

**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.

March 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, March 2, 2021 at 5:01 P.M.

BOARD MEMBERS PRESENT:

Margie L. Rice (via teleconference)
Tyler Diep (via teleconference)
Sergio Contreras (5:07 arrival via teleconference)
Chi Charlie Nguyen (via teleconference)
Andrew Nguyen (via teleconference)

OTHERS AT MEETING:

Kenneth Robbins, General Manager
Robert Housley, Finance/HR Director
James Eggart, General Counsel (via teleconference)
Joseph Larsen, Labor Counsel (via teleconference)
Danielle Gerardo, Board Secretary

PLEDGE AND INVOCATION

GM K. Robbins led the Pledge of Allegiance. Director M. Rice gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF FEB. 16, 2021 (Roll Call Vote)

A motion was made by President A. Nguyen, seconded by Director T. Diep, to approve the minutes of the special meeting of February 16, 2021. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: S. Contreras

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$410,813.15 (Roll Call Vote)

				CHECKS:	MEMO
1					
2	12465	2/19	\$ 99.00	AT&T Mobility	Cell Phone Service
3	12466	2/19	\$ 360.00	Ayala's Car Wash	Fleet wash 2/11
4	12467	2/19	\$ 526.28	Cintas	Uniform Services for 2/11 & 2/18
5	12468	2/19	\$ 5,340.00	City of Westminster	3rd & 4th Quarter Franchise Fees
6	12469	2/19	\$ 59,085.92	County of Orange-Treasurer Tax Collector	Total cost of general election 11/03/20
7	12470	2/19	\$ 78,549.43	CR Transfer	Residential Waste & Organic Tonnage Fees 01/16/21-01/31/21
8	12471	2/19	\$ 705.00	CRC Cloud	Computer Support & Board email set up
9	12472	2/19	\$ 129.25	SoCalGas	District offices, mechanics shop & wash rack
10	12473	2/19	\$ 420.00	Merchants Building Maintenance, LLC	Enhanced cleaning services on 2/4
11	12474	2/19	\$ 91.00	Miguel Jimenez	Reimbursement for CWEA Certification renewal fee
12	12475	2/19	\$ 111.24	Petty Cash-Ken Robbins	Misc postage, employee events, meeting with board president & brake system parts
13	12476	2/19	\$ 150.00	Purchase Power	Postage for January 2021
14	12477	2/19	\$ 119.00	Remington Pure	Water Filtration Service
15	12478	2/19	\$ 2,180.50	Rutan & Tucker, LLP	Professional Legal Services
16	12479	2/19	\$ 6,781.58	SCI Consulting Group	Sewer Service/Solid Waste Parcel Program Fee FY 2020-2021
17	12480	2/19	\$ 538.58	Snap-On Tools	Tools for maintenance shop
18	12481	2/19	\$ 2,746.11	TEC of California, Inc	Repairs and restock parts for Solid Waste trucks
19	12482	2/19	\$ 79.64	TrucPar Company	Restock brake parts for Solid Waste trucks
20	12483	2/24	\$ 326.70	AT&T	Brookhurst Lift Station
21	12484	2/24	\$ 1,070.00	Ayala's Car Wash	Fleet wash 2/15 & 2/18
22	12485	2/24	\$ 2,929.23	Clean Energy Renewable Fuels	Refund for overpayment
23	12486	2/24	\$ 87,345.20	CR Transfer	Residential Waste & Organic Tonnage Fees 02/01/21-02/15/21
24	12487	2/24	\$ 299.21	Daniel's Tire Service	Restock tires and repairs
25	12488	2/24	\$ 243.59	Underground Service Alert S/C	2020 Total Fees for Regulatory Cost
26	12489	2/24	\$ 546.19	Driveshaftpro	Replacement drive-line parts for Solid Waste trucks
27	12490	2/24	\$ 819.98	Hydraulic Controls, Inc	Restock power steering cartridges for Solid Waste trucks
28	12491	2/24	\$ 67.80	LegalShield	Legalshield/ID Svcs.
29	12492	2/24	\$ 1,663.86	Velocity Truck Centers	Cab module for Solid Waste trucks
30	12493	2/24	\$ 126.27	SoCal Auto & Truck Parts, Inc	Restock filters and oil for Solid Waste trucks
31	12494	2/24	\$ 1,276.00	Standard Insurance Company	Life Insurance & AD&D Premium Coverage
32	12495	2/24	\$ 2,528.54	TEC of California, Inc	Restock axle, power steering & brake parts for Solid Waste trucks
33			\$ 257,255.10	CHECKS SUBTOTAL	
34					
35				PAYROLL	
36	ACH	2/23	\$ 70,284.05	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
37	ACH	2/23	\$ 4,480.00	Nationwide Retirement Solutions	457 Deferred Compensation (100% paid by employees)
38	ACH	2/23	\$ 560.00	Nationwide Retirement Solutions	457 Roth (100% paid by employees)
39			\$ 75,324.05	ACH TRANSFERS SUBTOTAL	
40					

40					
41					ACH PAYMENTS
42	ACH	2/22	\$ 16,128.60	CalPERS	Retirement Contributions for 02/08/21-02/21/21
43	ACH	2/22	\$ 7,173.04	CalPERS	Board of Directors Health Insurance Premiums for March 2021
44	ACH	2/24	\$ 54,932.36	CalPERS	Active Employee and Retiree Health Ins Premiums for March 2021
45			\$ 78,234.00	ACH TRANSFERS SUBTOTAL	
46					
47			\$ 410,813.15	TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)	
48					
49				BANK TRANSFERS	
50	UB	2/22	\$200,000.00	Transfer Funds from UB Money Market to UB Checking Account	

A motion was made by Director M. Rice, seconded by Director T. Diep, to approve the expenditures in the amount of \$410,813.15. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: S. Contreras

REPORTS

Report of President

President A. Nguyen reported that he and his wife had tested negative for COVID-19.

Director S. Contreras arrived at the meeting at 5:07 PM.

Report of General Manager

GM K. Robbins stated that an overview of the bid documents for the new District building would be brought before the Directors for approval at one of the next few meetings.

GM K. Robbins reported that rooms have been reserved at the Westgate Hotel in Las Vegas for the Directors and staff who are planning to attend the Waste Expo.

GM K. Robbins gave the Board a health update on himself.

Report from the Orange County Sanitation District (OCSD) Meeting on February 24, 2021

President A. Nguyen reported that there were no new cases of COVID-19 reported at OCSD for the first time in a very long time. The Board received the January Investment report and rules and protocol for the Board of Directors.

Report from the MCSD Luncheon for Retiring MCSD Employee on February 17, 2021

Director S. Contreras and T. Diep reported that they were glad to be able to represent the Board, that it was great to be able to say goodbye to Raul Jimenez, acknowledge him and present him with the belt buckle.

CONSENT CALENDAR

None

OLD BUSINESS

None

NEW BUSINESS

A. Discussion and Consideration of District Facebook Outreach and Marketing Campaign (Roll Call Vote)

A motion was made by Director T. Diep, seconded by Director S. Contreras, to authorize the General Manager to execute a contract with MTTN Productions based on the rates that were submitted. 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. Consider Claim from Centerstone Westridge Homeowners Association (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 deny the claim as recommended by staff. 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:

C. Discuss and Consider Changing the Midway City Sanitary District's Regularly Scheduled Board Meeting on Tuesday, March 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 President A. Nguyen, seconded by Director M. Rice to approve changing the District's regularly scheduled Board meeting on Tuesday, March

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. Notice of Public Hearing – Orange County Local Agency Formation Commission (OC LAFCO)

Receive and file.

BOARD CONCERNS/COMMENTS

Director S. Contreras stated that he was excited for the District's presence on social media.

Director T. Diep thanked the Board for adopting the recommendation for social media for the District because it will allow the District to communicate with its constituents about important information and events.

President A. Nguyen thanked everyone for their thoughts and prayers and wished Director M. Rice a speedy recovery.

GM/STAFF CONCERNS/COMMENT

GM K. Robbins wished Director M. Rice a speedy recovery, congratulated President A. Nguyen and his wife for testing negative and thanked the Board for their patience with his current health issue.

Finance/HR Director R. Housley stated that at the next regular meeting he would bring dates for the next budget workshop, which is tentatively set for Tuesday, March 23, 2021.

GENERAL COUNSEL CONCERNS/COMMENTS

General Counsel, J. Eggart convened the meeting to a closed session at 5:37 PM. with labor negotiators pursuant to Government Code Section 54957.6, as identified on the agenda as item 14A and noted that the District's designated representatives are listed on the agenda.

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: General Manager Robbins, Finance Director Housley and Labor Counsel Joseph Larsen, Employee Organization: American Federation of State, County, and Municipal Employees, LOCAL 1734-01

General Counsel J. Eggart reconvened the meeting at 5:55 PM and reported that the Board had met in closed session as identified on Agenda Item No. 14A and that no reportable action had been taken.

ADJOURNMENT

President A. Nguyen adjourned the meeting to Tuesday, March 16, 2021 at 5:00 P.M. at the District office at approximately 5:56 P.M.

Sergio Contreras
Sergio Contreras, Secretary