

**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.**

**August 18, 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, August 18, 2020 at 5:03 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  
Robert Housley, Finance/HR Director  
James Eggart, General Counsel (via teleconference)  
Danielle Gerardo, Board Secretary

**PLEDGE AND INVOCATION**

Director S. Contreras led the Pledge of Allegiance. GM K. Robbins gave the Invocation.

## PUBLIC COMMENTS

None

## APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF AUGUST 3, 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 3, 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 THE MINUTES OF THE SPECIAL MEETING OF AUGUST 4, 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 4, 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 \$ 200,501.47 **(Roll Call Vote)**

1				<b>CHECKS:</b>	
2	11649	7/31	\$ 150.00	<b>Miguel Jimenez</b>	Reimbursement for testing
3	11650	7/31	\$ 49.11	<b>Robert Cruz Jr.</b>	Reimbursement for testing
4	11651	8/1	\$ 261.41	<b>Cintas</b>	Uniform Services for 7/30
5	11652	8/1	\$ 18,600.40	<b>CR Transfer Incorporated</b>	Commingled Material Tonnage Fees 7/01/20 to 7/15/20
6	11653	8/1	\$ 420.00	<b>Merchants Building Maintenance</b>	Deep clean/sanitize on 7/5/20 per Ken
7	11654	8/1	\$ 10,998.50	<b>PumpMan, LLC</b>	Pump system Planned Maint Program 7/1/20 to 7/1/21
8	11655	8/1	\$ 62.24	<b>TrucParCo</b>	Restock hydraulic fittings for Solid Waste trucks
9	11656	8/1	\$ 4,421.33	<b>US Bank Corporate Payment Systems</b>	District Credit Cards
10	11657	8/3	\$ 150.00	<b>Raul Martinez</b>	Reimbursement for testing
11	11658	8/7	\$ 26.88	<b>Advanced Gas Products</b>	Welding material for shop
12	11659	8/7	\$ 1,005.00	<b>Ayala's Car Wash</b>	Fleet wash 7/30 and 8/3
13	11660	8/7	\$ 839.00	<b>Bodyworks Equipment, Inc</b>	Replacement hopper cover for NG-9
14	11661	8/7	\$ 261.41	<b>Cintas</b>	Uniform Services for 8/6
15	11662	8/7	\$ 198.08	<b>City of Westminster</b>	Wash Rack and District Offices 6/3/20-7/28/20
16	11663	8/7	\$ 325.00	<b>Dennis Solano Jr</b>	Reimbursement for testing
17	11664	8/7	\$ 5,850.12	<b>Employment Development Dept</b>	C. Enciso 04/01/20-06/30/20

18	11665	8/7	\$ 1,150.00	<b>Me Viet Nam Production</b>	30 Minute talk show 7/12 & 7/19
19	11666	8/7	\$ 26,077.50	<b>Orange County Sanitation District</b>	Permit Fees JULY-2020
20	11667	8/7	\$ 121.22	<b>Remington Pure</b>	July 2020 Water Filtration + service charge on 7/6/20
21	11668	8/7	\$ 1,352.80	<b>Snap-On Tools</b>	Tools for A/C check for Heil and hammer drill kit for shop
22	11669	8/7	\$ 117.17	<b>SoCal Auto &amp; Truck Parts, Inc</b>	Restock oil filters & motor oil for Sewer pick up trucks
23	11670	8/7	\$ 300.00	<b>Digital Deployment dba Streamline</b>	Website Monthly Member Fee: August 2020
24	11671	8/7	\$ 1,983.22	<b>TEC of California, Inc</b>	Restock brake caliper/restock for refuse parts,clamps NG-2
25	11672	8/7	\$ 33.10	<b>Underground Service Alert</b>	(14) New Tickets for July 2020
26	11673	8/7	\$ 5,266.40	<b>Trendzitions, Inc</b>	Final 50% TrendzFit Svcs.
27	11674	8/12	\$ 345.00	<b>Ayala's Car Wash</b>	Fleet wash 8/6
28	11675	8/12	\$ 893.79	<b>Wex Bank (Chevron)</b>	Fuel Credit Card for July 2020
29	11676	8/12	\$ 79.00	<b>County of Orange-Tax Collector</b>	Emergency radio in copier room
30	11677	8/12	\$ 328.00	<b>Orange County Health Care Agency</b>	MCSD facility hazardous materials fee
31	11678	8/12	\$ 285.00	<b>CRC Cloud</b>	Upgrade license for Sophos to see traffic report
32	11679	8/12	\$ 3,037.80	<b>Daniel's Tire Service</b>	(24) Restock recap tires for Solid Waste trucks
33	11680	8/12	\$ 6,767.01	<b>SoCal Gas</b>	CNG Station from 7/01/2020 through 8/01/2020
34	11681	8/12	\$ 746.74	<b>Merchants Building Maintenance</b>	Janitorial Services for August 2020
35	11682	8/12	\$ 281.00	<b>Randy Griffith</b>	Reimbursement for Grade 1 Certification
36	11683	8/12	\$ 2,719.50	<b>Rutan &amp; Tucker, LLP</b>	Personnel Legal Services for July 2020
37	11684	8/12	\$ 3,860.86	<b>SDRMA</b>	Dental Insurance Premiums for September 2020
38	11685	8/12	\$ 1,250.00	<b>Trendzitions, Inc</b>	ChangeOrder1-InterviewOutlineForInterviews,proposal review
39	11686	8/12	\$ 1,860.26	<b>Verizon</b>	Internet Connection for August 2020
40			\$102,473.85	<b>CHECKS SUBTOTAL</b>	
41					
42				<b>PAYROLL</b>	
43	ACH	8/7	\$ 6,000.55	<b>Paychex</b>	Board of Directors Payroll - Checks, Taxes, & Direct Deposits
44	ACH	8/7	\$ 465.21	<b>Nationwide Retirement Solutions</b>	457 Deferred Compensation (100% Paid By Board of Directors)
45	ACH	8/11	\$ 71,930.97	<b>Paychex</b>	Employee Payroll - Checks, Taxes, & Direct Deposits
46	ACH	8/11	\$ 3,366.18	<b>Nationwide Retirement Solutions</b>	457 Deferred Compensation (100% Paid By Employees)
47	ACH	8/11	\$ 560.00	<b>Nationwide Retirement Solutions</b>	457 Roth (100% Paid By Employees)
48			\$ 82,322.91	<b>ACH TRANSFERS SUBTOTAL</b>	
49					
50				<b>ACH PAYMENTS</b>	
51	ACH	8/11	\$ 15,704.71	<b>CalPERS</b>	Retirement Contributions for 7/27/2020-08/09/2020
52			\$ 15,704.71	<b>ACH TRANSFERS SUBTOTAL</b>	
53					
54			\$200,501.47	<b>TOTAL EXPENDITURES (HANDCUT, REGULAR, PAYROLL, ACH TRANSFERS)</b>	
55					
56				<b>BANK TRANSFERS</b>	
57	LAIF	8/11	\$250,000.00	<b>Transfer Funds from LAIF to Union Bank Checking Account</b>	

A motion was made by Director M. Rice, seconded by President C. Nguyen, to approve the expenditures in the amount of \$200,501.47. 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 General Manager

GM K. Robbins reported that NG-11, the District's new CNG bulky truck, blew its motor but that it was likely still under warranty, and is being repaired.

GM K. Robbins stated that the District was having a luncheon for employees on Thursday, August 20, 2020 from 11:30 A.M. until 1 P.M. and he invited the Board to come.

GM K. Robbins stated that his scheduled vacation would start on Friday, August 21, 2020 and that he would return to work on Monday, September 8, 2020.

### **Report from the Ad Hoc Committee for Architect Selection Interview Panel on August 7, 2020**

Director A. Nguyen reported that it was a long day and very informational. Several firms came to give presentations, with two being outstanding.

President C. Nguyen agreed that it was a long day with very interesting results. The Ad Hoc Committee selected the first and the last of the presenters and he stated that he is looking forward to working with them.

### **Report from the MCSD Clean Up Event at Bowling Green Park on August 15, 2020**

Director S. Contreras stated that he was left speechless upon hearing about the large amount of debris that was left for disposal prior to the event even starting, although excited that the clean up events are so popular. He stated that he felt that the clean up events should start earlier in the future because people were being turned away at the start due to so much stuff that was left behind and the bins were already practically filled before the 10 A.M. start time.

Director M. Rice stated that it isn't fair for people that have had to rent a truck to bring their stuff and come when the clean up event starts only to be told that the bins are already full.

Director A. Nguyen stated that it was a crazy day and that the cleanup event was over before it even started. He arrived at 7:30 A.M. and said that a lot of stuff was dumped and left overnight. He commended staff for working so hard in the heat.

President C. Nguyen stated that he concurred with Directors S. Contreras and A. Nguyen and stated that staff was offering bulky pickups and drop-offs to the District for people who came too late after the bins were filled.

Director S. Contreras stated that it would be helpful if in the future the District had a flyer for people who needed to call the office to schedule a pickup.

GM K. Robbins stated that four large bins and four large stake-bed trucks were filled and that the District extended the bulky program to anyone that came after the bins were filled and weren't able to dump their items.

Director M. Rice stated she suspects that people were coming from outside the District to dispose of their items.

GM K. Robbins stated that the next cleanup event would be on September 19, 2020 at Coronet Park and that CR&R would be providing an additional bin since there was space.

Director S. Contreras asked about having signs that state “NO DUMPING” at the events.

GM K. Robbins stated that he did not think that the signs would deter them.

Director M. Rice stated that id’s need to be checked in order to make sure that people are from the District’s jurisdiction.

GM K. Robbins stated that it is difficult to check id’s when it gets so chaotic and that maybe the cleanup events need to be moved to the District yard in order to control them.

President C. Nguyen stated that he thought that Director S. Contreras’ idea to change the clean up events to an earlier time was a good one.

GM K. Robbins stated that the flyers were already printed but that the time could be changed for next years’ events.

Director S. Contreras stated that it might be less expensive to reprint the flyers with an earlier time than printing “NO DUMPING” signs.

GM K. Robbins stated that he would make sure the flyers were modified to show an earlier start time (8 A.M. instead of 10 A.M.) for the scheduled cleanup events in the future.

## **CONSENT CALENDAR**

*(Roll Call Vote)*

A. Approve and File the Treasurer’s Investment Report for July 2020

B. Approve the July 2020 Financial Reports and Budget Review for the Period of July 1, 2020 through July 31, 2020

A motion was made by Director A. Nguyen, seconded by Director M. Rice, 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 Rengel Architects for the New Office Building, New Archive Building, Locker Rooms, and Solar Equipment for Midway City Sanitary District, Westminster, CA  
***(Roll Call Vote)***

Directors A. Nguyen and C. Nguyen, who were on the Ad Hoc Committee to review the architects, reported that both firms - SVA and Rengel, gave excellent presentations and could do the work, but that Rengel's proposal came in at a lesser amount, so they were being recommended.

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 Rengel Architects for the design and engineering of the new office building, new archive building, locker rooms, solar equipment and construction support and have staff bring back an agreement for approval to the next meeting in September. 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. Discuss and Consider Changing the Midway City Sanitary District's Regularly Scheduled Board Meeting On Tuesday, September 1, 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 regularly scheduled Board meeting on Tuesday, September 1, 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**

A. Official Notice and Call for Candidates for the Positions of President, First Vice President, Second Vice President, Third Vice President, Secretary and Treasurer on the Executive Committee of the Independent Special Districts of Orange County (ISDOC)

Receive and file.

## **BOARD CONCERNS/COMMENTS**

Director A. Nguyen commended staff and gave kudos to Director of Operations Nick Castro for taking care of bulky items for the people that came too late to the cleanup event.

Director M. Rice commended the Directors and Staff who were at the clean up event and wished GM K. Robbins a good vacation.

Director S. Contreras stated that he appreciated everyone agreeing to have the cleanup events earlier in the day due to the heat and the chaos.

President C. Nguyen thanked Staff and GM K. Robbins for all their efforts at the cleanup event. He told GM K. Robbins to enjoy his vacation, and thanked the Board, Staff, and Legal Counsel for a productive meeting.

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

GM K. Robbins thanked the Board for his vacation and stated that he would be staying home this year. He stated that the agreement with Rengel would be on the next agenda for Board approval.

## **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 1, 2020 at 5:00 P.M. at the District office at approximately 5:43 P.M.

Sergio Contreras  
Sergio Contreras, Secretary