MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES MEETING
JULY 11, 2012, 6:00PM

A REGULAR meeting of the Board of Trustees of the San Mateo County Mosquito and Vector Control District was held on July 11, 2012, in the District Office at 1351 Rollins Road, Burlingame, California.

TRUSTEES PRESENT: Joseph Fil          Donelle O’Connor
Christine Fuller       Raymond Honan
Maria Martinucci      Donna Rutherford
Jim Metz               Leon Nickolas
Rick Wykoff           Scott Smith
Robert Riechel         James Ridgeway
Samuel Lerner          Robert Maynard
Richard Tagg

TRUSTEE ABSENT: Valentina Cogoni, Barry Meinerth, Betsy Schneider, John Curtis

OTHERS PRESENT: District Manager, Robert Gay
Finance Director, Rosendo Rodriguez
District’s Attorney to LAFCO, Joan Cassman
Attorney, Michael Conneran
Interim Operations Director, Richard Chow
Vector Ecologist, Angie Nakano

REGULAR MEETING OF THE BOARD OF TRUSTEES
6:00PM

1. CALL TO ORDER

President Lerner called the meeting to order at 6:00PM and stated that it was being recorded.

2. PLEDGE OF ALLEGIANCE

The Regular Meeting of the Board of Trustees was opened with the Pledge of Allegiance.
3. ROLL CALL

The roll call indicated that 14 Trustees were present with Trustees Curtis, Cogoni, and Meinerth, with excused absences and Trustee Schneider also absent.

4. APPROVAL OF THE AGENDA AS POSTED:

There were no amendments to the agenda.

- Motion to approve the agenda by Rutherford, 2nd Fuller, approved by the Board 15-0.

5. CLOSED SESSION:

- Motion to move into closed session: Rutherford, 2nd Tagg, unanimously passed 15-0.

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CLOSED SESSION MEETING OF THE BOARD OF TRUSTEES
6:10 PM

1. CALL TO ORDER

2. ROLL CALL

3. CONFERENCE WITH LEGAL COUNSEL- Continuation of District Manager Performance Evaluation with Legal Counsel on Manager’s Performance Improvement Plan. (Government Code 54957.6)

4. PERSONNEL EXCEPTION-DISTRICT MANAGER’S CONTRACT EXTENSION: The Board of Trustees of the San Mateo County Mosquito and Vector Control District is considering an extension of the District Manager’s contract. (Government Code 54957)

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6. REPORT FROM CLOSED SESSION (6:23PM)

There was no reportable action taken.

7. SPECIAL PRESENTATIONS:

    A. Discussion and Developing District responses to the LAFCO Draft Municipal Service Review and Sphere of Influence Review for SMCMVCD.

        - Joan Cassman, SMCMVCD counsel for LAFCO, with assistance of attorney Michael Conneran continued the discussion from last month’s meeting at length the report from LAFCO and what the recommendation of dissolution means to the District. She
discussed what was done over the last two weeks for the District and the futility of transferring another responsibility to the money-strapped County who does not want to manage the District.

- The interpretation of the LAFCO recommendation did not indicate that the district was “broken” and why a successor agency was needed to manage the District.

- There will be a meeting with LAFCO on July 19th when the District will be able to address the Board in defense of the independence of the District. There was an urgency to have the Trustees meet with their city councils, mayors and other political representatives to elicit support for the District and to be present at the LAFCO meeting as a show of support for the District.

- Trustee Riechel gave an inspiring plea for support for the District which is included in its entirety in Appendix A of the minutes.

- Motion by Riechel, 2nd O’Conner, to approve the speakers list to LAFCO, approved by the Board 15-0.

- Motion by Riechel, 2nd Scott to approve Resolution M-004-13: Resolution of the Board of Trustees of the SMCMVC expressing opposition to the Draft Municipal Service review and Sphere of Influence Report from FAFCO recommending a change in the District’s sphere of influence. Approved by a roll call of the Board 15-0.

6. PUBLIC COMMENTS AND ANNOUNCEMENTS

There was no public comment or speakers.

7. CONSENT CALENDAR:

Minutes for the regular Board meeting for June 13, 2012.

- Motion by Riechel, 2nd Martinucci, to approve the minutes of June 13, 2012, approved by a 14-0-1(abstain) by the Board.

8. BOARD COMMITTEE MEETING DATES AND REPORTS:

   a. Environmental Committee: John Curtis- Manager Gay stated that the committee will meet 1 hour before the next Board meeting.
   b. Finance Committee: Ray Honan- Will starting the review in the fall of the District Manager’s contract.
   c. Strategic Planning Committee: Joe Fil- Will begin meeting at the end of August.
   d. Policy Committee: Robert Riechel- next meeting not yet scheduled.
e. **Ad-hoc Building Committee: Richard Tagg** - Next meeting for decision will occur at the September meeting an approval of the proposal. The committee interviewed for an engineer for the scope of service to retrofit the parking garage.

f. **Ad-hoc Hiring Committee: Leon Nickolas** - will set up a meeting after the closing date (7/23) for the Assistant Manager and Laboratory Director.

9. **FINANCIAL REPORT:**

Financial Director Rosendo Rodriguez gave a short update of the May budget. He stated that we are at 92% of the General Fund, and 76% of the Capital Fund. Income of $7,052 has been received from the Lehman Bros. bankruptcy payback, $11,000.

- Motion by Nickolas, 2nd Rutherford to approve the financial documents for the Fiscal Year 2011-2012, July through May 2012 approved by the Board 15-0.

10. **MANAGER’S REPORT:**

Manager Gay indicated that a complete report of all the activities is included in this evening’s Manager’s Report handout. Highlights of his report include:

- Legislative Update.
- Mosquito and Vector Control Association of California (MVCAC).
- Vector Control Joint Powers Agency (VCJPA).
- American Mosquito Control Association (AMCA).
- California Special District Association (CSDA) meeting in September in San Diego.
- Staff and General Announcements.
- Administrative and Financial Internal Controls

11. **BOARD MEMBER COMMENTS AND ANNOUNCEMENTS:**

12. **NEXT REGULARLY SCHEDULED BOARD MEETING:**

Action to approve the next meeting on September 12, 2012, at 6PM, motion by Honan, 2nd Martinucci, approved by the Board 15-0.

13. **ADJOURNMENT: (7:56PM)**

Motion to adjourn Metz, 2nd Ridgeway, approved by 15-0 vote of the Board

There being no further business, the meeting was adjourned at approximately 7:56PM.

I certify the above minutes were approved as read or corrected at a meeting of the Board held on July 11, 2012.

** All reports that were provided to the trustees as the board meeting will be available upon request.
APPENDIX A

My comments – Board of Trustees’ Meeting – LAFCO Resolution:

I speak in total favor of the resolution before us as developed by our attorney Joan Cassman. We brought attorney Cassman on singly and specifically to offer us guidance as the San Mateo County Mosquito & Vector Control District replied to the LAFCO draft sphere of influence review AND more specifically the LAFFCO conclusion that the San Mateo County Mosquito & Vector Control District should be dissolved, their monies, and their responsibility for mosquito and vector control for the full county of San Mateo be transferred to another entity, possibly under the County of San Mateo Department of Public Health.

1. Yes, the District experienced a financial loss by two previous employees.

2. The District under direction of our District Manager and with the approval of the Board of Trustees, in utilizing their oversight, undertook through the VCJPA participation in their insurance program, under which almost 100% of our monetary losses will be covered – so the taxpaying residents of San Mateo County stand to lose almost no money. This is much different than under the County Treasury investing County moneys in Lehman.

3. A few of you trustees may have had personal concerns on how the District Manager performed or did not perform financial oversight when this fraud was being undertaken. I would remind all of us trustees that WE also had the monthly responsibility to DOUBLE CHECK the same financial figures for accuracy & completeness. Which of you trustees agreed with the review performed by the District Manager? Which of you trustees disagreed with the District Manager’s review and acceptance of the financial figures presented and ASKED for more detail? I feel each of us who were trustees when this fraud was happening bear a small part of the responsibility for not catching the fraud in a timely manner. If the District Manager is being held to account for his inability to understand the figures presented by the finance department, then I say each and every trustee also should be held to account for their inability to understand the figures presented by the finance department. In short, if the District Manager should shoulder some blame, then I and my fellow trustees should also shoulder some blame.

4. The Board of Trustees sought legal guidance on improvements the District and the District Manager, and the Board of Trustees should take to implement additional policies and procedures and or improve existing policies and procedures to help assure that a similar fraud cannot happen again. All of these changes have been accepted by I believe all of the trustees and the District Manager and have or are being implemented.

5. This is the time for ALL trustees to support the resolution on the table before us to show that the Board of Trustees totally supports the actions taken by the District and the District Manager and the still to be implemented actions as the District continues to provide TOP NOTCH Mosquito & Vector Control services to all of the residents of the County. This is the time to reaffirm that the San Mateo County & Vector Control District is the only entity that can provide this TOP NOTCH Mosquito & Vector Control service to all County residents.
6. Transferring of the District’s services and responsibilities to the County will not result in betterment for the residents of San Mateo County. Since it is the duty of us Trustees to ensure that these public health services are delivered effectively to the taxpayers, I feel it is the obligation of us Trustees to enact this resolution to remove the threat of District dissolution and a transfer to the County of the District’s responsibilities.

THEREFORE, I ask for a unanimous vote in accepting the resolution before you.

Riechel