

**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.**

February 16, 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, February 16, 2021 at 5:04 P.M.

BOARD MEMBERS PRESENT:

Margie L. Rice (via teleconference)
Tyler Diep (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)
Danielle Gerardo, Board Secretary

PLEDGE AND INVOCATION

Director C. Nguyen led the Pledge of Allegiance. Director C. Nguyen gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF FEB. 2, 2021 (Roll Call Vote)

A motion was made by Director C. Nguyen, seconded by Director S. Contreras, to approve the minutes of the special meeting of February 2, 2021. 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:

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$318,240.72 (Roll Call Vote)

#	CK #	Date	AMOUNT	VENDOR	MEMO
1				CHECKS:	
2	12422	2/1	\$ 265.62	Cintas	Uniform Services for 1/28
3	12423	2/1	\$ 93,515.29	CR Transfer	Residential Waste and Organic Tonnage Fees 01/01/21 through 01/15/21
4	12424	2/1	\$ 4,599.11	Daniel's Tire Service	(22) Restock tires for Solid Waste trucks + repairs
5	12425	2/1	\$ 311.98	DriveShaftpro	NG-12 driveshaft repair for Sewer Maintenance
6	12426	2/1	\$ 13.01	Hose-Man, Inc	M-64 water fittings for Sewer Maintenance
7	12427	2/1	\$ 420.00	Merchants Building Maintenance, LLC	COVID-19 enhanced cleaning services on 01/05/21
8	12428	2/1	\$ 4,869.85	Southern California Edison	District Offices, CNG Station and Lift Stations for January 2021
9	12429	2/1	\$ 27.32	TEC of California, Inc	Took \$27 credit on check #11647 after taking full credit earlier
10	12430	2/4	\$ 78.47	Advanced Gas Products	Restock compressed gas in shop
11	12431	2/4	\$ 59.50	Advanced Workplace Strategies, Inc	Random drug test for Solid Waste dept 1/06/21
12	12432	2/4	\$ 985.00	Ayala's Car Wash	Fleet wash 1/28, 2/2
13	12433	2/4	\$ 7,218.44	Bodyworks Equipment, Inc	Restock hydraulic packer cylinders and Heil parts for Solid Waste trucks
14	12434	2/4	\$ 265.62	Cintas	Uniform Services for 2/4
15	12435	2/4	\$ 31.64	City of Westminster-Water Billing	Westminster/Lift Stations 12/29/20-02/02/21
16	12436	2/4	\$ 816.00	CRC Cloud	Maintenance/Support February 2021
17	12437	2/4	\$ 300.00	Streamline	Website Monthly Member Fee: February 2021
18	12438	2/4	\$ 16,452.73	dtn.tech	February 2021 Newsletter, (1000) White envelopes with logo and return address
19	12439	2/4	\$ 420.00	Konecranes, Inc	5 Ton crane quarterly inspection
20	12440	2/4	\$ 22,403.75	Rengel + Company Architects, Inc	OCFA Permit Fee for Building Project, Architectural Services for Building Project
21	12441	2/4	\$ 36.33	SoCal Auto & Truck Parts, Inc	Restock silicone spray and windshield wash
22	12442	2/4	\$ 2,248.13	TEC of California, Inc	Replacement power steering cylinder NG-14, Restock alternator/brake system parts
23	12443	2/4	\$ 31.45	Underground Service Alert/SC	(13) New Tickets for JAN-2021 & Monthly Fee
24	12444	2/4	\$ 809.67	US Bank Corporate Payment Systems	District Credit Cards
25	12445	2/10	\$ 190.96	Advanced Gas Products	Restock acetylene, oxygen and propane for shop use
26	12446	2/10	\$ 371.31	Agility Fuel Solutions	Restock CNG fuel caps for release vents
27	12447	2/10	\$ 825.00	Ayala's Car Wash	Fleet wash 2/4, 2/8
28	12448	2/10	\$ 4,354.26	Bodyworks Equipment, Inc	Replacement hydraulic pump & mono block for NG-4
29	12449	2/10	\$ 927.64	Wex Bank (Chevron)	Fuel Credit Card for January 2021
30	12450	2/10	\$ 1,990.00	CliftonLarsonAllen	Compilation of the District's State Controllers Office Report for June 2020
31	12451	2/10	\$ 63.00	County of Orange-Treasurer Tax Collector	Quarterly Cost Allocation Billing for 01/01/21-03/31/21
32	12452	2/10	\$ 1,422.12	Daniel's Tire Service	(7) Restock recap tires for Solid Waste trucks
33	12453	2/10	\$ 1,215.14	Dion and Sons, Inc	(364) Gallons Diesel Fuel for District Generator
34	12454	2/10	\$ 8,318.02	SoCalGas	CNG Station, District offices, mechanics shop, and wash rack for January 2021
35	12455	2/10	\$ 65.66	Hose-Man, Inc	Restock air and brake connectors for 3rd axle suspension
36	12456	2/10	\$ 3,120.00	IB Consulting, LLC	Review/update data request & financial plan modeling
37	12457	2/10	\$ 804.23	Merchants Building Maintenance, LLC	Monthly Janitorial Service-February 2021
38	12458	2/10	\$ 27,547.15	Orange County Sanitation District	Permit Fees January-2021
39	12459	2/10	\$ 4,272.32	SDRMA	Dental & Vision Insurance Premiums for March 2021
40	12460	2/10	\$ 254.48	Snap-on Tools	Tools for removing drive shafts
41	12461	2/10	\$ 1,340.92	TEC of California, Inc	Replacement air brake valve NG-14, restock brake parts for Mack & Crane trucks
42				TEC of California, Inc	Core credit return (69.82) & rear hitch return credit (103.04)
43	12462	2/11	\$ 626.82	TrucPar Company	Restock hydraulic hose/fittings, hub assy for CCC, replacement camshaft bracket NG-1
44	12463	2/11	\$ 1,908.29	Verizon	Internet Connection for January 2021
45	12464	2/11	\$ 3,594.00	Woodruff, Spradlin & Smart	General Counsel Legal Services for January 2021
46			\$ 219,390.23	CHECKS SUBTOTAL	
47					

47					
48				PAYROLL	
49	ACH	2/5	\$ 5,526.79	Psychex	Board of Directors Payroll - Checks, Taxes, & Direct Deposits
50	ACH	2/8	\$ 444.99	Nationwide Retirement Solutions	457 Deferred Compensation (100% Paid By Board of Directors)
51	ACH	2/9	\$ 71,766.39	Psychex	Employee Payroll - Checks, Taxes, & Direct Deposits
52	ACH	2/10	\$ 4,480.00	Nationwide Retirement Solutions	457 Deferred Compensation (100% paid by employees)
53	ACH	2/10	\$ 560.00	Nationwide Retirement Solutions	457 Roth (100% paid by employees)
54			\$ 82,778.17	ACH TRANSFERS SUBTOTAL	
55					
56				ACH PAYMENTS	
57	ACH	2/9	\$ 16,072.32	CalPERS	Retirement Contributions for 01/25/21-02/07/21
58			\$ 16,072.32	ACH TRANSFERS SUBTOTAL	
59					
60			\$ 318,240.72	TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)	
61					

A motion was made by Director M. Rice, seconded by Director C. Nguyen, to approve the expenditures in the amount of \$318,240.72. The motion was approved by the following 4-0-1 roll call vote:

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

REPORTS

Report of President

President A. Nguyen reported that both he and his wife tested positive for COVID-19 on Friday, February 12, 2021.

Report of General Manager

GM K. Robbins reported that fire sprinklers must be added to the District project due to the square footage of the new office and will add approximately \$300,000 to the cost of the project.

GM K. Robbins reminded the Board of the COVID-style luncheon at the District on Wednesday, February 17, 2021 for retiring MCSD employee, Raul Jimenez at 12 noon.

Report from the Orange County Sanitation District (OCSD) Meetings on February 4 and 10, 2021

President A. Nguyen reported that new Directors were appointed as well as a new President and that he would forward the information for the next meeting to Director S. Contreras as his Alternate because he would not be able to attend.

Report from the Vietnamese Outreach Subcommittee Meeting on February 3, 2021

President A. Nguyen, Director T. Diep and GM K. Robbins met to discuss broadcasting on two separate programs – one on MeVietnam Productions and another on Viet Nam California Radio (VNCR) and to coincide them with the Lunar New Year.

Report from Radio Outreach on February 10 & 12, 2021

Directors M. Rice and C. Nguyen stated that they both felt that the outreach broadcasts that the Directors participated in on the Vietnamese radio stations were worthwhile, informative and timely due to the Lunar New Year.

CONSENT CALENDAR

A. Approve and File the Treasurer's Investment Report for January 2021

A motion was made by Director T. Diep, seconded by Director C. Nguyen to approve the Consent Calendar. The motion was approved by the following 5-0 following roll call vote:

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

NAYS:

ABSTAIN:

ABSENT:

OLD BUSINESS

None

NEW BUSINESS

A. Discussion of Compensation for Board of Directors **(Roll Call Vote)**

A motion was made by President A. Nguyen to move forward with a 5% increase or \$67.42 additional pay to the Board's current stipend of \$269.69 for a total of \$337.11, to have staff move forward with a public hearing and bring back an ordinance to the next meeting in March. The motion died due to the lack of a second.

There was Board discussion regarding taking a lesser amount.

An alternate motion was made by President A. Nguyen, seconded by Director M. Rice, to have staff move forward with a notice of public hearing raising the Board's stipend of \$269.69 by \$30.31 to \$300 per meeting and bring back an ordinance for Board approval. The motion was approved by the following 3-1-1 roll call vote:

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

NAYS: S. Contreras

ABSTAIN: C. Nguyen

ABSENT:

B. Consider Approval of 2021 Midway City Sanitary District Clean-up Event Schedule
(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 Director S. Contreras, to move as recommended by staff and approve the 2021 MCSD clean-up event schedule. 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. Consider Attendance at the 2021 Waste Expo being held at the Las Vegas Convention Center in Las Vegas, Nevada June 28-July 1, 2021 **(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 attendance to the 2021 Waste Expo being held at the Las Vegas Convention Center in Las Vegas, Nevada June 28-July 1, 2021. 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, March 2, 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 Director M. Rice, to approve changing the District's regularly scheduled Board meeting on Tuesday, March 2, 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. Independent Special Districts of Orange County (ISDOC) Executive Committee 2nd Vice President Vacancy

Receive and file.

BOARD CONCERNS/COMMENTS

The Directors wished President A. Nguyen and his wife a quick recovery.

GM/STAFF CONCERNS/COMMENT

GM K. Robbins reminded the Board again of the luncheon for retiring MCSD employee Raul Jimenez on Wednesday, February 27 at 12 noon and stated that staff is looking into the marketing aspect of using Facebook for the District.

GENERAL COUNSEL CONCERNS/COMMENTS

General Counsel J. Eggart stated that he hoped President A. Nguyen and his wife get better quickly.

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 A. Nguyen adjourned the meeting to Tuesday, March 2, 2021 at 5:00 P.M. at the District office at approximately 5:59 P.M.

Sergio Contreras
Sergio Contreras, Secretary