MINUTES OF THE REGULAR BOARD MEETING
OF THE BOARD OF TRUSTEES, MAY 13, 2009

President Honan called the meeting to order at 7:00pm

TRUSTEES PRESENT:
Ronald Anderson
John Curtis
Valentina Cogoni
Christine Fuller
Robert Blake
Ray Honan
Robert Maynard
Sam Lerner

Leon Nickolas
Dennis Preger
James Ridgeway
Robert Riechel
Robert Bury
Betsey Schneider
Richard Tagg
Tim Frahm
Lawrence Peterson

TRUSTEES ABSENT:
Cal Hinton
Joseph Fil

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

GUESTS/SPEAKERS PRESENT:
John Bliss, SCI Consulting Group

Pledge of Allegiance

Public Input on Non Agendaed Items

Jim Metz, Rocky Point LLC, and a resident of San Mateo is interested in Trustee Calvin Hinton’s position as the at-large trustee. Mr. Metz gave an introduction and it was obvious he was interested in the District’s mission and service.

Engineers Report, Levy Assessments, and Notice of Public Hearing

MOTION: To open public hearing. Curtis/Peterson, carried unanimously.

John Bliss, SCI Consulting Group gave a thorough overview of the Engineers Report and the benefit assessment process answering any questions by those present. Mr. Bliss also described the changes over the last twelve months to the Engineers Report that were a result of a court case earlier that year on a general assessment that was ruled inappropriate by the courts. There were no real similarities to our
District's benefit assessment and Engineers Report but our Civil Engineer still ruled it was appropriate to make some new modifications and adjustments to the Engineers Report. In addition, Mr. Bliss provided an overview of assessments responsible by cities with further explanations on the consolidating assessment as requested by Daly City for their parcels.

MOTION: To close public hearing. Anderson/Tagg, carried unanimously.

MOTION: To approve Resolution M-004-09. Roll-call vote, majority passed. Absent were Colma and County at-large representatives.

Consent Calendar

MOTION: To approve the Consent Calendar. Curtis/Nickolas, carried. Rutherford abstained.

General Fund #2706 – Expenditure and Reconciliation Reports

Jo Ann Dearman, Finance Administrator reviewed the County Detailed Trail Balance for April, the Reconciliation Summary Report for April, and the Reconciliation Detail for April, and the Profit & Loss Reports for April all generated from the District’s Accounting Program (QuickBooks).

MOTION: To approve the Expenditures for April 2009. Peterson/Rutherford, carried unanimously.

Capital Project Fund #2705 – Revenue and Reconciliation Reports

Jo Ann Dearman, Finance Administrator reviewed the County Detailed Trail Balance for April, the Reconciliation Summary Report for April, and the Reconciliation Detail for April, and the Profit & Loss Reports for April all generated from the District’s Accounting Program (QuickBooks).

MOTION: To approve the Expenditures for April 2009. Ridgeway/Rutherford, carried unanimously.

Agenda Modification of Order

MOTION: To approve moving the Closed Session before the Reminder of Next Regularly Scheduled Board Meeting. Riechel/Rutherford, carried unanimously.

District Programs/Staff Reports

Dr. Chindi Peavey, Vector Ecologist 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: Fresno County, 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 seventeen (17) 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.

- Update on the NPDES Permit for adulticiding was provided. The Technical Group includes Dr. Karl Malamud-Roam from Contra Costa MVCD, representative from other districts, California Department of Public Health, and they are working with the State
Water Resource Control Board on developing a permit authorizing the use of adulticide. Dr. Peavey gave a detailed report on the activities of the Technical Group and the ongoing process.

- Dr. Chindi Peavey, Vector Ecologist and Tina Sebay, Assistant Vector Ecologist attended the Quarterly MVCAC meeting held in Visalia.

- Dr. Chindi Peavey, Vector Ecologist and Theresa Shelton, Assistant Vector Ecologist attended the American Mosquito Control Association Annual Conference. Dr. Peavey provided a synopsis of their educational experience.

- Update of our ArcView computer mapping program was reviewed. Ms. Sebay has been working with individual technicians to map all impounds and ditches in their zones, on their computers. These will ultimately be linked to our database to display inspection results. Mr. Shelton has been working on displaying the rat baiting on ArcView. Mr. Li, Administrative Assistant has been assisting the lab in entering results of inspections from the sewer baiting program. Ms. Peavey, Ms. Sebay, and Ms. Shelton are attending a training workshop on putting ArcView on web pages.

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

- The Vault Mosquito Control Program is starting May 10th. 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.

- Many marsh areas are breeding at the present time from Redwood Shores to East Palo Alto. They are all being treated.

- We will start the Creek Mosquito Control Program in the next couple weeks.

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

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

- Working with the ADP payroll service to verify all information is correct and on line.

- Completed a meeting with our representative on the San Mateo County Retirement Board for informational purposes and helping me to get a comfort with the program.

- Completed a meeting with John Bliss, SCI Consultants for informational purposes to provide an overview of the benefit assessment process, resolutions required, etc.
• Completed a meeting with Robert Lemen, SFG Accesse-HR who provided information on human resource benefits at the District.

• We are moving a technician, Danielle Hern into the office with me to help with administration during the final stages of her pregnancy.

• Together we will be working on the fixed assets this coming week.

• We are planning a barbecue on May 14th. All trustees are invited. The staff is celebrating two of our staff members expecting new babies in their families within the next few months.

Fiscal Year 2009 – 2010 Budget – 1st Presentation

Manager Gay provided a PowerPoint presentation on the budget. Trustees were provided the presentation handouts that included, revenue documents, general budgetary documents for current Fiscal Year 08-09 showing summary of expenditures in all main accounts. The Operational Budget for FY 09-10 provided sub-account information.

Manager Gay provided an overview of the Capital Improvement Multiple Year Plan.

District Manager’s Activity Report

Manager Gay reported on the following activities:

Legislative Update:

District Legislator Office Visits. Our goal is to have visits at each legislator’s district offices within the next few months. We want to go over our State concerns and local issues. The following Trustees and I met with the Legislator’s District Directors:

• Senator Leland Yee’s District Director David Burruto met with Trustee’s Riechel, Fuller, and Bury and me on May 12th.
• Assembly Member Jerry Hill’s District Director Marc Hershman met with Trustee’s Ridgeway and Riechel and me on May 11th.
• Assembly Member Ira Ruskin’s District Director Richelle Noroyan and Alex Kobayashi met with Trustee Schneider and me on May 11th.

The meetings were outstanding with the bulk of the discussion around the State’s budget crisis and then we discussed the many legislative issues we felt could negatively impact the District.

We are still working at setting up a meeting with Senator Joseph Simitian’s District Director.

Reviewed Assembly Bill 288 (Nestande). This bill is a remake of the Ducheny Bill from last year. Our position was changed from oppose to neutral because of the political situation.

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. This bill was cancelled at the request of the author due to opposition.

Reviewed Assembly Bill 835 (Monning). This bill deals with volatile organic compounds emissions and has failed passage but reconsideration was granted.

Reviewed Assembly Bill 967 (Ma). This bill was reworked and now is the Healthy Parks Act of 2009 but due to opposition the hearing was cancelled at the request of the author.
Reviewed ACR 18 (Chesbro). This bill is the Lyme Disease Awareness Month. This was chaptered on 4/21/09.

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 as requested 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 and city council clerks. The following fourteen (14) cities submitted a Proclamation this year.

Atherton, Belmont, Burlingame, Colma, Daly City, Foster City, Millbrae, Pacifica, Redwood City, San Bruno, San Carlos, San Mateo, South San Francisco, Woodside.

Legislative Day in the District. This is a statewide event occurring on May 29th. Talking points were provided on the state budget deficit and the need to protect Proposition 1A and the District’s property tax revenues, current legal activities associated with the NPDES – 60 day lawsuit notices, current status of West Nile virus, and continuing efforts to secure funding for the U.C. Mosquito Research Program.

We will invite all our legislators as a follow-up to our visiting the legislator’s district offices. The District staff will have displays, food, and tours from 10:00 a.m. till 2:00 p.m. Press releases have gone out to various media outlets and the trustees are asked to contact their City Council members. This will also be recorded as our Community Open House as a requirement for the benefit assessment funding.

Legislative Committee Meeting (MVCAC). Manager Gay attended the meeting on April 30th in Sacramento. Legislative bills were reviewed that will impact MVCAC corporate members and goals for the 2008 workshop were reevaluated. The committee is also developing a strategic plan with goals for this coming year.

A primary goal is working on the summary abatement talks with the Rice Commission, Farm Bureau, and the California Waterfowl Association. These talks will center on our access to their properties for mosquito surveillance and control operations.

Ralph Heim (MVCAC Legislative Advocate) and our Executive Director, Catherine Smith coordinated a letter drafted from Assembly Member Lois Wolk, on the University of California Mosquito Research Program. Request was why the funding was eliminated by the University when the legislature approved the funding in 1970.

Mosquito and Vector Control Association of California (MVCAC)

MVCAC’s latest updates from the corporate members:

Coachella Valley MVCD – The Scientific Director Branka Lotrohp was chosen the new manager.

Madera County MVCD – Kevin Pinion, District Manager died of a heart attack this last month. They are now searching for a new manager.

Placer County MVCD – The Ecological Management Supervisor, Joel Buettner, from Sac-Yolo MVCD was chosen as the new manager.

Fresno MVCD – The District Manager, Dave Farley, retired this last week and they are searching for a new manager.
Santa Barbara MVCD – The District Manager, Allan Pfunner, had to leave the district due to the health of his son and Brian Passaro, PIO from Coachella Valley MVCD was chosen the new manager.

Shasta MVCD – The District Manager, Bill Hazelour retired this last month and Chuck Beasley was hired as the interim manager to help the district hire a new permanent manager.

Santa Clara VCD – The District Manager, Tim Mulligan retires a few months ago and the district is still searching for a new manager.

Quarterly Meeting in Visalia for May 2009. Dr. Peavey, Tina Sebay and I attended the meeting. The main topic is the Notice of Violation of Clean Water Act letters the districts are receiving. The Board is also performing a complete rework of the Mosquito Research Foundation, approved the performance based budget for Fiscal Year 2009-10, approved the updates to the Administrative Policy Manual, and completed the scheduling of meetings for the next year.

MVCAC Annual Conference in Sacramento 2010. The Executive Committee is working up the Trustee Advisory Council Business Session. Topics include:

- Why join the VCIPA to self insure rather than purchase insurance?
- What you should know about audits and your district’s financial condition?
- GASB 45 (OPEB) understanding the trustee’s role to provide transparency.
- Coachella Valley MVCD lessons learned.
- Future of CMVCA Research Foundation and mosquito research in California.
- Statewide general NPDES permit for discharge of pesticides to surface waters.
- How to hire a manager? Why have contracts with the manager?
- Brown Act general requirements for board members.
- Serial meetings, violating the law and consequences for trustees.
- When should a board consult an attorney?
- Governance verses management? Who is responsible? And Why?
- Training opportunities with the CSDA including their annual conference.

Vector Control Joint Powers Agency

Manager Gay attended the special meeting of the VCIPA in Elk Grove on April 15th. The agenda included; renewal of BRS contract, establishing a Risk Management Committee, annual operating budget for FY 09-10, educating corporate members on using ERMA, 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, Vector Ecologist and Theresa Shelton, Assistant Vector Ecologist attended the AMCA meeting in New Orleans. Dr. Peavey provided an overview of the meeting.

The next AMCA Annual Meeting is in Lexington Kentucky on March 28-31, 2010. The staff attending will include Chindi Peavey, Vector Ecologist, Tina Sebay, Assistant Vector Ecologist, and you’re District Manager. Trustees authorized include the President Honan and two additional trustees. President Honan will attend the meeting.

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; President Honan, Secretary Cogoni, Assistant Secretary Ridgeway, Trustee
Preger, Trustee Nickolas, Trustee Schneider, Trustee Peterson, and Trustee Lerner. Hotel reservations will be made this month. Registrations will be completed when applications are available and the trustees are responsible for their own transportation requirements as outlined in our District policies.

**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:

- Slurry sealing of Bay Road will occur on May 13th.
- PWC final inspection is next.
- Final Inspection is next.
- When completed the final payment for the permit will be processed.
- The District will then receive the occupancy permit.

**Staff Announcements**

Baby showers and picnic are scheduled for tomorrow for our staff member Danielle Hern and her husband Steve Corbin and staff member Brian Weber and his wife Shelli. Everybody is invited.

Technician Danielle Hern will move temporary to the Administrative Office to help Jo Ann Dearman, Finance Administrator, until the delivery of Danielle’s baby.

**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. We reviewed the correspondence sent from MVCAC General Counsel, Dick Shanahan to the districts.

**County of San Mateo Treasurer.** Gross earnings for the month of April 2009 were 1.77%.

**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 supported Jo Ann, Finance Administrator in reconciliation of the monthly financial statements for February and March, and transferring information from the old accounting system to the new accounting system - QuickBooks. The auditors will assist the District in completing a journal entry to reconcile the past to the present.

**Trustee Member, Announcements and Board Committee Reports**

**District Policy Committee**

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

- 4010 – Code of Ethics
- 4020 – Meeting Attendance
- 2020 – Drug and Alcohol Abuse

The next meeting of the District Policy Committee will be scheduled at a later date.

**MOTION:** Motion to approve the reviewed policies. Fuller/Rutherford, carried unanimously.
District Financial Committee

Chairman Nickolas reviewed the program from the April 24th meeting. The April meeting reviewed the first showing of the District’s budget for the next fiscal year. Financial documents were reviewed in great detail and discussed for submitting in future Board pre-packets. In addition, Chairman Nickolas and President Honan at the April meeting met with Manager Gay and reviewed the District Manager’s Contract. The recommended District Manager’s Contract was prepared for submittal in the May Board meeting pre-packet for full Board discussion at the May Board meeting closed session. The District Manager’s Contract is a significant improvement from the past document used outlining the District Manager’s salary and benefits. The next scheduled meeting of the District Financial Committee is May 28th at noon.

San Mateo CSDA Meeting

Board President, Ray Honan attended the local San Mateo CSDA meeting in April. This is a meeting of our county special districts. Most of the discussion was over the LAFCo budget.

District Strategic Planning Committee

Manager Gay reviewed the April 14th meeting. The committee reviewed the Strategic Plan for 2000-2008 and started developing the Strategic Plan for 2009-2014. Documents from this meeting will be emailed to Trustee Fuller who was unable to attend the April 14th meeting. The next scheduled meeting is May 26th at noon.

District Environmental Committee

The committee meets prior to the Board meeting and discussed environmental issues around the county.

Board Meeting Re-Structure

This new format is based on format used by your cities. Because of time constraints it was decided to move these discussions till the June Board meeting.

Managers’ Meetings

Listed were the meetings the District Manage will attend during May.

Closed Session

CONFERENCE WITH LEGAL COUNSEL—FINAL DISCIPLINARY PROCESS AND REPORT FROM APPEAL HEARING COMMITTEE - 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. Riechel/Ridgeway, carried unanimously.

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

Item one (1): Ms. Williams’s case is closed when agreements were signed on May 1, 2009.
Item two (2): The Board is directing the Finance Committee to offer the District Manager a 5% pay raise effective July 1, 2009 and the committee will continue to work on the wording of the District Manager's contract.

Reminder of Next Regularly Scheduled Board Meeting

The next regular board meeting is scheduled for June 10, 2009 at 7:00pm.

**MOTION:** Motion to approve the next meeting for June 10, 2009. Ridgeway/Fuller, carried unanimously.

Adjournment

**MOTION:** To adjourn the meeting. Nickolas/Rutherford, carried unanimously.

Approved:

[Signature]
President

[Signature]
District Manager

June 10, 2009
Date