San Mateo County
Mosquito and Vector Control District
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MINUTES OF THE REGULAR BOARD MEETING
OF THE BOARD OF TRUSTEES, APRIL 8, 2009

President Honan called the meeting to order at 7:09pm

TRUSTEES PRESENT:
Ronald Anderson  Leon Nickolas
John Curtis  Dennis Preger
Valentina Cogoni  James Ridgeway
Christine Fuller  Robert Riechel
Joseph Fil  Robert Bury
Ray Honan  Betsey Schneider
Robert Maynard  Richard Tagg
Sam Lerner  Tim Frahm
Robert Blake  Lawrence Peterson

TRUSTEES ABSENT:
Cal Hinton  Donna Rutherford

STAFF PRESENT:
Robert Gay, District Manager
JoAnn Dearman, Finance Administrator and Clerk
James Counts, Field Operations Supervisor
Angela Nakano, Assistant Vector Ecologist

GUESTS/SPEAKERS PRESENT:
Valerie Menager, Esq., Carr McClellan

Pledge of Allegiance

Public Input on Non Agendized Items
No one from the public was present to speak.

Agenda Modification of Order

MOTION: To approve moving the Closed Session before the Consent Calendar. Peterson/Anderson, carried unanimously.

Closed Session

CONFERENCE WITH DISTRICT MANAGER - EXISTING LITIGATION (Subdivision (a) of Section 54956.9), Name of case: Vega/Fernandez vs. San Mateo County Mosquito Abatement District
CONFERENCE WITH LEGAL COUNSEL- PUBLIC EMPLOYEE PERFORMANCE IMPROVEMENT PLAN AND EXISTING REQUESTED MONTHLY PERFORMANCE EVALUATION - Named of case: Karen Williams.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION - CONFERENCE WITH DISTRICT MANAGER EVALUATION COMMITTEE (DMEC) ON THE REVIEW AND PROCESS (Gov. Code Sec. 54957) - Name of case: Robert B. Gay.

**MOTION:** To adjourn into closed session. Fuller/Cogoni, carried unanimously.

**MOTION:** To come out of closed session. Riechel/Nickolas, carried unanimously.

Item one (1): The Board approved the Notice of Board Action on Application for Leave to present a Late Claim, Form L, to the legal counsel for Vega/Fernandez.

Item two (2): The Trustee Appeals Hearing Committee will outline the Settlement Agreement and Mutual Release with Ms. Karen Williams when completed.

Item three (3): Committee Chair (DMEC) and Board President will continue with the Manager’s Evaluation Process.

**Consent Calendar**

**MOTION:** To approve the Consent Calendar. Curtis/Fil, carried unanimously.

**General Fund #2706 - Expenditure Statements**

**MOTION:** To approve the Expenditures for March 2009. Curtis/Cogoni, carried unanimously.

**Finance Committee Meeting on March 30, 2009**

QuickBooks Accounting Program is now the District’s Accounting Program. The Finance Administrator transferred all financial documents from Microsoft Access and Peachtree to QuickBooks Accounting Program during this last reporting period. During this process a number of discrepancies were found in the old system of using Access software and Peachtree. The problem was due to not utilizing the accounting program to process the reports instead a separate database program where information had to be manually entered was used which allowed for errors and discrepancies.

C.G. Uhlenberg has contracted with the District to have an accountant available for three days a week to investigate and correct those discrepancies. The accountant is continuing to locate and correct the discrepancies. February was completed prior to the Board meeting. All of the reconciliation of accounts is being coordinated with the County Controllers Office. It will take some time to go back and correct all the discrepancies.

All future financial documents will originate from the QuickBooks Accounting Program. Budgetary documents will also originate from the QuickBooks Accounting Program and associated accounting spreadsheets.

Finance Administrator will make available all checks with all documentation for the Boards approval prior to approval being authorized. The goal is to go forward and streamline the financial reporting process and produce all financial documents directly from our accounting system. The trustees will review financial documents that reconcile the General Fund with revenues and expenditures.
The financial reports will include the check registry (list of monthly checks for approval), reconciliation statements (financial statement showing account balancing), profit and loss summary statements, and revenue statements from the monthly County’s Detailed Trial Balance Sheet.

**Capital Project Fund #2705 – Revenue and Expenditure Statements**

**MOTION:** To approve the Expenditures for March 2009. Nickolas/Ridgeway, carried unanimously.

**District Programs/Staff Reports**

Assistant Vector Ecologist Angela Nakano reported on activities of the Lab Staff. Topics included:

- Reviewing the Entomology Report the mosquito populations are down at this time.

- A 2009 West Nile Virus update was provided and currently there is virus activity starting in the southern part of the state including; San Diego County, Orange County and Los Angeles County and now in Contra Costa County. The Dead Bird testing began in March and the District staff has picked up twelve (12) birds and one squirrel, all were reported negative for WNV. The sentinel chickens are housed at the Jasper Ridge Biological Preserve in Portola Valley and the blood testing program will begin next week and continue until October.

- A new motion activated camera is under going testing for monitoring rodent activities around residents and commercial buildings. If successful, this versatile monitoring device might be used for future projects such as determining which rodent species will take bait from rat bait stations.

- The State Lyme Disease Advisory Council was attended by the Entomology Staff and Dr. Chindi Peavey is a Council Director. The annual meeting’s emphasis this year is a physician’s survey. Our County has already completed a detail physician survey last year. Another goal was tick testing for Lyme disease. Again we already do tick testing and have data for many years.

- Presentations were provided by the Entomology staff to local high schools, spider presentations to the staff of the Presidio, insect presentations are scheduled for local Cub Scout Camps and tick presentations are requested to local Boy Scout Groups.

- Angela Nakano is developing a blood feeding protocol for mosquito research where an effective feeding of lab-reared mosquito colonies traditionally relied on live humans or animals as blood donors.

- Dr. Chindi Peavey, Vector Ecologist and Theresa Shelton, Assistant Vector Ecologist is currently attending the American Mosquito Control Association meeting.

Field Operations Supervisor James Counts reported on the activities of the Operations Department. Topics included:

- Bair Island is breeding salt marsh mosquitoes. We have started our control operations with the helicopter. We will treat up to 1,200 acres of salt marsh.

- The Vault Mosquito Control Program is starting later this month. We will pull 3,000 street vaults with four trucks running with 2 staff members per truck. The vaults are pulled late Sunday evening when the traffic is at its lowest.
- The Catch Basin Mosquito Control Program is starting in May with two summer hires. Two more summer hires will start in June and the remaining four will start in July. Eight catch basin jeeps will be running throughout the summer.

- The technicians will continue with the School Mosquito Control Program through the summer months with checking basins, ditches, creeks, and water holding containers.

- The District is switching from Golden Bear 1111 to BVA 2 larviciding film due to no odor, no allergic reaction, advanced formulation, no visible residue, dissipates quicker, and very good spreading factor.

- The cord grass program is back on schedule. The Coastal Conversancy, State Fish and Game, and the U.S. Fish and Wildlife Service apparently have received funding. We will work closely on this program in June and July, so it does not negatively impact our other mosquito and vector control operations.

- The District is reviewing the options of an air boat for mosquito surveillance and control operations in hard to reach areas, including around the airport.

- The Technicians are very busy treating all the fresh water marshes on the coast and on the Bay side.

- Helicopter treatment of Mills Field, Sharp Park, and Searsville will start in late June.

Finance Administrator, Jo Ann Dearman, reported on the activities of the Administrative Department. Topics included:

- The QuickBooks transition was previously discussed and is going smoothly.

- The ADP payroll service is on line. A new time clock is under investigation to help the staff to reduce the amount of paperwork.

- A meeting with the County Controller was completed to review the documents from QuickBooks for financial monthly reconciliation of each account.

- A meeting with the Auditor was completed to review the documents from QuickBooks. The auditor was very supportive of all financial documents produced only by the accounting software to prevent discrepancies.

- A new server backup data program was purchased and is being implemented. The backup process is a remote service from the company located in Mountain View, California. The backups can be saved for whatever length of time we feel is important. The cost is $90 per month.

District Manager's Activity Report

Manager Gay reported on the following activities:

Legislative Update:

*MVCAC Legislative Day* was held on March 3, 2009. Attending with Manager Gay was Trustee Lerner and Chindi Peavey, Vector Ecologist.
This was an outstanding opportunity to visit our legislator's offices in Sacramento. We provided a series of handouts and provided a perspective from the District and from our State Association talking points.

We visited the following offices: Ms. Jordan Curley for Senator Leland Yee, Assembly Member Jerry Hill and Ms. Graceilla, Ms. Kristi Stauffacher for Senator Joseph Simitian, and Mr. Peter Hartnett for Assembly Member Ira Ruskin.

District Legislator Office Visits. Our goal is to have visits at each legislator’s district offices within the next six weeks. We want to go over our State issues and local issues. Trustees asked to attend are as follows:

Senator Leland Yee – Trustee’s Rieichel, Honan, Fuller, and Bury
Senator Joseph Simitian – Trustee’s Fil, Anderson, Cogoni, and Lerner
Assembly Member Jerry Hill – Trustee’s Ridgeway, Curtis, Rieichel, and Rutherford.
Assembly Member Ira Ruskin – Trustee’s Cogoni, Bury, and Schneider.

Reviewed Senate Bill 115 (Lowenthal). This bill would allow a trustee to decline to take and subscribe the oath of office based on moral, ethical, or religious beliefs for mental reservations. This bill would also make conforming changes and make a related statement of legislative findings. We are opposing this bill.

Reviewed Assembly Bill 622 (Swanson). This bill with respect to aerial applications of a pesticide requires the observance of a safety zone of no less than 3.3 miles, including drift, from the aerial application for residential areas. We are strongly opposing this bill with Opposition Letters sent on April 2nd. The bill was pulled and placed as a 2-year bill. Thank you to those who sent letters in opposition.

Reviewed Assembly Bill 288 (Nestande). This bill is a remake of the Ducheny Bill from last year. Our position is now opposed unless amended.

Reviewed Proposition 1A. We continue to thank the legislators for not opening up the Proposition 1A issue.

Reviewed ACR #40 (Conway). This is our bill for the West Nile Virus and Mosquito and Vector Control Awareness Week. We support this bill. We submitted Awareness Week letters to each city and county by fax and to some also by electronic mail. Cities are scheduling their proclamations on their agendas. The District Manager or staff will be present to accept those requested by various trustees.

Daly City, April 13th at 7:00 p.m.
Pacifica, April 13th at 7:00 p.m.
Redwood City, April 13th at 7:00 p.m.
San Bruno, April 14th at 7:00 p.m.
Belmont, April 14th at 7:00 p.m.
Millbrae, April 14th at 7:00 p.m.
Foster City, April 20th at 7:30 p.m.
San Mateo, April 20th at 6:45 p.m.
Burlingame, April 20th at 7:00 p.m.
South San Francisco, April 22nd at 7:00 p.m.

Reviewed Assembly Bill 835 (Morning). This bill deals with volatile organic compound emissions. We are currently watching this bill.

Reviewed Assembly Bill 967 (Ma). This bill is a remake of the same bill from last year and allows each public agency to regulate pesticides. We are strongly opposing this bill.
Reviewed ACA #9 (Huffman). This bill proposes to reduce the 2/3 vote requirement for local special taxes and bonded indebtedness to 55%.

Reviewed ACR #18 (Cox and Wiggins). This is our Lyme Disease Awareness Month bill. They are proclaiming May as the Lyme Disease Awareness Month. We have provided copies of the bill and will draft a proclamation for the cities to go out later this month.

Mosquito and Vector Control Association of California (MVCAC)

MVCAC’s new website is outstanding.

The MVCAC Executive Committee monthly meeting is performing a rework of our CVMCA Research Foundation. As the acting Vice President of MVCAC, I am on this Executive Committee.

Coachella Valley MVCD has sent letters to me, requesting I apply for their District Manager position. I informed our Board I was not interested in the District Manager’s position at Coachella Valley MVCD.

Quarterly meeting in Visalia is scheduled for May. Dr. Peavey, Tina Sebay and I will be attending. The main topic is the Notice of Violation of Clean Water Act letters the districts are receiving.

Vector Control Joint Powers Agency

Manager Gay will attend the Quarterly VCJPA meeting in Elk Grove on April 15th. The agenda includes; renewal of BRS contract, establishing a Risk Management Committee, annual operating budget for FY 09-10, review of workers compensation, review of liability, and the district’s Notice of Violation of Clean Water Act letters.

American Mosquito Control Association (AMCA)

Dr. Chindi Peavey and Assistant Vector Ecologist Theresa Shelton are attending the meeting this week.

California Special District Association (CSDA)

California Special District Association (CSDA) is scheduling its 2009 Annual Conference. This will be their 40th annual conference and the theme is “Progress 09”. The date and location are September 21 – 24, 2009 at the Renaissance Esmeralda Hotel in Indian Wells. Trustees interested in attending include; Trustee Ridgeway, Preger, Honan, Cogoni, Bury, Nickolas, Schneider, Peterson, and Lerner.

New training catalog was provided to each trustee for future governance classes.

Trustee Ridgeway is scheduled to attend a number of CSDA courses including; Board’s Role in Finance & Fiscal Accountability and Board’s Role in Human Resources.

Building Project – 890 Barron Ave

Manager Gay reported on the status of the building project at 890 Barron Ave, Redwood City. The overall construction is 99% completed. Items addressed included:

- Fence is completed.
- Landscaping is completed.
- Automatic gates are completed.
- Passed Fire Inspection.
• Last item is to slurry seal a portion of Bay Road, slurry seal the parking lot and paint the handicap sign.
• PWC final inspection is next.
• Final Inspection is next.

Staff Announcements

Jo Ann Dearman is now officially the District’s Finance Administrator.

We have heard from Angela Rory who is getting her Masters in England. She is doing fine and sends everyone her best.

Lauren Couture is completing her Masters in neuro-biology in Brandeis University, Boston and was accepted to a doctorate program. Congratulations to Lauren.

General Comments

Sixth Circuit Court Ruling. Manager Gay reported that the Sixth Circuit Court has cancelled the EPA Clean Water Act exemption for pesticides. The Appeals Court vacated a USEPA rule that has allowed pesticides to be applied to US waters without a Clean Water Act permit. The District has resubmitted our NPDES permit.

ERA/F Update. The District will receive $154,519 for 2009 Excess ERA/F Distribution.

San Mateo County Employees Retirement Association. Saw over 40 employees retired last month.

County of San Mateo Treasurer. Gross earnings for the month of February 28, 2009 were 1.9%.

Notice of Violation of Clean Water Act. The District received a 60 day notice under the Clean Water Act of a potential violation by the Law Offices of Donald B. Mooney on behalf of Parents for a Safer Environment and Pesticide Watch.

The District has complied with California Environmental Quality Act by filing an Initial Study & Mitigated Negative Declaration (1999) and another similar study in (2003) was filed when we annexed the remainder of the county into the District.

The District has an NPDES permit for larviciding.

Local Agency Troubled Assets Relief. County Board of Supervisors requested we submit letters to the Federal Congressional House Financial Services Committee in respect to the special hearing of the committee on investment losses incurred by local governments due to the Lehman bankruptcy. Seventy (70) letters were mailed this last week to the commit members. The District’s goal is to get our funds replenished.

Financial Support by C.G. Uhlenberg. Requested our Auditors provide non-attest services for investigating the reconciling of the general and capital funds. The auditor will support the Finance Administrator in reconciliation of the monthly financial statements, and transferring information from the old accounting system to the new accounting system - QuickBooks.

Required Communication to the Board SAS 114. This review covers the need to perform an actuarial study of our current and past service liabilities for our post employment benefits (OPEB) of health care offered to retirees, to determine the annual required contributions for the postemployment benefits. The District will implement the actuarial study this coming fiscal year. This report is an annual report to the trustees from the auditor and outlines required accounting communications to the Board.
Trustee Member, Announcements and Board Committee Reports

Board Meeting

Requested the District Manager send a survey to each trustee on their preference with starting the regular Board meetings at either 6:00 p.m. or 6:30 p.m. verses the 7:00 p.m. Results will be tabulated and agenized for review at the May Board meeting.

District Policy Committee

Chairman Riechel reviewed the following edits and upgrading of policies for approval.

4140 – By Laws Governing Board of Trustees
4010 – Code of Ethics
4080 – Members of the Board of Trustees
4100 – Basis of Authority
4110 – Membership in Association
4130 – Trustee Reference Manual
5070 – Rules of Order for Board and Committee Meetings
5010 – Board Meetings
5020 – Board Meeting Agendas
5030 – Board Meeting Conduct
5040 – Board Actions and Decisions
5050 – Review of Administrative Decision
5060 – Minutes of Board Meetings

The next meeting of the District Policy Committee is Thursday, April 16, 2009 at noon.

MOTION: Motion to approve the reviewed policies. Fuller/Nickolas, carried unanimously.

District Financial Committee

Chairman Nickolas reviewed the program from the March 30, 2009 meeting. Financial documents were reviewed and discussed for submitting in future Board pre-packets. The next scheduled meeting of the District Financial Committee is Friday, April 24, 2009 at noon. This meeting will be reviewing the first showing of the District’s budget for next fiscal year.

LAFCo Meeting

Board President, Ray Honan reviewed the meeting agenda and discussed the LAFCo budget for this coming fiscal year. The LAFCo proposed draft budget is $388,973. The District’s share of the LAFCo budget for Fiscal Year 09-10 is $2,813. The entire Special Districts share of the LAFCo budget for Fiscal Year 09-10 is $94,510.

In May the LAFCo Commission shall adopt the proposed budget at a noticed public hearing. In June, the Commission shall adopt a final budget at a noticed public hearing following circulation of the recommended final budget to the County, all cities, and all independent special districts.

District Strategic Planning Committee

Chairman Fil reviewed the program for the upcoming meeting set for Tuesday, April 14, 2009 at noon. The program will be to review the Strategic Plan for 2000-2008 and start developing the Strategic Plan for 2009-2014.
Reminder of Next Regularly Scheduled Board Meeting

The next regular board meeting is scheduled for May 13, 2009 at 7:00pm.

**MOTION:** Motion to approve the next meeting for May 13, 2009. Ridgeway/Curtis, carried unanimously.

Adjournment

**MOTION:** To adjourn the meeting. Curtis/Anderson, carried unanimously. 9:33 pm

Approved:  

[Signature]

District Manager

[Signature]  

President

Date: May 13, 2009