

**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.**

January 19, 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, January 19, 2021 at 5:05 P.M.

BOARD MEMBERS PRESENT:

Margie L. Rice (via teleconference)
Tyler Diep (via teleconference)
Sergio Contreras (absent)
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
Joseph Larsen, Labor Counsel (via teleconference)

PLEDGE AND INVOCATION

Director T. Diep led the Pledge of Allegiance. Director T. Diep gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF JAN. 5, 2021 (Roll Call Vote)

A motion was made by Director C. Nguyen, seconded by Director T. Diep, to approve the minutes of the special meeting of January 5, 2021. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: S. Contreras

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 352,007.20 (Roll Call Vote)

1				CHECKS:	
2	12050	12/30	\$ 609.00	Be Safe Fire Protection	Annual Maintenance for fire extinguishers
3	12051	12/30	\$ 816.00	CRC Cloud	Maintenance/Support January 2021
4	12052	12/30	\$ 1,161.23	Frontier Communications	District Office Phones & Lift Stations for December 2020
5	12053	12/30	\$ 420.00	Merchants Building Maintenance, LLC	Enhanced cleaning services on 12/03
6	12054	12/30	\$ 200.00	Raul Martinez	Workboot reimbursement (2020)
7	12055	12/30	\$ 27,450.00	Rengel + Company Architects, Inc	Architectural Services for Building Project
8	12056	12/30	\$ 4,705.12	Southern California Edison	District Offices, CNG Station and Lift Stations for December 2020
9	12057	12/30	\$ 1,211.36	Standard Insurance Company	Life Insurance & AD&D Premium Coverage for January 2021
10	12058	12/31	\$ 130.48	Carlos Gomez	Workboot reimbursement (2020)
11	12059	12/31	\$ 200.00	Sergio Gonzalez	Workboot reimbursement (2020)
12	12356	1/5	\$ 1,935.05	Daniel's Tire Service	(9) Restock recap tires for Solid Waste trucks
13	12357	1/8	\$ 1,910.00	Ayala's Car Wash	Fleet wash 12/24, 12/29, 12/31, 1/4
15	12358	1/8	\$ -	Voided Check	Testing of new signatures
14	12359	1/8	\$ 792.65	Cintas	Uniform Services for 12/24, 12/31, 1/7
16	12360	1/8	\$ 96,680.34	CR Transfer	Residential Waste and Organic Tonnage Fees 12/16/20 through 12/31/20
17	12361	1/8	\$ 300.00	Streamline	Website Monthly Member Fee: January 2021
18	12362	1/8	\$ 990.66	Franklin Truck Parts	Brake chambers & slack adjusters for NG-1 & restock
19	12363	1/8	\$ 29,390.15	Orange County Sanitation District	Permit Fees December-2020
20	12364	1/8	\$ 699.00	Mobile Relay Associates	Restock new Kenwood 2 way radio for Solid Waste
21	12365	1/8	\$ 560.87	Safety-Kleen Systems, Inc	Restock anti-freeze for Solid Waste
22	12366	1/8	\$ 1,000.00	Shuster Advisory Group, LLC	Advisory Fee 457 (b) and OBRA plans-Q4 2020
23	12367	1/8	\$ 133.35	SoCal Auto & Truck Parts, Inc	Replacement battery for S-3
24	12368	1/8	\$ 290.06	Staples Business Credit	December 2020 Office Supplies
25	12369	1/8	\$ 8,224.85	TEC of California, Inc	NG-2 transmission repair, NG-1 replacement brake kit, restock for brake system
26				TEC of California, Inc	NG-14 brake chamber/slack adjuster replacement, restock brake shoes & kits
27	12370	1/8	\$ 3,836.34	Truck Gears Incorporated	NG-3 differential repair
28	12371	1/8	\$ 168.02	TrucPar Company	Restock clamps for air hoses on trucks
29	12372	1/8	\$ 24.85	Underground Service Alert/SC	(9) New Tickets for December 2020 & Monthly Fee
30	12373	1/12	\$ 78.47	Advanced Gas Products	Restock argon compressed gas for shop
31	12374	1/12	\$ 845.00	Ayala's Car Wash	Fleet wash 1/7, 1/11
32	12375	1/12	\$ 518.75	Country City Towing	NG-2 towed from yard to TEC and M-5 from Trask to MCSD yard
33	12376	1/12	\$ 400.00	CRC Cloud	Veeam backup renewal for 2/2021-02/2022
34	12377	1/12	\$ 1,074.00	Frog Environmental	2020-21 Storm Water Services 3rd Qtr, Storm water run-off samples 12/28/2020
35	12378	1/12	\$ 7,627.38	SoCalGas	CNG Station from 12/01/2020 through 01/01/2021
36	12379	1/12	\$ 804.23	Merchants Building Maintenance, LLC	Monthly Janitorial Service-January 2021
37	12380	1/12	\$ 880.00	Reliable Monitoring Services	Calibration & Testing of Gas Detection System at District
38	12381	1/12	\$ 4,024.10	SDRMA	Dental & Vision Insurance Premiums for February 2021
39	12382	1/12	\$ 1,037.96	SDRMA	FY 2020-21 Liability package adjustment for Q2 (Peterbilt 320 & Front Loader)
40	12383	1/12	\$ 207.26	SoCal Auto & Truck Parts, Inc	Restock tailgate hose for Solid Waste trucks
41	12384	1/12	\$ 2,749.81	TEC of California, Inc	Restock slack adjusters,brake chambers,clevis kits,filters&water replacement for NG-2
42					Credit for Core Return (\$279.28)
43	12385	1/12	\$ 517.98	Tell Steel	Restock flooring materials for Solid Waste trucks
44	12386	1/12	\$ 10,236.13	US Bank Corporate Payment Systems	District Credit Cards
45			\$ 214,840.45	CHECKS SUBTOTAL	
46					

46					
47				PAYROLL	
48	ACH	1/12	\$ 99,634.36	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
49	ACH	1/13	\$ 4,280.00	Nationwide Retirement Solutions	457 Deferred Compensation (100% paid by employees)
50	ACH	1/13	\$ 560.00	Nationwide Retirement Solutions	457 Roth (100% paid by employees)
52			\$ 104,474.36	ACH TRANSFERS SUBTOTAL	
53					
54				ACH PAYMENTS	
55	ACH	12/30	\$ 15,903.85	CalPERS	Retirement Contributions for 12/14/2020-12/27/20
56	ACH	1/12	\$ 15,936.24	CalPERS	Retirement Contributions for 12/28/20-01/10/21
57	ACH	1/8	\$ 852.30	Wex Bank (Chevron)	Gasoline & Diesel Fuel (Credit Card) for December 2020
58			\$ 32,692.39	ACH TRANSFERS SUBTOTAL	
59					
60			\$ 352,007.20	TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)	
61					
62				BANK TRANSFERS	
63	UB	12/23	\$2,800,000.00	Transfer Funds from UB Money Market to UB Checking Account	
64	LAIF	12/30	\$2,700,000.00	Transfer Funds from UB Checking Account to LAIF	
65	UB	12/31	\$1,635,147.36	Transfer Funds from UB Money Market to UB Checking Account	
66	LAIF	12/31	\$1,330,000.00	Transfer Funds from UB Checking Account to LAIF	

A motion was made by Director M. Rice, seconded by Director T. Diep, to approve the expenditures in the amount of \$ 352,007.20. The motion was approved by the following 4-0 roll call vote:

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

REPORTS

Report of President

None

Report of General Manager

GM K. Robbins reported that the California solid waste industry is waiting for CalRecycle to issue a formal letter, followed later by a letter of non-compliance to be sent to all agencies regarding complete compliance with SB 1383. The approved regulations were just recently finalized and this will benefit the District in that it will help to get anyone who is not compliant in compliance. Approximately 500 green containers will need to be provided to households within the District regardless of the lack of a yard in order to capture food waste.

GM K. Robbins reminded the Board that their 700 forms are due by April 1, 2021 and 460/470 forms are due by January 31, 2021.

GM K. Robbins reported that the routers at the Districts lift stations need to be replaced because they are starting to go out and cannot communicate with the SCADA system. They were going to be done during the remodel but now need to be done sooner.

GM K. Robbins reported that a claim was filed at the District regarding pollutants in 1989 in a portion of Garden Grove that the District used to service. The claim has been sent to SDRMA.

CONSENT CALENDAR

A. Approve and File the Treasurer's Investment Report for December 2020

B. Approve the December 2020 Financial Reports and Budget Review for the Period of July 1, 2020 through December 31, 2020

A motion was made by Director T. Diep, seconded by Director M. Rice, to approve the Consent Calendar. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: S. Contreras

OLD BUSINESS

None

NEW BUSINESS

A. Consider Adoption of 2021 Midway City Sanitary District Strategic Plan
(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 President A. Nguyen, to approve adoption of the 2021 Midway City Sanitary District Strategic Plan. The motion was approved by the following 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: S. Contreras

B. Discuss and Consider Changing the Midway City Sanitary District's Regularly Scheduled Board Meeting on Tuesday, February 2, 2020 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 C. Nguyen, seconded by Director T. Diep to approve changing the District's regularly scheduled Board meeting on Tuesday, February 2, 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 4-0 roll call vote:

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

NAYS:

ABSTAIN:

ABSENT: S. Contreras

INFORMATIONAL ITEMS

A. Midway City Sanitary District Year Ending 2020 Statistics

Receive and file.

BOARD CONCERNS/COMMENTS

Director M. Rice thanked Finance/HR Director R. Housley for doing such a great job with the financials.

Director C. Nguyen seconded Director M. Rice's compliment to Finance/HR Director R. Housley and wished Director T. Diep a happy birthday.

GM/STAFF CONCERNS/COMMENT

Finance/HR Director R. Housley thanked the Board for their comments and wished Director T. Diep a happy birthday.

GENERAL COUNSEL CONCERNS/COMMENTS

General Counsel J. Eggart wished Director T. Diep a happy birthday.

General Counsel, J. Eggart convened the meeting to a closed session at 5:28 P.M. with labor negotiators pursuant to Government Code Section 54957.6, as identified on the agenda as item 14A and 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 6:32 P.M.

General Counsel 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, February 2, 2021 at 5:00 P.M. at the District office at approximately 6:32 P.M.

Sergio Contreras
Sergio Contreras, Secretary