 1<sup>st</sup> Quarter Fiscal Year 2023-2024 Financial Reports and Budget Review
- C. Approve and File the Engineer Report for October 2023
- D. Rejection of Government Claim Filed by Isaac Rodriguez

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

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

NAYS:

ABSTAIN:

ABSENT: T. Diep

## **OLD BUSINESS**

None

President T. Diep arrived at 5:58 PM and assumed chairmanship of the meeting.

## **NEW BUSINESS**

### **A. Consider Approval of 2024 Midway City Sanitary District Annual Calendar**

A staff report and recommendations were provided and considered by the Board. A motion was made by Director C. Nguyen, seconded by Director A. Nguyen, to approve the 2024 Midway City Sanitary District Annual Calendar. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

## **INFORMATIONAL ITEMS**

None

## **BOARD CONCERNS/COMMENTS**

Director M. Nguyen shared that he volunteered at the OC Food Bank packing food boxes that are distributed to hungry people in Orange County and surrounding areas.

Director A. Nguyen thanked staff.

Director C. Nguyen asked to have his vote on the November 7, 2023 meeting minutes changed from yes to abstain because he wasn't present at that meeting. The other Board members concurred.

## **GM/STAFF CONCERNS/COMMENT**

GM R. Housley reminded the Board that the district employee luncheon is on November 29, 2023, and that he will be on vacation from November 27, 2023 to December 1, 2023. Additionally, GM R. Housley informed the Board that the annual board reorganization meeting will take place at the next regular meeting on December 5, 2023.

## **LEGAL COUNSEL CONCERNS/COMMENTS**

None

## **CLOSED SESSION**

None

**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.

## **ADJOURNMENT**

President T. Diep adjourned the meeting at 6:03 PM to the next Board Meeting to be held at the District on Tuesday, December 5, 2023, at 5:30 PM.

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Andrew Nguyen, Secretary