



POLICY COMMITTEE MEETING OF THE BOARD OF TRUSTEES

April 12, 2016

5:00 PM

AGENDA

The Policy Committee is not a decision-making body and only makes recommendations to the Board.

Policy Committee Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting; or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact District Manager Chindi Peavey at least five working days before the meeting at (650) 344-8592. Notification in advance of the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it.

Public records that relate to any item on the open session agenda for a Policy Committee meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all Policy Committee members. The Policy Committee of the Board has designated the office of the San Mateo County Mosquito and Vector Control District, located at 1351 Rollins Road, Burlingame, for the purpose of making those public records available for inspection.

1. CALL TO ORDER.

2. PLEDGE OF ALLEGIANCE.

3. ROLL CALL.

- Chairperson Kati Martin will take roll call. _____
- Robert Riechel, City of San Bruno _____
- Ed Degliantoni, City of San Mateo _____
- Donna Rutherford, City of East Palo Alto _____
- Kat Lion, City of Redwood City _____

4. PUBLIC COMMENTS AND ANNOUNCEMENTS.



- This time is reserved for members of the public to address the Policy Committee of the Board relative to matters of the Committee not on the agenda. No action may be taken on non-agenda items unless authorized by law. Comments will be limited to five minutes per person (ten minutes where a translator is being used).

5. REGULAR AGENDA

Policies in Chapter 3000 of District Policy manual

- 1. District Policy 3010 – Vehicle and Watercraft Use. Review and discuss. Changes are proposed in the grammar and wording to align the policy with the District’s Insurance provider and current law.**
- 2. District Policy 3060 Tire Disposal and Shipping – no changes recommended**
- 3. District Policy 3090 Inspection Warrant Requirements – Changes recommended by District Counsel to align policy with the Mosquito Abatement Act and other current laws.**
- 4. District Policy 3050 Endangered Species Act – For clarity, insert words and change the sentence in 3050.30 from “The District urges caution in placing a species on the endangered list in cases where the placement would impact on disease control efforts” to the following**

The District urges **state and federal agencies** to use caution in placing species on the Endangered **Species** List in cases where such placement would **negatively** impact disease control efforts.”

Policies in Chapter 5000 of District Policy manual

- 5. District Policy 4080.80 – consider new language**

“Trustees shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Trustees. Information may be requested from the District Manager or exchanged Trustees before meetings, provided that it is done in a manner consistent with the Brown Act.”

6. ADJOURNMENT



POLICIES AND PROCEDURES

TITLE: Vehicle and Watercraft Use

NUMBER: 3010

3010.10 The District maintains a fleet of vehicles and watercraft (collectively “District Vehicles”) for the sole purpose of conducting district business. In order to best serve the mission of the District, District employees who are authorized to drive a District ~~Vehicle~~ and/or watercraft (hereinafter “Employees”) must adhere to this and other District policies as well as all local, state and Federal laws regarding the appropriate use of District Vehicles and vehicle safety. Employees shall use District ~~vehicles~~ Vehicles and watercraft are provided only for purposes ~~relating to the of~~ conducting of District business, ~~programs,~~ and travel ~~for to / from~~ approved functions.

3010.15 All Employees who operate ~~drivers of~~ District vehicles, must ~~maintain the~~ insurable under the district’s Automotive Policy with the Vector Control Joint Powers Agency ~~insurance~~ and comply with requirements of the California Department of Motor Vehicles (DMV) ~~requirements~~ as outlined by the Vector Control Joint Powers Agency. This includes, but is not limited to, physically possessing their California Driver’s License while operating Vehicles and not operating a Vehicle for District service while Employee’s driver’s license has expired, been suspended or revoked. Any Employee who is convicted of a DMV violation or whose license is suspended/revoked must report this situation to his/her supervisor within one (1) business day. Traffic tickets for mechanical/equipment violations on a District vehicle should be referred to the Employee’s supervisor. Tickets for traffic or parking violations are the financial responsibility of the Employee. In the event of an accident or damage involving a District Vehicle, an incident report must be submitted to the Employee’s supervisor as soon as possible. The District is not responsible for personal items left in District Vehicles.

3010.20 District ~~Vehicle~~s are not to be used for the sole purpose of transportation between the ~~E~~mployees’ work place and residence, unless authorized by the District Manager or the Board of Trustees.

3010.201 Any ~~E~~mployee, with permission of the District Manager, may use District ~~Vehicle~~s outside of regular working hours for occasional special responsibilities of work functions where such authorization is indicated for expediency and efficiency.

Commented [AB1]: Not sure this operational issue is something the Board should be concerned with.

3010.25 Employees may have his or her Vehicle privileges suspended or revoked, may be subject to disciplinary action, and/or may be liable to the District for costs resulting from any misuse of a District Vehicle. Examples of misuse include, but are not limited to: using a District Vehicle for other than official District business, except as specifically permitted by this policy; driving a District Vehicle without a valid California Driver's License; failure to report a DMV violation; unsafe driving practices; abuse of the District Vehicle; improper fuel card usage; removal of District logos from District Vehicles without authorization; transporting unauthorized passengers; failure to report an accident or wrongfully leaving the scene of an accident; or having multiple preventable accidents causing financial loss to the District. Any person who uses a District Vehicle for other than official District business, except as specifically permitted by this policy may be personally liable for any damage arising from their unauthorized use.

3010.30 Unauthorized passengers are prohibited ~~in from riding in~~ District ~~Vehicles and watercraft~~ except in cases of extreme emergency involving imminent danger to persons or property.

3010.301 All ~~vehicles District Vehicles and watercraft~~ will display "No Rider" signs.

3010.40 Authorized passengers include all District personnel, Board members, representatives from other districts, health departments, research agencies, registered volunteers, and other persons having official business with the District.

3010.401 A spouse or partner may be transported by a District ~~V~~ehicle when accompanying an authorized passenger or driver to approved functions.

3010.402 Persons visiting the District in official capacities of their employment and covered by Workers Compensation Insurance may be transported in District ~~Vehicles and watercraft~~ when appropriate.

Issued: January 8, 2003

Reviewed April 12, 2017



POLICIES AND PROCEDURES

TITLE: **Vehicle and Watercraft Use**

NUMBER: **3010**

3010.10 The District maintains a fleet of vehicles and watercraft (collectively “District Vehicles”) for the sole purpose of conducting district business. In order to best serve the mission of the District, District employees who are authorized to drive a District Vehicle and/or watercraft (hereinafter “Employees”) must adhere to this and other District policies as well as all local, state and Federal laws regarding the appropriate use of District Vehicles and vehicle safety. Employees shall use District Vehicles only for purposes of conducting District business and travel to / from approved functions.

3010.15 All Employees who operate District vehicles must be insurable under the district’s Automotive Policy with the Vector Control Joint Powers Agency and comply with requirements of the California Department of Motor Vehicles (DMV) as outlined by the Vector Control Joint Powers Agency. This includes, but is not limited to, physically possessing their California Driver’s License while operating District Vehicles, and not operating a District Vehicle for District service while Employee’s driver’s license has expired, or been suspended or revoked. Any Employee who is convicted of a DMV violation or whose license is suspended/revoked must report this situation to his/her supervisor within one (1) business day. Traffic tickets for mechanical/equipment violations on a District vehicle should be referred to the Employee’s supervisor. Tickets for traffic or parking violations are the financial responsibility of the Employee. In the event of an accident or damage involving a District Vehicle, an incident report must be submitted to the Employee’s supervisor as soon as possible. The District is not responsible for personal items left in District Vehicles.

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3010.201 An Employee, with permission of the District Manager, may use District Vehicles outside of regular working hours for occasional special responsibilities of work functions where such authorization is indicated for expediency and efficiency.

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resulting from any misuse of a District Vehicle. Examples of misuse include, but are not limited to: using a District Vehicle for other than official District business, except as specifically permitted by this policy; driving a District Vehicle without a valid California Driver's License; failure to report a DMV violation; unsafe driving practices; abuse of the District Vehicle; improper fuel card usage; removal of District logos from District Vehicles without authorization; transporting unauthorized passengers; failure to report an accident or wrongfully leaving the scene of an accident; or having multiple preventable accidents causing financial loss to the District. Any person who uses a District Vehicle for other than official District business, except as specifically permitted by this policy may be personally liable for any damage arising from their unauthorized use.

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3010.402 Persons visiting the District in official capacities of their employment and covered by Workers Compensation Insurance may be transported in District Vehicles when appropriate.

Issued: January 8, 2003

Reviewed April 12, 2017



POLICIES AND PROCEDURES

TITLE: Wetlands Management

NUMBER: 3030

3030.10 Protecting wetlands ~~is essential~~ while giving due consideration to the prevention of the spread of disease is essential. The District supports the continued development of new technology ~~is to be addressed~~ that ~~permits~~ addresses public health concerns and ~~elimination~~ eliminates development of mosquitoes while minimizing the impact of control operations on the environment. The District supports the need for conservation and management of wetlands Consideration to preventing the spread of disease and the continued development of technology that addresses public health concerns and elimination of mosquitoes is favored.

However, the potential impact on mosquito development and the spread of vector borne disease should be considered during the design development phase of wetland restoration projects. Restoration projects that reduce the potential for the development of mosquito vectors and the spread of vector borne disease can reduce the need for vector control applications and protect public health. The District strives to work with property owners during the planning phase or restoration projects to support designs that minimize or reduce the production of mosquito vectors.

3030.20 The District encourages public education regarding wetlands and emphasizes that future wetlands legislation should also address the potential impact of such legislation on disease vectors and public health ~~issues~~. Public health and safety cannot be jeopardized in favor of private property rights. A balance must be agreed upon that protects citizens' property rights, while preventing the spread of disease and guaranteeing a healthy environment for all.

3030.30 Don Edwards San Francisco Bay National Wildlife Refuge

3030.301 The District will maintain communication with the U.S. Fish and Wildlife Service (USFWS) and California Fish and Game (CFG) to restore Bair Island (Redwood City) to eliminate mosquito breeding and assure tidal marsh habitat for endangered wildlife species and migratory birds.

3030.302 ~~The District will help the USFWS develop interpretive panels to explain salt marsh ecology, discuss the plants and animals including insects of Bair Island and the~~

~~Bay, and explain ongoing efforts to rescue endangered species from extinction. In addition, the District will explain the historical problems of salt marsh mosquitoes.~~

Commented [C1]: Delete sentence. This is a relatively short term budget and communication issue.

Issued: February 12, 2003
Policy Committee Review **March 8, 2017**



POLICIES AND PROCEDURES

TITLE: Wetlands Management

NUMBER: 3030

3030.10 Protecting wetlands while giving due consideration to the prevention of the spread of disease is essential. The District supports the continued development of new technology that addresses public health concerns and eliminates development of mosquitoes while minimizing the impact of control operations on the environment. The District supports the need for conservation and management of wetlands.

However, the potential impact on mosquito development and the spread of vector borne disease should be considered during the design development phase of wetland restoration projects. Restoration projects that reduce the potential for the development of mosquito vectors and the spread of vector borne disease can reduce the need for vector control applications and protect public health. The District strives to work with property owners during the planning phase or restoration projects to support designs that minimize or reduce the production of mosquito vectors.

3030.20 The District encourages public education regarding wetlands and emphasizes that future wetlands legislation should also address the potential impact of such legislation on disease vectors and public health. Public health and safety cannot be jeopardized in favor of private property rights. A balance must be agreed upon that protects citizens' property rights, while preventing the spread of disease and guaranteeing a healthy environment for all.

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3030.302

Issued: February 12, 2003
Policy Committee Review April 12, 2017



POLICIES AND PROCEDURES

TITLE: **Tire Disposal and Shipping**

NUMBER: **3060**

3060.10 The District advocates a national policy focusing on proper and rapid disposal and recycling of scrap and used tires that significantly reduce inventories of discarded tires.

3060.20 Tires stored in an unsafe manner will help spread disease vectors and increase exposure to mosquitoes and vector-borne diseases.

3060.30 The District recommends increased inspections and severe penalties for unsafe storage of used tires.

Issued _____ **2003**

Reviewed _____ **July 11, 2011**

Reviewed by Policy Committee April 12, 2017 (no changes)



POLICIES AND PROCEDURES

TITLE: Inspection Warrant Requirements

NUMBER: 3090

3090.10 The District’s employees shall enter any property in a manner consistent with Health and Safety Code Section 2053, the California Constitution, and the United States Constitution. Except as otherwise provided by law, a~~All District employees will~~shall comply with the Mosquito and Vector Control District Inspection and Abatement Guidelines prepared by MVCAC (most recent version) and observe the following~~se~~ Inspection Warrant Requirements best practices for entering properties.

3090.11 Technicians, acting on a service request ~~called into the District office, will~~shall contact ~~the caller~~requester by telephone or in person within 24 hours one business day, ~~or as soon thereafter as practicable, the resident by telephone or in person to receive consent on before~~ entering “private areas” of their property. All residents property owners shall receive notification of findings from a vector control operation carried out on their property. All findings will be made available to the resident.

3090.12 Technicians, on a pro-active public health emergency control program, going house-to-house, must receive consent from a resident prior to entering legally “private-protected areas” of their property. All residents ~~will~~shall receive notification of findings from a ~~“search and destroy” vector control operation carried out on their property. control program.~~

3090.13 Technicians ~~will~~shall always ~~be in~~wear an official –uniform identifying them as a District employee and be able to provide proper identification for inspection by the resident prior to requesting consent to enter legally “private-protected areas” of their property for inspection and/or abatement of mosquitoes or other vectors.

3090.14 Technicians may enter “open fields” without consent for inspection and/or abatement of mosquitoes or other vectors.

3090.15 In cases~~exigent~~ circumstances, such as where a serious public health threat constitutes an emergency situation requiring swift action to prevent imminent danger to life or serious damage to property and there is insufficient time to obtain a warrant, is under investigation (ie West Nile virus and/or stinging insects) Technicians ~~technicians~~ may enter the ~~“back yard”~~legally protected areas of a ~~“search and destroy” control program property while going house to house~~ if no resident is available by telephone or at the residence to provide consent. ~~This is only if a serious public health threat (i.e. West Nile virus and/or stinging insects) are under~~

Commented [AB1]: Consider phrasing differently to cover other forms of contact (email, direct contact, etc.)

Commented [C2]: Some callers are business owners, some callers are not calling about their own property

Commented [C3]: If a call comes in on a weekend, we cannot respond until the following business day

Commented [C4]: Some callers are business owners, some callers are not calling about their own property

Commented [AB5]: I prefer to use parallel language across policies when we mean the same thing. Policy 3090.12 was worded a bit more clearly so I suggest using that.

~~investigation.~~ All ~~residents~~ ~~property owners~~ ~~will~~ ~~shall~~ receive notification of findings from a vector control operation carried out on their property.

3090.16 District may ~~utilize~~ work cooperatively with local Code Enforcement officers to assist in gaining access to private properties if consent is not authorized, but inspection and/or abatement is required for mosquito or other vector control operations.

Commented [C6]: Improper grammar, needs to be permission to enter is given or consent to enter is given or entry is authorized. You can't authorize consent

3090.17 When access is denied, ~~County~~ ~~District~~ Counsel ~~will~~ ~~shall~~ be utilized to obtain an inspection and abatement warrant through the courts in a manner consistent with Health and Safety Code Section 2053 and other applicable law.

Issued: _____ **October 8, 2003**
Reviewed: _____ **August 19, 2013**
Reviewed by Policy Committee **April 12, 2017**
Board Approval _____



POLICIES AND PROCEDURES

TITLE: Members of the Board of Trustees

NUMBER: 4080

4080.10 Each person appointed by a City or Town Council to be a member of the District's Board of Trustees must be a registered voter in that city or Town and a resident of that portion of the city or Town that is within the District (H&S Code 2022 (b)).

4080.20 Each person appointed by the Board of Supervisors to be a member of the District's Board of Trustees must be a registered voter in that county and a resident of that portion of the county (H&S Code 2022(a)).

4080.30 Notwithstanding, any other provision of law including the common law doctrine that precludes the simultaneous holding of incompatible offices, a member of a city council may be appointed and may serve as a member of the District's Board of Trustees if that person also meets the other applicable qualifications of the Health and Safety Code §2022.

4080.40 It is the intent of the State Legislature that persons appointed to the District's Board of Trustees have experience, training, and education in fields that will assist in the governance of the District.

4080.50 All trustees shall exercise their independent judgment on behalf of the interests of the residents, property owners, and the public as a whole in furthering the purposes and intent of the Health and Safety Code §2022. The Trustees shall represent the interests of the public as a whole and not solely the interests of the Board of Supervisors or the City Council that appointed them.

4080.60 The term of office for a member of the Board of Trustees shall be for a term of two or four years, at the discretion of the appointing authority. Terms of office commence at noon on the first Monday in January (H&S Code 2020(a)) and end on the last day of December two or four years hence.

4080.70 Any vacancy in the office of a member appointed to the District's Board of Trustees shall be filled pursuant to Section 1779 of the Government Code. Any person appointed to fill a vacant office shall be appointed to fill the balance of the unexpired term (H&S Code 2020(b)).

4080.80 Trustees shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Trustees. Information may be requested from the District Manager before meetings provided that it is done in a manner consistent with the Brown Act.

Issued:	January 8, 2003
Revised:	March 18, 2009
Board Review	March 8, 2017
<u>Board Review</u>	<u>April 12, 2017</u>



POLICIES AND PROCEDURES

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Issued: January 8, 2003

Revised: March 18, 2009

Committee Review April 12, 2017