

**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 5, 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 5, 2023 at 5:32 PM.

**BOARD MEMBERS PRESENT:**

Tyler Diep  
Chi Charlie Nguyen  
Andrew Nguyen  
Sergio Contreras  
Mark Nguyen

**STAFF MEMBERS PRESENT:**

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

**OTHER MEMBERS PRESENT:**

James H. Eggart, General Counsel Woodruff & Smart

**PLEDGE AND INVOCATION**

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

**PUBLIC COMMENTS**

None

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON AUGUST 15, 2023**

A motion was made by Director M. Nguyen, seconded by Director S. Contreras, to approve the minutes of the Regular Meeting on August 15, 2023. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

## APPROVAL OF EXPENDITURES

A. Demands in the amount of \$197,835.20.

#	CK #	DATE	AMOUNT	VENDOR CHECKS:	MEMO:
1	14879	8/11	0.00	SoCalGas	VOID: Acct # 021-760-4610 6
2	14880	8/11	450.37	AT&T Mobility (First Net)	July-2023
3	14881	8/11	660.00	Ayala's Car Wash	Fleet Wash
4	14882	8/11	5,721.49	Bodyworks Equip. Inc.	2" Cam Follower (13) 4" Cam Follower (2)   RR Hose Tray Kit (2) RockerSwitch (20)
5	14883	8/11	1,413.12	Daniels Tire Service	Recap Tires (6)
6	14884	8/11	984.91	Dtntech	August Clean Up Mailer (1000)
7	14885	8/11	559.50	Konecranes, Inc.	Crane inspection Aug-2023 Shop
8	14886	8/11	828.36	Merchants Building Maintenance, LLC	Janitorial Services August-2023
9	14887	8/11	308.12	Motion and Flow Control Products, Inc.	Tube fittings (5)   Hydraulic fittings (20)
10	14888	8/11	487.20	Snap-On Tools	Tools for Shop
11	14889	8/11	38.23	SoCalGas	Maint. Shop & Wash Rack - Aug 2023
12	14890	8/11	474.57	Staples Business Credit	Office Supplies Jul-2023
13	14891	8/11	8,766.45	SoCalGas	CNG Station Jun-2023 (11,900)
14	14892	8/18	15,598.00	AKM Consulting Engineers, Inc.	Spill Emergency Response & Master Plan
15	14893	8/18	980.00	Ayala's Car Wash	Fleet Wash
16	14894	8/18	4,678.36	Bodyworks Equip. Inc.	2" Cam Follower (10) 4" Cam Follower (2) Prox Switch (4) Spring (10)   Check & Relief Valve (2)
17	14895	8/18	1,000.00	City of Westminster	Fall Festival Silver Sponsorship 09/22-24/23
18	14896	8/18	363.00	County of Orange/ Healthcare	CUPA APSA CUPA HAZ MAT Disclosure & Above Ground Tank
19	14897	8/18	157.34	Cummins Pacific LLC	Expansion Plugs (6) NG-10
20	14898	8/18	461.34	Daniels Tire Service	Recap Tires (2)
21	14899	8/18	36.58	Hillco Fastener Warehouse Inc.	Extruded U Nut (25) NG-17
22	14900	8/18	1,931.00	Jaycox Construction CNG	CNG Receptable Connectors (7)
23	14901	8/18	1,274.71	Los Angeles Truck Centers, LLC	Sight Glass (4)
24	14902	8/18	2,000.00	MacLeod Watts Inc.	GASB 75 Actuarial Update Report June 30 2023
25	14903	8/18	74.52	Motion and Flow Control Products, Inc.	Hydraulic fittings (5)
26	14904	8/18	18,854.67	Orange County Sanitation District	Permit Fees Jul-2023
27	14905	8/18	307.09	Pitney Bowes/Purchase Power	Postage August-2023
28	14906	8/18	11,536.00	PumpMan	Lift Stations Maintenance 07-09/2023
29	14907	8/18	2,009.00	Rutan & Tucker, LLP	Legal Services July-2023
30	14908	8/18	3,290.82	Safety-Kleen Systems, Inc.	Transmission fluid (201)
31	14909	8/18	1,349.00	Spectrum Enterprise (Time Warner Cab)	August-2023
32	14910	8/18	353.97	SoCal Auto & Truck Parts, Inc.	Air Flow Sensor Cleaner (12) Brake Parts Cleaner (24)
33	14911	8/18	598.14	UniFirst Corporation	August - 2023
34			<b>\$ 87,545.86</b>	<b>CHECKS SUBTOTAL</b>	
35					
36				<b>PAYROLL:</b>	<b>MEMO</b>
37		8/8	83,721.00	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
38		8/18	5,968.34	Nationwide	457 Deferred Compensation (Employees)
39			<b>\$ 89,689.34</b>	<b>ACH TRANSFERS SUBTOTAL</b>	
40					
41				<b>ACH PAYMENTS:</b>	<b>MEMO</b>
42		8/14	473.57	US Bank	Account Fees
43		8/15	1,050.00	CalPERS	GASB68
44		8/15	19,076.43	CalPERS-Retirement	Earned Period 07/24/23 - 08/06/23
45			<b>\$ 20,600.00</b>	<b>ACH TRANSFERS SUBTOTAL</b>	
46					

46				
47		\$ 197,835.20	TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)	
48				
49			BANK TRANSFERS:	
50			BANK TRANSFERS	
51				

A motion was made by Director C. Nguyen, seconded by Director S. Contreras, to approve the expenditures in the amount of \$197,835.20. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

**REPORTS**

**Report of President:**

None

**Report of General Manager**

GM R. Housley introduced Director of Services & Program Development, Ashley Davies, to the Board of Directors.

GM R. Housley reported that the combined sewer and solid waste fee for this year has been sent to the assessor's office; California secured property tax bills will be mailed out in October.

GM R. Housley reported that a change order for the building project's data line, internet services, and other connection lines has been approved.

**Report from the Franchise Meeting on August 11, 2023**

Director S. Contreras reported that he attended the meeting with Director M. Nguyen and that the District and CR&R will collaborate closely to organize a workshop event that is more effective and successful in the future.

**Report from the Calendar Committee on August 18, 2023**

Director M. Nguyen reported that he attended the meeting with Director S. Contreras and that they discussed some minor changes, such as color and photographs.

**Report from the District Employee Luncheon on August 23, 2023**

President T. Diep, Director A. Nguyen, and Director M. Nguyen attended the luncheon and reported that it was an excellent way to acknowledge the staff's efforts.

**Report from the OC San District Board of Directors Meeting on August 23, 2023**

Director A. Nguyen reported that the State of OC San luncheon is on Friday, October 27, 2023. Board Secretary C. Olsder will send an email with additional details and will make the reservation.

### **Report from the Clean-up Event at Goldenwest Park on August 26, 2023**

The event was attended by all the directors, who reported that it had a good turnout.

### **Report from the CSDA Annual Conference on August 28-31, 2023**

Director A. Nguyen and Director C. Nguyen attended the conference but deferred reporting on it to Director of Finance & HR Siamlu Cox. Director of Finance & HR Siamlu Cox reported that it was insightful, educational, and a great opportunity to network.

## **CONSENT CALENDAR**

- A. Approve the 4<sup>th</sup> Quarter Fiscal Year 2022-2023 Financial Reports and Budget Review
- B. Consider Attendance at the 2024 Work Truck Week Trade Show Held at the Indiana Convention Center in Indianapolis, Indiana March 5-8, 2024
- C. Consider Rejection of Government Claim Filed on Behalf of Cari McCormick

A motion was made by Director M. Nguyen, seconded by Director A. Nguyen, to approve the Consent Calendar. The motion was approved by the following 5-0 vote:

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

NAYS:

ABSTAIN:

ABSENT:

## **OLD BUSINESS**

None

## **NEW BUSINESS**

- A. Consider Approval of a Proposed Job Description for the Position of Accountant

A staff report and recommendations were provided and considered by the Board. A motion was made by Director A. Nguyen, seconded by Director S. Contreras, to approve the proposed job description for the position of accountant. 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**

A. ISDOC Quarterly Luncheon (in-person) – September 28, 2023

Received and file.

## **BOARD CONCERNS/COMMENTS**

Director M. Nguyen expressed appreciation to the staff who helped at the Clean-up event.

Director S. Contreras requested to be involved in the work plan for the Director of Services & Program Development.

Director A. Nguyen thanked both GM R. Housley and staff for their hard work.

Director C. Nguyen expressed his gratitude to the Board for supporting the attendance at the CSDA conference, noting that it was educational.

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

GM R. Housley reminded the Board that tomorrow, September 6, 2023, is the Outreach Committee meeting, and that this coming Thursday, September 7, 2023, is the AAPI Leadership Summit.

## **LEGAL COUNSEL CONCERNS/COMMENTS**

General Counsel J. Eggart informed the Board that he wouldn't be present at the following board meeting.

At President Diep's direction, General Counsel, J. Eggart convened the meeting to closed session at 6:04 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 6:05 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 6:05 PM to the next Board Meeting to be held at the District on Tuesday, September 19, 2023, at 5:30 PM.

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Andrew Nguyen, Secretary