MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES
September 10, 2014
6:00PM

A regular meeting of the Board of Trustees of the San Mateo County Mosquito and Vector Control District was held on September 19, 2014 in the District Office at 1351 Rollins Road, Burlingame, California.

TRUSTEES PRESENT:     Mason Brutschy     Town of Atherton
                        Wade Leschyn      City of Belmont
                        Robert Maynard     City of Brisbane
                        Joe Galligan       City of Burlingame
                        Louis Gotelli      City of Colma
                        Jason Seifer       County-at-Large
                        Christine Fuller   City of Daly City
                        Donna Rutherford  City of East Palo Alto
                        Richard Wykoff     City of Foster City
                        Kati Martin        City of Half Moon Bay
                        Dr. Scott Smith    Town of Hillsborough
                        Peter DeJarnatt    City of Pacifica
                        Steve Hedland      Town of Portola Valley
                        Kat Lion           City of Redwood City
                        Robert Riechel     City of San Bruno
                        Betsy Schneider    City of San Carlos
                        Richard Tagg       Town of Woodside

TRUSTEES ABSENT:      Valentina Cogoni     City of Menlo Park
                        Dr. James Ridgeway  City of San Mateo
                        Christopher Cairo   City of South San Francisco
                        Open                City of Millbrae

OTHERS PRESENT:       Interim General Manage/Finance Director, Rosendo Rodriguez
                        District General Counsel, Robert Pittman
                        Laboratory Director, Dr. Nayer Zahiri
                        Assistant Manager, Brian Weber
                        Public Information Officer, Megan Cadwell
1. CALL TO ORDER

President Rutherford 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 led by President Rutherford.

3. ROLL CALL

The roll call indicated that 17 Trustees were present, constituting a quorum.

4. APPROVAL OF THE AGENDA AS POSTED

- Motion by Galligan, 2nd by Riechel to approve the agenda, voted by the Board 17-0

5. SPECIAL PRESENTATIONS:

A. Interim District Manager/Finance Director Rosendo Rodriguez introduced Megan Caldwell as the District’s new PIO (Public Information Officer) to the Board. Megan was chosen over a large field of candidates for her qualifying education at both Texas A&M University where she studied Public Health and at the University of Houston where she obtained a Bachelor of Science in Biology. Megan has extensive experience in working with community organizations, social media and web design and development.

B. Interim District Manager Rodriguez updated the Board on the results of the search for a development company to redesign the District’s website. Fourteen companies responded to the RFP and five companies were interviewed over two days. Interviewers were former District Manager Robert Gay, Interim District Manager Rosendo Rodriguez, Laboratory Director Dr. Nayer Zahiri and Board members Kat Lion and Kati Martin. Candidate Digital Development was selected. The cost of the website redesign and implementation is $17,500 which includes a full enterprise website usually priced at $35,000. Digital Development is desirous of entering the Special District website arena and has partnered with the CSDA (California Special Districts Association) to develop content. They intend to showcase the District’s new website.

A general discussion ensued. Trustee Riechel questioned if there will be yearly maintenance fees. Interim District Manager Rodriguez indicated there is an additional fee for maintenance and the recommendation of the committee is to utilize the maintenance service during the first year and re-evaluate in subsequent years. Trustee Wykoff requested details on Digital Development’s selection. Rodriguez indicated value for the price, knowledge of CSDA guidelines, and their desire to use the District as an example of their work product as factors in their selection. Trustee Leschyn requested clarification of ‘enterprise’. Rodriguez explained that an enterprise website typically has capabilities to interface with social media and offers greater flexibility than websites typically used by smaller government entities. Rodriguez indicated having the capability to interface
directly with the public through social media would prevent delays in the flow of information to the public. Trustee Galligan questioned whether the new website would include the ability to use reverse 911 technology. Rodríguez indicated discussions have included social media, electronic news letters and instant notifications.

Questions were solicited from the public. There were none.

Motion by Galligan, 2nd by Maynard to approve a website development contract between the District and Digital Development by the Board: 17-0

6. PUBLIC COMMENTS AND ANNOUNCEMENTS:

There were no comments from the public.

7. CONSENT CALENDAR:

A. Minutes and Consent Items for the regular Board meeting of September 10, 2014.
Trustee Riechel requested item #3 be pulled for discussion.
Trustee Lion requested item #2 be pulled for a correction.

Motion by Fuller, 2nd by Wykoff to approve the remaining items, passed by the Board 17-0.

B. Item #3 – Contract with Leading Edge for Map Vision Data Management System.
Trustee Riechel indicated General Counsel Pittman has recommended a more detailed written contract with Leading Edge for Map Vision Data Management Systems (Leading Edge). Pittman indicated the current package addresses the software licensing but does not outline the implementation schedule or deadlines. Pittman indicated that he will contact Leading Edge, advising we require a more specific contract to clearly set forth these perimeters to protect the District. Pittman recommended that Interim District Manager Rodriguez negotiate these items with Leading Edge personnel.

A general discussion ensued. Trustee Schneider requested clarification on the project. Rodriguez advised that the District’s current program is outdated and the provider will no longer provide service. The new system will provide real-time data, improved security, cloud-based services, and a full time connection to lab services. Trustee Galligan saw the District’s presentation of the new system and believes it will help provide better information for the District and the County. Trustee Seifer questioned the number of hours Leading Edge is billing without backup detail. Rodriguez indicated the initial $134,000 is Leading Edge’s “out-of-the-box” fee. This includes full implementation of their product. The additional $28,000 represents our requested modifications/customizations. Trustee Seifer recommends further negotiations with Leading Edge. Trustee Brutschy questioned whether maintenance is included. Recommends we negotiate a yearly fee. Rodriguez will verify. President Rutherford questioned whether there is a refund clause. Rodriguez indicated the amount represent is what we requested from Leading Edge. Trustee Seifer questioned if the system is server or cloud based and whether the financials Leading Edge were vetted. Rodriguez indicated the system is cloud based and that Leading Edge
has many contracts with mosquito and vector control organizations across the nation. Their website provides details of their company.

President Rutherford asked General Counsel Pittman how to proceed given the Board’s concerns. Pittman recommended that staff complete appropriate due diligence on the questions of financial stability, contract specificity and negotiate with *Leading Edge*. Pittman inquired if the Board wishes to make payment of an invoice submitted by *Leading Edge* for the first half of their fee prior to conducting these negotiations. He recommended we advise *Leading Edge* we wish to discuss before payment is made.

**Motion by Riechel, 2nd by Galligan, to authorize General Counsel and the Interim Manager to continue negotiations with *Leading Edge* with the intent of obtaining detailed information with regard to an implementation schedule, the cost base of the fees, the financial stability of *Leading Edge*, and maintenance costs, all of which are to be included in a written agreement. Approved by the Board, 17-0**

C. Item #2 – Minutes for Special Board Meeting, July 30, 2014.
Trustee Lion requested a correction to the spelling of her name.

**Motion by Riechel, 2nd by Rutherford, to correct the July 30, 2014 special meeting minutes to reflect the correct spelling of Trustee Kat Lion’s name. Approved by the Board, 17-0.**

8. REGULAR AGENDA:

A. Consideration of Policy 4140.423 Bylaws Governing Board of Trustees and Policy 4150.11 Board Officer’s Nomination and Election Process.

Interim District Manager/Finance Director Rosendo Rodriguez advised the Board currently lacks both a Secretary and an Assistant Secretary due to resignations. He reviewed the standing District policy regarding appointment/election of Trustees with less than one year’s service. The Board now consists 9 Trustees with less than one year’s service. Qualifying Trustee’s have declined the Secretary and Assistant Secretary positions. He is requesting the referenced policy be suspended to fill the vacancies.

General Counsel Pittman clarified this suspension is being presented as a resolution and would be for this incidence only. He recommends the policy be referred to the Policy Committee to consider an amendment to provide more flexibility to address this situation in the future. He advised in many organizations a staff person is responsible for the minutes.

A general discussion ensued. Trustee Fuller questioned whether a staff person would have to have a governance background. Pittman said not necessarily. Trustee Martin pointed out that, by current District policy, the Board Secretary is allowed to sign District checks. Pittman indicated if a staff person assumes the responsibility of the Secretary, that policy would have to be changed. Trustee Seifer questioned the composition of the executive committee if the Secretarial functions
are assigned to staff. Pittman indicated the Board may configure the executive committee at will, including appointing a Treasurer position to relieve the County from those functions.

Motion by Riechel, 2nd by Maynard, to adopt resolution M-005-2015 to temporarily waive current policies 4140.423 and 4150.11 requiring a member of the Board of Trustees to have served for at least one year on the Board to be eligible to hold a Board Officer position in order to fill the positions of Board Secretary and Assistant Secretary for the remainder of the 2014/2015 term for those offices. Approved by the Board, 17-0.

B. Nominations for Board Office positions: Secretary and Assistant Secretary for the remainder of the 2014/2015 term of those offices.

Trustee Brutschy nominated Trustee Martin for Secretary. Accepted by Trustee Martin.
Trustee Martin nominated Trusted Lion for Assistant Secretary. Accepted by Trustee Lion.

General Counsel Pittman advised, as there was only one nominee for each office, a voice vote would be appropriate.

The election of Trustee Martin as Secretary and of Trustee Lion as Assistant Secretary was approved by the Board, 17-0.

C. Temporary increase in pay for Interim District Manager Rodriguez to $117,748 as outlined by Regional Government Services letter of recommendation.

President Rutherford advised salary has not been previously discussed.

Motion by Wykoff, 2nd by Fuller, to temporarily increase the pay of Interim District Manager Rodriguez to $117,748 as outlined by the Regional Government Services letter of recommendation, was approved by the Board, 17-0.

9. BOARD COMMITTEE MEETING DATES AND REPORTS:

A. Environmental/Public Outreach Standing Committee: Scott Smith Chair
   No meeting.

B. Finance Committee: Rick Wykoff Chair:
   Reviewed Internal Control Audit. Trustee Galligan indicated internal audit went very well except for the reports issued from the County Controller’s Office. Committee has asked Interim District Manager Rodriguez to author a letter to the County Controller’s Office indicating their reports are irreconcilable by the auditor to District records and requesting a meeting to determine appropriate methods to resolve the functional issues. The President of the County Board of Supervisors and LAFCo are to be copied on the letter.

Trustee Seifer recommended the internal control audit should be included in next month’s Board packet for Board review.
C. **Strategic Planning Committee: Jim Ridgeway Chair**
   No meeting.

D. **Policy Committee: Robert Riechel Chair**
   No meeting. Planning to meet with RGS.

E. **Executive Committee**
   Airboat engine repair

   President Rutherford advised the airboat’s engine failed and required replacement immediately to comply with contractual obligations with the Coastal Conservancy. Consideration was given to fulfilling the contract by use of a helicopter but the price was prohibitive and the engine would require replacement in any event. In purchasing a new engine, the committee considered a warrantee as an important factor.

   A general discussion ensued. Trustee Riechel questioned the content of the warrantee. Interim District Manager Rodriguez indicated the warrantee consists of a one-year manufacturer’s commercial level of protection, including parts and labor. General Counsel Pittman advised he is pursuing a claim for manufacturer’s defect due to improper installation with our insurer and has reserved our right to pursue the warrantee under the same premise. An argument can also be made that the warrantee language is vague as to the length of the warrantee, one year vs 300 hours. He will pursue both.

   Trustee Leschyn questioned the content of our contract with the Coastal Conservancy. President Rutherford clarified that the contract is to spray cord grass in San Francisco Bay. Assistant Manager Brian Weber explained that there is one year left on this contract but that the airboat is also used to access Bair Island to monitor mosquitos breeding sites.

   Trustee Fuller inquired whether the boat will belong to the District at the end of the contract with the Coastal Conservancy. General Counsel Pittman indicated the contract language with the Conservancy allows for depreciation of the boat over 5 years, that the boat is 4 years old and discussions of the boat’s ownership will be conducted.

F. **District Manager Search Committee**

   Trustee Wykoff reported that the solicitation for the District Manager’s position has been printed and distributed. Committee met with Mr. Berg to provide our input. Berg will begin reviewing resumes on October 27, 2014. Interim District Manager Rodriguez is not part of the review process as he may be a candidate for the position. However, Rodriguez may responds to factual questions about the District to other candidates. Trustee Martin inquired who was getting the brochure. Trustee Wykoff clarified that the brochure is being provided to pertinent organizations such as other Mosquito and Vector control agencies and support organizations.

10. **FINANCIAL REPORT: FINANCE DIRECTOR: ROSENDRO RODRIGUEZ**

   A. Review of Unaudited Financial Documents for fiscal year 2013-14: Fiscal Year End
Revenues were 110% higher than the budget. Items contributing to the difference include a 9% increase in property taxes received and $200,000 restitution from the perpetrator of the fraud. For the year ended June 30, 2014 there are a few accounts that exceeded the annual budget and a few others that were significantly under budget. Some of these accounts were expected to exceed the annual budget and others had reduced budgets as presented to the Board during the January-14 meeting outlining the Mid-Year Review / Forecast.

Trustee Schneider questioned what the cost was to recover money in connection with the fraud. Rodriguez indicated all the information is embedded in the financial documents and difficult to credit to the fraud recovery effort individually.

**Motion by Riechel, 2nd by Dr. Scott Smith, to approve the unaudited Financial Documents for Fiscal Year 2013-2014: July 2013 through June 2014, approved by the Board, 17-0.**

**B. Review Financial Documents for fiscal year 2014-15; for the month of July 2014**

Financial Manager Rodriguez indicated we are using a new report format for fiscal year 2014-15. The new format shows the relationship of the revenues and the expenditures to the % of the projected budget. Of note are the expenditures for laboratory supplies due to the necessary increase in testing for West Nile Virus. There is $6.9M cash in the General and Capital funds, which is lower than usual but will increase in December when property taxes begin to be distributed by the County. Details of the financial reports were included in the Board packet.

Based on the reported expenditures for wages and salaries, Trustee Galligan questioned whether we are fully staffed. Financial Director Rodriguez responded the figure reflects our delay in hiring the Public Health Education and Outreach Officer. He also commented that the payout for the former District Manager will appear in the coming months and will appear to make the budgeted amount for wages and salaries too low; however its accounted for as a reserve. This will be reconciled at the year’s end audit. The current reserve (liability) for this contingency is $136,000.

**Motion by Maynard, 2nd by Wykoff to approve the Financial Documents for Fiscal Year 2014-15; for the month of July 2014, approved by the Board, 17-0.**

11. MANAGER’S REPORT:

A. Interim District Manager Rodriguez indicated that a complete report of the activities is contained in the Board’s packet which included the following items:

CSDA Conference is scheduled at the Renaissance Palm Springs from September 29th – October 2, 2014. Trustees Brutschy, Leschyn, Lion, and Galligan will be attending.

Received a notice from California Department of Public Health indicating that the level of West Nile Virus infected mosquitoes in California is at it’s historic highest.
At the request of Trustee Cogoni, Assistant Manager Weber and Rodriguez attended Menlo Park City Council meeting in August to provide the council with an update on mosquito abatement in their community. The council indicated they were not happy with the way the District has handled the spraying in their area. The current District protocol when infected mosquitoes are located and identified is to advise the city’s Trustee and the City Manager/s. We advised Menlo Park four days prior to scheduled spraying but the City Council felt more time was needed to thoroughly notify their residents. Rodriguez requested that each Trustee immediately notify the appropriate officials in their cities when spraying will occur. Our goal is to protect the population from disease and a good working relationship with the cities is critical.

We utilized the services of RGS to identify and interview the candidates for the Public Health Education and Outreach position. RGS was very helpful is obtaining background information.

The California Department of Fish and Game have reviewed the draft of the EIR prepared by the Solano County Abatement District, and included comments. This will delay the EIR report from our District as the comments affect subsequent reports from Abatement District near coastal zones.

Acknowledged the 19 years of service from Trustee Leon Nicholas, who recently retired from the Board. Trustee Riechel suggested we present Trustee Nicholas with a plaque commemorating his service.

Motion by Riechel, 2nd by Leschyn, to present Trustee Leon Nicholas with a plaque commemorating his 19 years of service to the District, was passed by the Board, 17-0.

Trustee Riechel and Interim District Manager Rodriguez will work together to accomplish.

Previous employee James Bass passed away on August 22, 2014. Mr. Bass worked at the District for 26 years, retiring in 1999. He worked as a technician for the District.

Trustees who are not current with the required ethics training are encouraged to complete as soon as possible. Rodriguez will work with Trustees who also have not completed the Sexual Harassment Prevention course. Completion is pivotal in our pursuit of the District of Distinction designation from CSDA.

Assistant Manager Weber advised the District’s enterprise operations have been completed with the last helicopter treatment of larvacide applications that take place over water. The applications take place at Mills Field (airport property), Sharp Park golf course in Pacifica, and Searsville Lake in Palo Alto. These three locations will be monitored to determine if additional applications will be required.

The incidence of *Aedes aegypti* mosquitos has diminished significantly over the past month. The four additional seasonal workers have allowed us to contain this vector while maintaining appropriate levels of service to the rest of the County.

The District Report outlines the areas where adulticide fogging has been conducted.
Weber will provide the Board Trustees with a FAQ concerning the protocol for fogging.

Laboratory Director, Dr. Nayer Zahiri, advised the Board that District protocol calls for the deployment of 20 traps within a half mile radius when one positive mosquito is detected. Detailed maps are created from the information provided by the deployment of the traps. Additionally, all trapped mosquitoes are tested. Populations of mosquitoes are constantly re-evaluated for the necessity of fogging. She further reported there have been 3 reported human cases of Dengue in the County. All three victims were travelers from foreign countries. Trustee Smith commented that although the three victims are travelers from foreign countries and that by the time they are diagnosed they are no longer contagious, the District has the correct precautionary protocol of placing traps in the victim’s vicinity in place to map and contain any spread of the disease.

Trustee Fuller inquired if fogging notifications can be summarized rather sent specifically. Trustee Wykoff commented that his city council appreciates the immediate updates. President Rutherford and Trustee Riechel echoed this sentiment. Trustee Leschyn summarizes the notifications as needed.

12. BOARD MEMBERS COMMENTS AND ANNOUNCEMENTS:

Interim District Manager Rodriguez announced he is creating a countywide forum on West Nile Virus to be conducted during the next month. Trustees will be provided the information for distribution to city councils.

PIO Caldwell suggested using a webcast. Trustee Galligan suggested Community TV as a method of distribution to residents.

13. NEXT REGULARLY SCHEDULED BOARD MEETING:

President Rutherford announced the next scheduled Board meeting on October 8, 2014.

14. ADJOURNMENT:

Meeting was adjourned at 8:01PM.

There being no further business, the meeting was adjourned at 8:00PM.
I certify the above minutes were approved as read or corrected at a meeting of the Board held on July 9, 2014.

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

Approved:

[Signatures]

District Manager

Board President