

**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**

March 21, 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, March 21, 2023 at 5:36 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
Nick Castro, Director of Operations/Safety
Milo Ebrahimi, District Engineer

OTHERS PRESENT:

James Eggart, General Counsel

PLEDGE AND INVOCATION

Director of Operations & Safety led the Pledge of Allegiance. General Counsel gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MARCH 7, 2023

A motion was made by Director A. Nguyen, seconded by Director S. Contreras, to approve the minutes of the Regular Meeting of March 7, 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 \$294,682.97

#	CK #	DATE	AMOUNT	VENDOR CHECKS:	MEMO:
1	14447	3/2	36.96	Betty Jo Greene	Refund for check # 338 received on 2/17/23 - Deposit 02/23/23
2	14448	3/2	1,891.48	Clean Energy	CNG Station site inspection
3	14449	3/2	568.74	Cummins Pacific LLC	Pressure sensor for solid waste
4	14450	3/2	287.11	Daniels Tire Service	Restock tires for solid waste
5	14451	3/2	98.02	Spectrum Enterprise (Time Warner Cable)	Internet Services Feb-2023
6	14452	3/2	1,348.16	Standard Insurance Company Life	Life Insurance & AD&D premiums
7	14453	3/10	560.00	Ayala's Car Wash	Washing and cleaning of district's fleet
8	14454	3/10	2,942.93	Bodyworks Equip. Inc.	Parts for Heil system for solid waste trucks
9	14455	3/10	106.90	Cameron Welding Supply	Propane for Shop
10	14456	3/10	208.44	City of Westminster-Water Billing	Westminster lift station water
11	14457	3/10	899.95	CRC Cloud	Monthly IT maintenance & Support
12	14458	3/10	2,119.28	Cummins Pacific LLC	Valve pressure and elbow adapter for solid waste
13	14459	3/10	45.90	Cynthia Loan Olsder	Employee reimbursements
14	14460	3/10	2,270.92	Daniels Tire Service	Restock tires for solid waste
15	14461	3/10	741.14	Driveshaftpro	Mack system parts for solid waste trucks
16	14462	3/10	612.75	Frontier Communications	District office phones & lift stations
17	14463	3/10	743.09	Haaker Equipment Co.	Sewer supplies for sewer trucks
18	14464	3/10	1,450.00	Me Viet Nam Productions	Talk Show 15 minute (5) 2/11-26/23
19	14465	3/10	14,523.20	Orange County Sanitation District	Permit Fees Feb-2023
20	14466	3/10	66.56	Petty Cash - Robert Housley	Petty Cash Feb-2023
21	14467	3/10	1,821.46	Pro-Vision, Inc.	Camera system for Samara system for new truck NG-18
22	14468	3/10	1,650.00	Radio Bolsa Corp.	Radio talk shows (5) 3/7-10/23
23	14469	3/10	59,900.00	Rengel + Company Architects, Inc	Building project management Feb-2023
24	14470	3/10	4,201.59	SDRMA - Employee Benefits	Dental and vision benefits
25	14471	3/10	348.67	SoCal Auto & Truck Parts, Inc.	Tools and supplies for shop use
26	14472	3/10	14,956.31	SoCalGas	Natural Gas for offices, shop, and wash rack
27	14473	3/10	300.00	Streamline	Website monthly member fee
28	14474	3/10	27.50	Underground Service Alert	Underground dig alerts Feb-2023
29	14475	3/10	555.48	UniFirst Corporation	Employee uniform & laundry services
30	14476	3/10	10,222.00	Woodruff, Spradlin & Smart	Legal Services Jan-2023
31			\$ 125,504.54	CHECKS SUBTOTAL	
32					
33				PAYROLL:	MEMO
34	ACH	3/3	\$ 7,977.82	Paychex	Board of Directors Payroll - Checks, Taxes, & Direct Deposits
35	ACH	3/3	\$ 823.50	Nationwide Retirement Solutions	457 Deferred Compensation (Board of Directors)
36	ACH	3/8	\$ 78,696.39	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
37	ACH	3/8	\$ 5,519.23	Nationwide Retirement Solutions	457 Deferred Compensation (Employees)
38			\$ 93,016.94	ACH TRANSFERS SUBTOTAL	
39					
40				ACH PAYMENTS:	MEMO
41	ACH	3/2	\$ 6,874.74	CalPERS	Board of Directors Health Insurance Premiums for Mar-23
42	ACH	3/2	\$ 67,566.95	CalPERS	Active Employee and Retiree Health Ins Premiums Mar-23
43	ACH	3/13	1,719.80	Chevron Texaco (Wex Bank)	Gasoline and diesel fuel for Mar-23
44			\$ 76,161.49	ACH TRANSFERS SUBTOTAL	
45					
46			\$ 294,682.97	TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)	
47					

A motion was made by Director C. Nguyen, seconded by Director A. Nguyen, to approve the expenditure in the amount of \$294,682.97. 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 Interim General Manager

GM, R. Housley introduced the District Engineer, Milo Ebrahimi. He reported that the building construction project is still delayed due to rain. He reported that Anthony Torres-Gomez, one of the drivers, had been recognized by the District for his exceptional customer service and given a gift certificate. He reported that an email will be sent out setting up a date for a field trip to the CR&R Anaerobic Digestion Plant for April from 9 am to 3 pm. Additionally, GM R. Housley reported that he encouraged staff members to participate in a number of online webinars offered by OC San to better acquaint staff with the agency and its services.

Report from VietLink Radio Outreach on March 2, 2023

Director A. Nguyen and Director C. Nguyen attended the radio recording to discuss the District's services and forthcoming events.

Report from Radio Bolsa Radio Outreach on March 6, 2023

Director M. Nguyen and Director S. Contreras attended the radio recording to discuss the District's services and forthcoming events.

Report from VNCR Radio Outreach on March 6, 2023

Director A. Nguyen and Director C. Nguyen attended the radio recording to discuss the District's services and forthcoming events.

Report from OC San District Special Meeting on March 8, 2023

Director A. Nguyen reported that this was the first in-person meeting and it primarily focused on refreshing, updating and reviewing the procedure.

Report from Franchise Committee Meeting on March 10, 2023

Director S. Contreras reported that he would like the District to coordinate with CR&R to organize an educational event with the Westminster school district.

GM R. Housley explained how CR&R determines when to deliver the organic bins. He reported that the organic bins are being rolled out based on the account number and the date the owner signed up for service. Additionally, he reported that 30-40% of the organic bins have been rolled out. Going forward, CR&R will distribute the organic bin by area so that everyone in the same geographic area has it delivered at the same time, and CR&R will continue to work on providing information about the organic bin drop off to the property owners. At the next franchise meeting, CR&R will present dates for a residential and commercial characterization study.

Director C. Nguyen reported that the District should consider collaborating with the City of Westminster's Community Preservation Unit (CPU) to help remove unsightly garbage and other refuse littering the community.

Report from the Clean-up Event at Westminster Village Park on March 11, 2023

Director A. Nguyen reported that the event's low attendance may have been caused by the weather.

President T. Diep reported that he has suggested new ideas to the General Manager for promoting the clean-up events.

Report from the Building Project Ad Hoc Committee on March 14, 2023

Director S. Contreras and Director M. Nguyen reported that everything is proceeding as planned and deferred to GM R. Housley to give an update.

Director C. Nguyen stated that he would like the District to seek a second opinion before approving any change order forms.

Report from the Open House Assemblymember Tri Ta on March 16, 2023

It was a respectable turnout, according to the Directors. Residents, elected officials, and police officers gathered to congratulate him.

CONSENT CALENDAR

- A. Approve and File the Treasurer's Investment Report for February 2023
- B. Approve the March 10, 2023, Franchise Committee Report

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. Consider Rescheduling the May 16, 2023 Regular Board Meeting

A staff report and recommendation were provided and considered by the Board. A motion was made by President T. Diep, seconded by Director S. Contreras, to approve rescheduling the May 16, 2023 Regular Board Meeting to May 15, 2023 at 5:30 p.m. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

B. Consider and Approve Scheduling the Public Budget Workshops/Study Sessions and Public Hearing for Budget Adoption for Fiscal Year 2023-2024

A staff report and recommendation were provided and considered by the Board. A motion was made by President T. Diep, seconded by Director C. Nguyen, to schedule the first and second public budget workshops/study sessions for April 17, 2023 at 5:30 p.m. and May 22, 2023 at 5:30 p.m. and to schedule the Public Hearing for budget adoption for fiscal year 2023-2024 for June 6, 2023 at 5:30 p.m. 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 Authorizing the General Manager to Purchase Up to Three (3) New Class C Passenger Vehicles in an Amount Not To Exceed a Total of \$160,000.00

A staff report and recommendation were provided and considered by the Board. A motion was made by President T. Diep, seconded by Director S. Contreras, to authorize the General Manager to negotiate and enter into a contract on behalf of the District to purchase one (1) new class "C" passenger vehicle for District staff job-related use within the annual budgeted amount of \$160,000.00 for vehicle purchases. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

D. Review and Discussion on Tires Purchased and Repaired for the District’s Fleet of Heavy-Duty Trucks and Vehicles

A staff report was provided and considered by the Board. A motion was made by Director C. Nguyen, seconded by Director A. Nguyen, to receive and file the report. The motion was approved by the following 5-0 vote:

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

E. A RESOLUTION NO. 2023-08 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY CALIFORNIA, ESTABLISHING A VOLUNTEER INTERNSHIP PROGRAM

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 adopt Resolution No.2023-08, approving the establishment of a volunteer internship program. 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:

INFORMATIONAL ITEMS

- 1. City of Westminster Bunny Hop Events

Received and File

BOARD CONCERNS/COMMENTS

The Directors welcomed Milo Ebrahimi to the District.

President T. Diep reminded the Directors of the District Employee luncheon on March 22, 2023.

Director C. Nguyen thanked staffs who participated in the Westminster Village Park Clean-up event.

GM/STAFF CONCERNS/COMMENT

GM, R. Housley commented that banners, door hangers, and yard signs for the Clean-up event had been ordered and would be ready for the April event.

GM, R. Housley shared that the administration luncheon day is set for Thursday, April 27, 2023.

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 6:55 p.m. to the next Board meeting to be held at the District on Tuesday, April 4, 2023 at 5:30 p.m.

Andrew Nguyen, Secretary