

**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**

September 19, 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, September 19, 2023 at 5:35 PM.

BOARD MEMBERS PRESENT:

Tyler Diep
Sergio Contreras
Andrew Nguyen
Mark Nguyen

STAFF MEMBERS PRESENT:

Robert Housley, General Manager
Nicolas Castro, Director of Operations & Safety
Siamlu Cox, Director of Finance & Human Resources
Milo Ebrahimi, District Engineer, P.E.
Ashley Davies, Director of Servs. & Program Development
Cynthia Olsder, Executive/Board Secretary

BOARD MEMBERS ABSENT:

Chi Charlie Nguyen

OTHER MEMBERS PRESENT:

Cassie Trapezonian, Assistant General Counsel, Woodruff & Smart
James R. Fisler, Commissioner, Orange County Local Agency Formation
John Lewis, Consultant, Mesa Water District

PLEDGE AND INVOCATION

President T. Diep led the Pledge of Allegiance. Director S. Contreras gave the Invocation.

PUBLIC COMMENTS

J. Fisler, Commissioner of the Orange County Local Agency Formation (LAFCO) provided an update relevant to special districts in Orange County. He also handed out a newsletter for distribution. He said the purpose of his visit was to ensure open dialogue and transparency.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON SEPTEMBER 5, 2023

A motion was made by Director A. Nguyen, seconded by Director S. Contreras, to approve the minutes of the Regular Meeting on September 5, 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 \$1,182,744.54.

#	CK #	DATE	AMOUNT	VENDOR CHECKS:	MEMO:
1	14912	8/23	599.00	Eduardo Ceja	District Luncheon 2023_08_23
2	14913	8/25	531.34	AT&T (Brookhurst Lift Station)	Acct # 714 531-0272 115 1
3	14914	8/25	280.00	Ayala's Car Wash	Fleet Wash 08/21/23
4	14915	8/25	1,840.50	Bodyworks Equip. Inc.	Heil Switch (5) Control Box (1) Interface (1)
5	14916	8/25	84.94	City of Westminster Hydrant	Hydrant Water Service Aug-2023
6	14917	8/25	4,882.50	CliftonLarsonAllen, LLP	Financial Stmt Audit FYE 06/30/2023 Interim
7	14918	8/25	149.69	Cummins Pacific LLC	Oil Pan Gasket (1) NG-5
8	14919	8/25	5,544.05	Daniels Tire Service	Recap and Front Tires
9	14920	8/25	1,070.65	Dartco Transmission Sales & Svcs.	Transmission Filters (12)
10	14921	8/25	1,931.53	Dtntech	Stadium Seats (40)
11	14922	8/25	1,411.00	Heritage Container Corporation	Cardboard Trash Boxes (250)
12	14923	8/25	3,718.55	Hydraulic Solutions And Supplies	Heil cylinders (4) Heil Packer (2)
13	14924	8/25	678.12	Intuit, Inc.	Void
14	14925	8/25	2,383.80	Lock N Climb LLC	Truck Engine Platform Ladder (1)
15	14926	8/25	30.00	MemorialCare Medical Foundation	Lab Spec R. Mayfield 03/08/2023
16	14927	8/25	33.90	Pre-Paid Legal Services, Inc.	Prepaid legal Aug-2023
17	14928	8/25	27,256.56	Samsara Inc.	License/Support Vehicle Cameras 07/22/23-07/21/24 (18)
18	14929	8/25	458.47	SoCal Auto & Truck Parts, Inc.	Shop Fan (1) Venom Steel (2) Brake Cleaner (36)
19	14930	8/25	2,368.44	Southwest Sign Company	Building Dedication Plaque Dpt
20	14931	8/25	2,017.03	Studio E. Interiors	Issue & Evaluate bids; Board Room layout
21	14932	8/25	361.66	UniFirst Corporation	August - 2023
22	14933	8/25	9,812.50	Woodruff & Smart	Legal Services July-2023
23	14934	9/1	615.50	Advanced Workplace Strategies, Inc.	DOT Test P.Mariscal, D.Solano, J.Contreras, R.Mayfield 08/04/23
24	14935	9/1	620.00	Ayala's Car Wash	Fleet Wash (4)
25	14936	9/1	5,961.26	Bodyworks Equip. Inc.	Packer Paddle & Actuator Kit (1), Journal Block (1)
26	14937	9/1	282.13	Cameron Welding Supply	Revco Tigster Flame Res. LG (2), Revso Tigster Flame Res. XL (1), Med Marking Soapstone 120PK (1)
27	14938	9/1	167.04	City of Westminster-Water Billing	Wash Rack and District Office
28	14939	9/1	193,214.13	CR Transfer, Inc.	Tonnage Fees July 2023
29	14940	9/1	1,990.00	CRC Cloud	Maintenance & Support Aug-2023
30	14941	9/1	1,970.28	Daniels Tire Service	Recap Tires (15)
31	14942	9/1	10,117.50	Davis Farr LLP	Accounting Assistance July-2023
32	14943	9/1	0.00	Frontier Communications	VOID: Acct # 209-188-5155-071808-5
33	14944	9/1	419.67	Haaker Equipment Co.	Repairs to NG-6 Vactor Truck
34	14945	9/1	276.55	Hillco Fastener Warehouse Inc.	Restock bolts, washers, terminal packs & nylon wire for shop use
35	14946	9/1	42.53	Los Angeles Truck Centers, LLC	Turn Signal Lamp (2) for NG-12
36	14947	9/1	2,541.87	NVB Equipment, Inc.	A/C Repair NG-6, 10, 7
37	14948	9/1	696.00	Odyssey Power Corporation	Generator Emergency Diagnostic 08/21/23
38	14949	9/1	36.43	PSI	Replacement Parts for Wash Rack
39	14950	9/1	476.85	Safety-Kleen Systems, Inc.	Model 90 Parts Washers (1)
40	14951	9/1	11,816.73	Southern California Edison	Willow Aug-2023
41	14952	9/1	98.02	Spectrum Enterprise (Time Warner Cab	Aug-2023
42	14953	9/1	1,471.36	Standard Insurance Company Life	Sep - 2023
43	14954	9/1	683.98	Tell Steel	Metal plates (3) Solid Waste trucks
44	14955	9/1	349.57	UniFirst Corporation	August - 2023
45	14956	9/1	621.40	Frontier Communications	(714)903-1863 Willow Aug - 2023
46	14957	9/8	74.47	Andrew Nguyen	2023 CSDA Conference Reimbursement
47	14958	9/8	360.00	Ayala's Car Wash	Fleet Wash (9)
48	14959	9/8	335.15	Cameron Welding Supply	Oxygen, Compressed (2), Acetylene, Dissolved (1), Weldmark Cutting Tips (4)

49	14960	9/8	1,891.48	Clean Energy	CNG Station Service 08/28/23
50	14961	9/8	11,025.00	CliftonLarsonAllen, LLP	Financial Stmt Audit FYE 06/30/2023 Interim
51	14962	9/8	900.41	CR&R Incorporated	Compost Event Westminster Mall 07/22/23
52	14963	9/8	12,465.00	Rengel + Company Architects, Inc	Bldg Proj Mgt August-2023
53	14964	9/8	2,175.00	Safety Research Consultants, Inc.	Driver's Safety Training on 05/20/23
54	14965	9/8	7,473.38	SCI Consulting Group	Sewer & Trash Fee Levy Admin FY 2023-22
55	14966	9/8	4,218.88	SDRMA - Employee Benefits	Oct-2023
56	14967	9/8	245.00	Shannon Frost	EE Education Reimbursement
57	14968	9/8	11,725.19	SoCalGas	CNG Station Aug-2023 (12,439)
58	14969	9/8	81.76	Staples Business Credit	Office Supplies Aug-2023
59	14970	9/8	2,865.50	Studio E. Interiors	08/01 - 08/31
60	14971	9/8	473,927.04	Woodcliff Corporation - Contractor	Solar & Building Project
61	14972	9/8	24,943.54	Woodcliff Corporation - Escrow Account	Solar & Building Project
62			\$ 856,619.83	CHECKS SUBTOTAL	
63					
64				PAYROLL:	MEMO
65	ACH	8/22	87,055.43	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
66	ACH	8/23	5,985.16	Nationwide	457 Deferred Compensation (Employees)
67	ACH	9/1	8,221.16	Paychex	Board Payroll - Checks, Taxes, & Direct Deposits
68	ACH	9/1	846.00	Nationwide	457 Deferred Compensation (Board)
69	ACH	9/5	86,399.72	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
70		9/11	5,929.20	Nationwide	457 Deferred Compensation (Employees)
71			\$ 194,436.67	ACH TRANSFERS SUBTOTAL	
72					
73				ACH PAYMENTS:	MEMO
74	FY24M1002	8/21	389.23	Paychex	Time & Attendance
75	FY24M1003	8/25	17,005.28	US Bank Corporate Payment System	CAL-Card Purchases Statement 08/22/23
75	FY24M1004	8/24	19,076.37	CalPERS-Retirement	Earned Period 08/07/23 - 08/20/23
77	FY24M1005	8/28	1,572.71	Chevron Texaco (WEX Bank)	Fleet Fuel
75	FY24M1006	8/23	67,662.68	CalPERS-Health	September 2023 Health (Employees)
79	FY24M1007	8/23	6,874.06	CalPERS-Health	September 2023 Health (Board)
80	FY24M1008	8/25	72.00	Wex Health	Monthly HRA Admin Fee
81	FY24M1009	9/11	19,035.71	CalPERS-Retirement	Earned Period 08/21/23 - 09/03/23
81			\$ 131,688.04	ACH TRANSFERS SUBTOTAL	
83					
84			\$ 1,182,744.54	TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)	
85					
86				BANK TRANSFERS:	
86		8/22	400,000.00	Funds Transfer from Checking to Money Market	
87		8/22	500,000.00	Funds Transfer from LAIF to Checking	
88		9/8	262,167.50	Funds Transfer from Money Market to Checking	
89			\$ 1,162,167.50	BANK TRANSFERS	

A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve the expenditures in the amount of \$1,182,744.54. 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 Costa Mesa Sanitary District visited the district earlier today along with two members of the Youth Southeast Asian Leaders Initiative (YSEALI), a U.S. government's signature program to strengthen partnerships with emerging leaders in Southeast Asia.

GM R. Housley reported that a small group of kids under the age of five will be given a tour of our facility on September 22, 2023. He also reported that the management team will be attending a one-day training offsite at the Costa Mesa Sanitary District office on September 26, 2023.

GM R. Housley reported that the district website has posted the request for proposal (RFP) for the calendar for the years 2025 to 2027. Additionally, he provided an update on the 2024 calendar.

Report of the Outreach Committee Meeting on September 6, 2023

Director A. Nguyen and Director C. Nguyen attended the meeting to finalize the last clean-up event of the year, to discuss open house, and to decide the dates for the clean-up events in 2024.

Report of the AAPI Leadership Summit Conference on September 7, 2023

President T. Diep requested that this item be moved to the following agenda when Director C. Nguyen is present.

Report of the Meeting with Peoplespace Inc. offsite on September 7, 2023

Director A. Nguyen and Director M. Nguyen attended the meeting in Irvine, California and reported there were a lot of furniture and color decisions to be made.

Report of the Building Project Ad Hoc Committee Meeting on September 12, 2023

Director M. Nguyen provided a status updated reporting that there was a good probability the project would be finished in 2024.

CONSENT CALENDAR

- A. Approve the Transferring and Reallocating of Funds into the Midway City Sanitary District's Reserve and Investment Accounts
- B. Approve the September 6, 2023 Outreach Committee Recommendations
- C. Approve and File the Treasurer's Investment Report for August 2023
- D. Approve the Engineer Report for August 2023
- E. Recognition and Approval of a 5-year Accident and Injury Free Award for Relief Driver/Utility Worker, Shannon Clarke, in the Amount of \$200.00

- F. Recognition and Approval of a 5-year Accident and Injury Free Award for Sewer Worker, Alejandro Gonzalez, in the Amount of \$200.00

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

NEW BUSINESS

- A. Consider the Purchase of One (1) Electric Vehicle (EV) in an Amount Not to Exceed a Total of \$65,000.00

A staff report and recommendations were provided and considered by the Board. A motion was made by Director A. Nguyen, seconded by Director M. Nguyen, to approve the purchase of one (1) electric vehicle (EV) in an amount not to exceed a total of \$65,000. The motion was approved by the following 4-0 call vote:

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

- B. RESOLUTION NO. 2023-19

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, APPROVING CHANGES TO THE EMPLOYEE HANDBOOK FOR NON-REPRESENTED EMPLOYEES AND RESCINDING RESOLUTION NO. 2021-12

A staff report and recommendations were provided and considered by the Board. A motion was made by Director A. Nguyen, seconded by Director M. Nguyen, to adopt Resolution No. 2023-19, approving changes to the employee handbook for non-represented employees and rescinding Resolution No. 2021-12. The motion was approved by the following 4-0 roll call vote:

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

INFORMATIONAL ITEMS

- A. Orange County Water District Groundwater Adventure Tour on October 27, 2023
- B. Orange County Water Summit on October 13, 2023

Received and file.

BOARD CONCERNS/COMMENTS

Director A. Nguyen thanked Staff.

Director S. Contreras reminded staff that he has not yet received information on the director of services and program development's workplan or the district's plans for reaching out to communities other than the Vietnamese community.

GM/STAFF CONCERNS/COMMENT

None

LEGAL COUNSEL CONCERNS/COMMENTS

None

CLOSED SESSION

None

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.

ADJOURNMENT

President T. Diep adjourned the meeting at 6:15 PM to the next Board Meeting to be held at the District on Tuesday, October 3, 2023, at 5:30 PM.

Andrew Nguyen, Secretary