

**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.**

**May 4, 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, May 4, 2021 at 5:00 P.M.

**BOARD MEMBERS PRESENT:**

Margie L. Rice (via teleconference)  
Tyler Diep (arrived @ 5:20 PM via teleconference)  
Sergio Contreras (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  
Richard Rengel, Rengel (via teleconference)  
Sadia Syed, Rengel (via teleconference)  
Halston Robbins, Student

## 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 APR. 20 & 27, 2021 (Roll Call Vote)

A motion was made by Director C. Nguyen, seconded by President A. Nguyen, to approve the minutes of the special meetings of April 20 and April 27, 2021. 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: T. Diep

## APPROVAL OF EXPENDITURES

A. Demands in the amount of \$243,794.19

(Roll Call Vote)

#	CK #	Date	AMOUNT	VENDOR	
1				<b>CHECKS:</b>	<b>MEMO</b>
2	12645	4/20	\$ 320.00	<b>Asbury Environmental Services</b>	(320) Gallons Used Oil/Mixed Pick Up
3	12646	4/20	\$ 560.00	<b>Ayala's Car Wash</b>	Fleet vehicle wash 4/12
4	12647	4/20	\$ 480.07	<b>Bodyworks Equipment, Inc</b>	Heil parts for NG-15
5	12648	4/20	\$ 534.77	<b>Cameron Welding Supplies</b>	Welding supplies for shop use
6	12649	4/20	\$ 254.50	<b>Cintas</b>	Employee uniform services for 4/15
7	12650	4/20	\$ 1,620.00	<b>City of Westminster</b>	1st Qtr Over The Top Fees Jan, Feb, Mar, 2021
8	12651	4/20	\$ 84.94	<b>City of Westminster Hydrant</b>	Hydrant Water Service 03/15/2021-04/15/2021
9	12652	4/20	\$ 97.15	<b>SoCalGas</b>	District offices, mechanics shop & wash rack
10	12653	4/20	\$ 832.77	<b>Haaker Equipment</b>	Replacement parts for M-64 & NG-12
11	12654	4/20	\$ 2,400.00	<b>MTN Studio</b>	Facebook Mgmt & Video's for Apr 10th Clean-up Event
12	12655	4/20	\$ 139.69	<b>Peity Cash-Ken Robbins</b>	Miscellaneous expenses for office
13	12656	4/20	\$ 150.00	<b>Purchase Power</b>	Postage for March 2021
14	12657	4/20	\$ 20,942.16	<b>Rengel + Company Architects, Inc</b>	Architectural Services for Building Project
15	12658	4/20	\$ 2,904.42	<b>Time Warner Cable</b>	Internet service 04/09/21-05/08/21+ installation
16	12659	4/20	\$ 1,474.00	<b>State Water Resources Control Board</b>	Annual Permit Fee 04/01/2021-03/31/2022
17	12660	4/20	\$ 314.68	<b>TEC of California, Inc</b>	Restock filters for M-64 & Mack trucks
18	12661	4/20	\$ 308.57	<b>TrucPar Company</b>	Tools for shop
19	12662	4/27	\$ 326.96	<b>AT&amp;T</b>	Brookhurst Lift Station Phone & Internet
20	12663	4/27	\$ 1,197.26	<b>Frontier Communications</b>	District Office Phones & Lift Stations
21	12664	4/27	\$ 4,844.14	<b>Southern California Edison</b>	District Offices, CNG Station and Lift Stations
22	12665	4/27	\$ 74.31	<b>Time Warner Cable</b>	Television service April 2021
23	12666	5/1	\$ 225.00	<b>Ayala's Car Wash</b>	Fleet vehicle wash 4/19
24	12667	5/1	\$ 6,481.60	<b>Bodyworks Equipment, Inc</b>	Restock Heil parts
25	12668	5/1	\$ 372.57	<b>Cameron Welding Supplies</b>	Welding supplies for shop use
26	12669	5/1	\$ -	<b>Voided Check</b>	Reprinted check #12684

27	12670	5/1	\$ 145.50	<b>Haaker Equipment</b>	Replacement parts for M-64
28	12671	5/1	\$ 36.23	<b>Hillco Fastener Warehouse Inc</b>	Restock washers & bolts for shop
29	12672	5/1	\$ 685.00	<b>Jaycox Construction</b>	CNG oil/belt change and head leak repair
30	12673	5/1	\$ 33.90	<b>LegalShield</b>	Prepaid legal & theft svcs.
31	12674	5/1	\$ 200.00	<b>MemorialCare Medical Foundation</b>	DMV Physicals for CDL
32	12675	5/1	\$ 10,998.50	<b>PumpMan, LLC</b>	4th Qtr. Pump Maintenance FY 20/21
33	12676	5/1	\$ 2,400.00	<b>Radio Bolsa Corp.</b>	(7) 15-20 Minute Talkshows on KVNR-AM 1480
34	12677	5/1	\$ 2,623.53	<b>Safety-Kleen Systems, Inc</b>	Restock hydraulic and motor oil
35	12678	5/1	\$ 292.23	<b>SoCal Auto &amp; Truck Parts, Inc</b>	Replacement filter for CNG station
36	12679	5/1	\$ 1,226.48	<b>Standard Insurance Company</b>	Life Insurance & AD&D Premium Coverage
37	12680	5/1	\$ 3,748.45	<b>TEC of California, Inc</b>	Restock brake and turbo charger parts & filters
38	12681	5/1	\$ 646.15	<b>TrucPar Company</b>	Restock parts & supplies for Solid Waste trucks
39	12682	5/1	\$ 414.34	<b>TSP Printing</b>	Restock P.O. booklets
40	12683	5/1	\$ 9,050.00	<b>ECIS</b>	(362) FOG Inspections
41	12684	5/1	\$ 254.50	<b>Cintas</b>	Employee uniform services for 4/22
42	12685	5/1	\$ 4,029.00	<b>Kenneth Nguyen</b>	OCSD Fee&Permit refund for collection fees Permit#6733
43	12686	5/1	\$ 4,029.00	<b>David Tran</b>	OCSD Fee&Permit refund for collection fees Permit#6728
44	12687	5/1	\$ 4,029.00	<b>Hai Truong</b>	OCSD Fee&Permit refund for collection fees Permit#6729
45	12688	5/1	\$ 4,029.00	<b>Paul Vu</b>	OCSD Fee&Permit refund for collection fees Permit#6732
46			\$ 95,810.37	<b>CHECKS SUBTOTAL</b>	
47					
48				<b>PAYROLL</b>	
49	ACH	4/20	\$ 67,253.70	<b>Paychex</b>	Employee Payroll - Checks, Taxes, & Direct Deposits
50	ACH	4/21	\$ 4,838.96	<b>Nationwide Retirement Solutions</b>	457 Deferred Compensation (100% paid by employees)
51	ACH	4/21	\$ 835.00	<b>Nationwide Retirement Solutions</b>	457 Roth (100% paid by employees)
52			\$ 72,927.66	<b>ACH TRANSFERS SUBTOTAL</b>	
53					
54				<b>ACH PAYMENTS</b>	
55	ACH	4/19	\$ 15,598.65	<b>CalPERS</b>	Retirement Contributions for 04/05/2021-04/18/2021
56	ACH	4/20	\$ 4,936.33	<b>CalPERS</b>	Board of Directors Health Ins Premium for May 2021
57	ACH	4/20	\$ 54,521.18	<b>CalPERS</b>	Active Employee&Retiree Health Ins Premiums May 2021
58			\$ 75,056.16	<b>ACH TRANSFERS SUBTOTAL</b>	
59					
60			\$ 243,794.19	<b>TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)</b>	
61					
62				<b>BANK TRANSFERS</b>	
63	UB	4/26	\$2,000,000.00	<b>Transfer Funds from LAIF to UB Checking Account</b>	

Director C. Nguyen left the meeting at 5:05 PM.

A motion was made by Director M. Rice, seconded by Director S. Contreras, to approve the expenditures in the amount of \$243,794.19. The motion was approved by the following 3-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: T. Diep and C. Nguyen

Director C. Nguyen returned to the meeting at 5:06 PM.

## REPORTS

### Report of President

President A. Nguyen stated that he was looking forward to seeing everyone at the District luncheon on Wednesday, May 5, 2021.

## **Report of General Manager**

GM K. Robbins stated that there were students participating in the meeting for a Civics and Government class including his son, Halston Robbins.

GM K. Robbins reported that District office employee, Debbie Ralph, will be relocating to Montana. The District was notified on April 26 and her last day will be May 28. Staff has reached out to HB Staffing and a good candidate will be starting on Monday, May 24. The District has used HB Staffing for the past 15 years or so and has good success. It works well for the District because it is a temp agency and the new hire is on a 6 month probation so if the person does not work out, they are able to provide someone else with no consequences to the District.

GM K. Robbins stated that he called District resident Carol Burk to discuss her questions which were written into the District regarding recycling. He explained that different jurisdictions handled things differently and he answered her questions. A copy of her letter is in the agenda under Item 10A.

GM K. Robbins reported that the July 4<sup>th</sup> holiday lands on a Sunday this year and will be recognized on Monday, July 5. The District's solid waste operations will be on a normal schedule however, with the drivers being paid for Sunday. Office staff will work split shifts and stagger Friday, July 2 and Monday, July 5.

## **Report from the Orange County Sanitation District Meeting on April 28, 2021**

President A. Nguyen reported that OC San recognized two outstanding employees for their 30 year service. OC San serves over twenty cities but recently discovered 1,200 parcels that were missed in Anaheim, Villa Park and Yorba Linda and Villa Park and were not charged for their services for many years. President A. Nguyen reported that there will be an election next month for chairman and vice chairman.

## **Report from the ISDOC Quarterly Meeting on Apr. 29, 2021**

All the Directors attended the ISDOC quarterly meeting and were amazed at the size of the Yorba Linda Water District, what they must have gone through to build it and how they are now enjoying the benefits of it. There was also a report on the large amount (80-90%) of businesses that went out of business due to the pandemic at the John Wayne Airport.

## **CONSENT CALENDAR**

A. Approval of Continued Lift Station Maintenance and Agreement to PumpMan for Fiscal Years 2021/2022

A motion was made by Director M. Rice, seconded by Director C. Nguyen, 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: T. Diep

## **OLD BUSINESS**

None

## **NEW BUSINESS**

A. Approval of Notice to Bidders for the Addition and Remodel of the Midway City Sanitary District Office **(Roll Call Vote)**

Rick Rengel and Sadia Syed from Rengel & Co. Architects gave the Board an updated overview and timeline of the District's addition and remodel project.

Director T. Diep arrived at the meeting at 5:20 P.M.

A report of a summary of Staff's recommendation was provided and considered by the Board. A motion was made by Director C. Nguyen, seconded by President A. Nguyen, to approve the Notice to Bidders for the addition and remodel of the District's offices. 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. Approve the Transferring and Reallocating of Funds into the Midway City Sanitary District's Reserve and Investment Accounts **(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 C. Nguyen, seconded by President A. Nguyen, to approve the transferring and reallocating of funds into the Midway City Sanitary District's reserve and investment accounts. 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. A RESOLUTION NO 2021-03 OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ADOPTING THE 2021-2022 SALARY SCHEDULE FOR NON-REPRESENTED EMPLOYEES  
**(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 approve adoption of Resolution No. 2021-03 adopting the 2021-2022 salary schedule for the District's non-represented employees. 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:

D. Discuss and Consider Changing the Midway City Sanitary District's Regularly Scheduled Board Meeting on Tuesday, May 18, 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 Director T. Diep, seconded by President A. Nguyen to approve changing the District's regularly scheduled Board meeting on Tuesday, May 18, 2021 at 5:30 P.M. to a special teleconference meeting at 5 P.M. 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. Letter from Resident Regarding Recycling

Receive and file.

**BOARD CONCERNS/COMMENTS**

Director M. Rice stated that she would not be able to attend the luncheon at the District on Wednesday, May 5, 2021.

Director S. Contreras asked about the time of the luncheon.

President A. Nguyen confirmed that he would be at the luncheon.

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

GM K. Robbins stated that he called CR&R to order 2 20-foot haul-aways for the District to use for storage during the remodel and that they would be arriving in the next few weeks.

Finance/HR Director R. Housley thanked the Board for their support in passing and adopting the items on the agenda tonight. He stated that the Directors' vision insurance had been approved by the carrier, that they were covered as of May 1, but that it would be a week or two before it shows up in their system.

### **GENERAL COUNSEL CONCERNS/COMMENTS**

None

General Counsel, J. Eggart convened the meeting to a closed session at 5:37 P.M. 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**

President A. Nguyen reconvened the meeting at 6:18 PM.

General Counsel J. Eggart 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, May 18, 2021 at 5:00 P.M. at the District office at approximately 6:18 P.M.

Sergio Contreras  
Sergio Contreras, Secretary