

**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**

August 15, 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 Street, Westminster, California on Tuesday, August 15, 2023 at 5:30 PM.

BOARD MEMBERS PRESENT:

Tyler Diep
Chi Charlie Nguyen (arrived @ 5:46)
Andrew Nguyen
Sergio Contreras
Mark Nguyen

STAFF PRESENT:

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

OTHERS PRESENT:

James H. Eggart, General Counsel Woodruff & Smart
Mike Carey, CR&R
Gabriel Angulo, CR&R

PLEDGE AND INVOCATION

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

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON AUGUST 1, 2023

A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve the minutes of the Regular Meeting on August 1, 2023. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: C. Nguyen

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$1,362,553.43.

#	CK #	DATE	AMOUNT	VENDOR CHECKS:	MEMO:
1	14838	7/27	0.00	Grainger	VOID: Acct # 814369849 PO# 30757
2	14839	7/27	142.50	Advanced Workplace Strategies, Inc.	DOT TEST 06/27/2023 (M.L/R.G)
3	14840	7/27	130.11	Cameron Welding Supply	Acetylene (1)
4	14841	7/27	1,600.00	Commerford Inspection, Inc.	Epoxy, Welding, Material ID Inspection
5	14842	7/27	225,548.97	CR Transfer, Inc.	Monthly Tonnage Fees
6	14843	7/27	8.07	Cummins Pacific LLC	O Ring Seals (2) NG-13
7	14844	7/27	80.00	MemorialCare Medical Foundation	Radex Spine S.Cox 05/19/2023
8	14845	7/27	1,422.50	Rengel + Company Architects, Inc	Soil Engineering Inspection Reimb 05/08/2023
9	14846	7/27	2,203.99	Siamlu Cox	Reimb Laptop Ser #PF-4FE6TW S. Cox
10	14847	7/27	320.00	Ayala's Car Wash	Fleet wash 07/24/23
11	14848	7/27	1,891.48	Clean Energy	CNG Station Monthly Maintenance July-2023
12	14849	7/27	350.00	CRC Cloud	Windows 11 Pro Upgrade License S. Cox
13	14850	7/27	2,809.84	Cummins Pacific LLC	Position Sensor Repair NG-1 Engine Check Light Repair NG-5
14	14851	7/27	8,918.45	Daniels Tire Service	Recap Tires (28) Front Tires (4)
15	14852	7/27	81.62	Dartco Transmission Sales & Svcs.	Transmission Body Assm NG-15
16	14853	7/27	307.83	Grainger	Vibration Strut Clamp (30) Filter Crusher Machine Tubing (100Ft) Elbow (1)
17	14854	7/27	2,370.26	NVB Equipment, Inc.	A/C Repair NG-15
18	14855	7/27	33.90	Pre-Paid Legal Services, Inc.	Prepaid legal July-2023
19	14856	7/27	6,232.50	Rengel + Company Architects, Inc	Bldg Proj Mgt July-2023
20	14857	7/27	80,303.32	SDRMA - Workers' Compensation	Workers' Comp FY23-24
21	14858	7/27	90.05	SoCal Auto & Truck Parts, Inc.	Power Steering Oil (4)
22	14859	7/27	12,229.48	Southern California Edison	Electricity July 2023
23	14860	7/27	351.58	UniFirst Corporation	July - 2023
24	14861	8/4	94.91	Cameron Welding Supply	PO# 30776
25	14862	8/4	95.00	CMTA	Government Associate - Individual
26	14863	8/4	1,968.60	CR&R Incorporated	Acct # 63-0001259-2
27	14864	8/4	3,425.57	CRC Cloud	Monitors, Scanner and August 2023
28	14865	8/4	617.91	Frontier Communications	Acct # 209-188-5155-071808-5
29	14866	8/4	1,013.18	Haaker Equipment Co.	Customer # 129
30	14867	8/4	4,175.51	SDRMA - Employee Benefits	Member # 7732
31	14868	8/4	1,000.00	Shuster Advisory Group, LLC	Q2 2023 Advisory Fee for 457(b) & OBRA Plans
32	14869	8/4	9,009.55	SoCalGas	Acct # 021-760-4610 6
33	14870	8/4	98.02	Spectrum Enterprise (Time Warner Cable)	Acct # 8448 40 013 0973956
34	14871	8/4	1,508.32	Standard Insurance Company Life	Policy # 00 141873 0003
35	14872	8/4	1,517.03	Studio E. Interiors	07/10 - 07/31
36	14873	8/4	9,020.22	TEC Of California, Inc.	Restock Parts and Supplies July 2023
37	14874	8/4	567.84	UniFirst Corporation	Uniform & Laundry June - 2023
38	14875	8/4	2,062.50	VNCR	07/14/23 - 07/21/23
39	14876	8/4	1,000.00	Westminster Mall, LLC	Compost Event Sat 07/22/23
40	14877	8/4	186,188.72	Woodcliff Corporation - Contractor	Project No: 202041
41	14878	8/4	9,799.40	Woodcliff Corporation - Escrow Account	Account No. 3586554618
42			\$ 580,588.73	CHECKS SUBTOTAL	
43					
44				PAYROLL:	MEMO
45		7/25	87,550.97	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
		7/28	5,997.06	Nationwide	457 Deferred Compensation (Employees)
60		8/3	7,939.13	Paychex	Board Payroll - Checks, Taxes, & Direct Deposits
46		8/4	846.00	Nationwide	457 Deferred Compensation (Board)
49			\$ 102,333.16	ACH TRANSFERS SUBTOTAL	
50					

50					
51				ACH PAYMENTS:	MEMO
55	7/25	72.00		WEX Health Inc	Monthly HRA Admin Fee
58	7/25	1,442.19		Wex	Fleet Fuel
59	7/26	451.10		Paychex	Time & Attendance
53	7/27	6,874.06		CalPERS - Health Benefits	Employee Health 2023_08
54	7/27	70,314.59		CalPERS - Health Benefits	Board Health 2023_08
55	7/27	18,995.00		CalPERS-Retirement	Earned Period 07/10/23 - 07/23/23
52	7/28	589.84		US Bank	Account Fees
54	8/4	304.03		Paychex	Time & Attendance
48		\$ 99,042.81		ACH TRANSFERS SUBTOTAL	
61					
62		\$ 1,362,553.43		TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)	
63					
64				BANK TRANSFERS:	
64	7/28	\$ 500,000.00		Funds Transfer Money Market to Checking	
65	7/31	\$ 1,000,000.00		Funds Transfer LAIF to Checking	
67		\$ 1,000,000.00		BANK TRANSFERS	

A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve the expenditures in the amount of \$1,362,553.43. The motion was approved by the following 4-0 vote:

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

NAYS:

ABSTAIN:

ABSENT: C. Nguyen

REPORTS

Report of President:

None

Report of General Manager

GM R. Housley reported that this year's Holiday Party will take place at 4:30 PM on Sunday, December 17, 2023, at The Ranch Restaurant.

He reported that the mailer for the clean-up event will be mailed by August 17, 2023, and that the business cards should be available for pickup on that day. Additionally, he reported that just two of the four distributors submitted bids for the redesign of the board room. The lowest bid was made by PeopleSpace.

Report from CR&R Quarterly Reports

G. Angulo from CR&R reported the average diversion percentage for the first half of 2023 was at 44.53%. He stated that they have been putting a lot of effort into promoting SB1383.

Report from the Building Project Ad Hoc Committee Meeting on August 1, 2023

Director S. Contreras and M. Nguyen both received a status update from GM R. Housley. Director S. Contreras reported that there is a minor change order currently being prepared.

Report from the CR&R Tenant Workshop at Cinnamon Creek on August 9, 2023

Director C. Nguyen attended the workshop and reported that CR&R must prepare these events more effectively. In order to avoid wasting time and effort, he suggested that CR&R come up with ideas to draw more attendees to the event.

Report from the Outreach VietLink Radio on August 10, 2023

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

CONSENT CALENDAR

- A. Approve the Engineer Report for July 2023
- B. Approve the August 2, 2023 Outreach Committee Recommendations
- C. Approve and File the Treasurer's Investment Report for July 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 4-0 vote:

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

OLD BUSINESS

None

Director C. Nguyen arrived at the meeting at 5:46 PM.

NEW BUSINESS

- A. Discussion and Consideration of the level of participation at the City of Westminster Fall Festival

A staff report and recommendations were provided and considered by the Board. A motion was made by Director S. Contreras, seconded by Director M. Nguyen, to approve District sponsorship of the City of Westminster Fall Festival at the silver sponsor level in the amount of \$1,000.00. The motion was approved by the following 5-0 call vote:

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

INFORMATIONAL ITEMS

None

BOARD CONCERNS/COMMENTS

The Board thanked Staff.

Director S. Contreras expressed that he would like the district to reach out to more people than just the Vietnamese community.

GM/STAFF CONCERNS/COMMENT

GM R. Housley reminded the Board of upcoming events, including the calendar committee meeting on August 18, the district employee luncheon on August 23, and the clean-up event at Goldenwest park on August 26. He also reminded the Board that he, Director A. Nguyen, Director C. Nguyen, and Director of Finance/HR S. Cox will all attend the CSDA annual meeting from August 28 through August 31.

LEGAL COUNSEL CONCERNS/COMMENTS

GC J. Eggart informed the Board that new legislation has been passed that modifies the procedure for approving district-related expenditures. More details will be given to staff, who will then bring it back to the board for discussion.

At President Diep's direction, General Counsel, J. Eggart convened the meeting to closed session at 5:57 PM pursuant to Government Code Section 54957.6, as identified on the agenda as item 14A, in order for Board to confer with its designated Labor Negotiator representatives. General Counsel J. Eggart noted that Robert Housley and Joseph Larsen were the Designated Representatives.

CLOSED 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 Robert Housley and Labor Counsel Joseph Larsen, Employee Organization: American Federation of State, County, and Municipal Employees, LOCAL 1734-01

President T. Diep reconvened the open session portion of the meeting at 6:00 PM.

General Counsel J. Eggart reported that the Board had met in closed session as identified on Agenda Item 14A, and that no reportable action had been taken.

ADJOURNMENT

President T. Diep adjourned the meeting at 6:00 PM to the next Board Meeting to be held at the District on Tuesday, September 5, 2023, at 5:30 PM.

Andrew Nguyen, Secretary