AGENDA

Strategic Planning 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 Joe Galligan Chair of the Strategic Planning Committee 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 Strategic Planning 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 Strategic Planning Committee members. The Strategic Planning 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.
   - Chair Joe Galligan will take roll call.
   - Betsey Schneider, City of San Carlos
   - Christine Fuller, City of Daly City
   - Kat Lion, City of Redwood City
   - Ray Williams, Town of Portola Valley

4. PUBLIC COMMENTS AND ANNOUNCEMENTS.
• This time is reserved for members of the public to address the Strategic Planning 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 three minutes per person and twenty minutes in total.

5. REGULAR AGENDA

Discussion of AB1362 - Mosquito abatement and vector control districts: board of trustees: appointment of members

9. ADJOURNMENT

CALIFORNIA LEGISLATURE—2015–2016 REGULAR SESSION

ASSEMBLY BILL No. 1362

Introduced by Assembly Member Gordon

February 27, 2015
An act to amend Section 2021 of add Section 2021.5 to the Health and Safety Code, relating to pest abatement.

LEGISLATIVE COUNSEL'S DIGEST


Existing law, the Mosquito Abatement and Vector Control District Law, specifies the procedures for district formation, the procedures for the selection of the district board of trustees and officers, and the powers and duties of the board. Existing law authorizes the board of supervisors to appoint one person to the board of trustees, and the city council of each city that is located in whole or in part within the district to appoint one person to the board of trustees, in the case of a district that is located entirely within a single county and contains both incorporated territory and unincorporated territory.

This bill would authorize the board of supervisors and a city selection committee, established pursuant to specified provisions of law, to appoint persons to the board of trustees, as specified, in the case of a district that is located entirely within a single county and contains both incorporated territory, including every city within that county, and unincorporated territory. a city council, located in an existing or newly formed district as specified above, to adopt a resolution requesting that appointments of persons to the board of trustees instead be made by a city selection committee, established pursuant to specified provisions of law, and conditioned upon a majority of authorized city councils adopting their respective resolutions. This bill would authorize the city selection committee to decrease the total number of appointments to be made by the committee if a majority of city councils within the district make this request in their respective resolutions. This bill would prohibit the total number of appointments made by the committee from exceeding the number of incorporated cities that are located in whole or in part within the district, and would prohibit those appointments from affecting the appointments made by the board of supervisors.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:
SECTION 1. Section 2021.5 is added to the Health and Safety Code, to read:

2021.5. (a) A city council that is authorized to appoint one person to the board of trustees of a district, pursuant to subdivision (b) of Section 2021, may adopt a resolution requesting that appointments instead be made by a city selection committee, established pursuant to Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code.

(b) This section shall only apply if a majority of city councils that are located within the district and are authorized to appoint a person to the board of trustees adopt their respective resolutions pursuant to this section. This section shall apply to existing and newly formed districts as defined in subdivision (b) of Section 2021.

(c) The city selection committee described in subdivision (a) may decrease the total number of appointments to be made by the committee if a majority of city councils within the district make this request in their respective resolutions. The total number of appointments made by the committee shall not exceed the number of incorporated cities that are located in whole or in part within the district.

(d) The appointments made by the city selection committee shall not affect the appointments made by the board of supervisors pursuant to subdivision (b) of Section 2021.

SECTION 1. Section 2021 of the Health and Safety Code is amended to read:

2021. Within 30 days after the effective date of the formation of a district, a board of trustees shall be appointed as follows:

(a) In the case of a district that contains only unincorporated territory in a single county, the board of supervisors shall appoint five persons to the board of trustees.

(b) In the case of a district that is located entirely within a single county and contains both incorporated territory and unincorporated territory, the board of supervisors may appoint one person to the board of trustees, and the city council of each city that is located in whole or in part within the district may appoint one person to the board of trustees. If those appointments result in a board of trustees with less than five trustees, the board of supervisors shall appoint enough additional persons to make a board of trustees of five members.

(c) In the case of a district that contains only unincorporated territory in more than one county, the board of supervisors of each county may appoint one person to the board of trustees. If those appointments result in a
board of trustees with less than five persons, the board of supervisors of the principal county shall appoint enough additional persons to make a board of trustees of five members.

(d) In the case of a district that is located in two or more counties and contains both incorporated territory and unincorporated territory, the board of supervisors of each county may appoint one person to the board of trustees, and the city council of each city that is located in whole or in part within the district may appoint one person to the board of trustees. If those appointments result in a board of trustees with less than five persons, the board of supervisors of the principal county shall appoint enough additional persons to make a board of trustees of five members.

(e) In the case of a district that is located entirely within a single county and contains both incorporated territory, including every city within that county, and unincorporated territory, the board of supervisors may appoint one person to the board of trustees, and a city selection committee, established pursuant to Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, may appoint up to the total number of trustees as the individual cities would collectively be entitled to appoint pursuant to subdivision (b). If those appointments result in a board of trustees with less than five persons, the board of supervisors shall appoint enough additional persons to make a board of trustees of five members.
SUMMARY: Authorizes a city selection committee to make appointments to the board of trustees of specified mosquito abatement and vector control districts, subject to specified requirements. Specifically, this bill:

1) Authorizes a city council that may appoint a trustee, pursuant to existing law, to a newly formed or existing mosquito abatement and vector control district that is in a single county and contains incorporated and unincorporated territory, to adopt a resolution requesting city appointments be made by a city selection committee.

2) Provides a city selection committee may only be used to make appointments if a majority of city councils located within the mosquito abatement and vector control district adopt respective resolutions.

3) Authorizes a city selection committee to decrease the total number of city appointments made by the city selection committee, if a majority of city councils within the district make this request in an adopted resolution.

4) Prohibits the total number of appointments made by a city selection committee from exceeding the number of incorporated cities, wholly or in part, in the district.

5) Prohibits the appointments made by the city selection committee from affecting the appointments made by a county board of supervisors, pursuant to existing law for these specified districts.

EXISTING LAW:

1) Establishes the Mosquito Abatement and Vector Control District Law, which requires a legislative body of at least five members known as the board of trustees to govern every mosquito abatement and vector control district.

2) Requires a board of trustees to be appointed, within 30 days after the effective date of formation, in a district that is located entirely within a single county and contains both incorporated and unincorporated territory, as follows: a) the board of supervisors may appoint one person to the board; and, b) the city council of each city that is located in whole or in part within the district may appoint one person to the board.

3) Authorizes a board of trustees to adopt a resolution requesting that the board of supervisors of any county that contains territory within the district to increase or decrease the number of members on the board of trustees who represent the unincorporated territory of that county, and requires the board of supervisors order the increase or decrease.
FISCAL EFFECT: None

COMMENTS:

1) **Mosquito Abatement and Vector Control Districts.** There are 65 mosquito abatement and vector control districts in California. Mosquito abatement and vector control districts stand as guardians against epidemics, public health emergencies, and economic disasters. These districts have a long history of applying science to counter public health threats, and continue to do so as Californians face threats like the West Nile virus.

   In 2002, the Senate Local Government Committee appointed a "Working Group on Revising the Mosquito Abatement District Law" to update the law which had not undergone a comprehensive review since 1939. The working group agreed to maintain the method of appointing trustee boards, but changed the method for increasing or decreasing the size of boards. Due to the rewrite in 2002, current law authorizes a board of trustees to change a board’s size by directing a county board of supervisors to increase or decrease the number of trustees representing the unincorporated area of the county. The working group rejected draft language that would have allowed the underlying city councils and county board of supervisors to trigger changes in the size of the board of trustees.

2) **Bill Summary.** Existing law establishes an appointment process for a mosquito abatement and vector control district, which must be done within 30 days of the effective date of formation. Each district must have at least five trustees; however the appointment process established by current law determines city and county appointments based on the territory contained in the district. If a district includes a part of a city or county, that respective governing body is authorized to make an appointment. For example in a mosquito and vector control district located in a single county which contains unincorporated and incorporated territory the board of supervisors is authorized to make an appointment. For example in a mosquito and vector control district located in a single county which contains unincorporated and incorporated territory the board of supervisors is authorized to make an appointment. Each individual city is authorized to make one appointment. This leads to a large variation in the size of a mosquito abatement and vector control district board of trustees.

   This bill authorizes a city selection committee to make appointments in a newly formed or existing mosquito abatement and vector control district that is located in a single county and contains incorporated and unincorporated territory if a majority of city councils within the district adopt a resolution. A majority of city councils must also adopt a resolution to permit the city selection committee to decrease the number of appointments. This bill prohibits the appointments made by a city selection committee from exceeding the number of incorporated cities within the district.

3) **Author’s Statement.** According to the author, "AB 1362 would grant a mosquito abatement district which has countywide boundaries the option to utilize its existing city selection committee to appoint Trustees to the district, rather than each city council doing so independently. This reduces pressure on each individual city to appoint a representative, and increases collaboration between neighboring cities by authorizing the city selection committee to make shared decisions on local governance. This process adds an additional level of oversight and accountability to the appointment process, while retaining the city councils’ authority to appoint members. Other benefits include reducing the costs associated with meeting expenses and stipends for each member’s service, streamlining board communication, reducing duplicative work, and providing more transparency on the Board’s representation and decision-making."
4) **Policy Considerations.** The Legislature may wish to consider the following:

a) **Equal Representation.** The Legislature may wish to ensure that there will be adequate representation among all cities, especially if the number of city appointments is less than the number of cities within the district. The city selection committee process for some special districts requires appointments to alternate between cities or guarantees seats among geographic groupings to ensure diverse and fair representation.

b) **Statewide Problem.** This bill affects districts that are located in a single county and contain incorporated and unincorporated territory. The Legislature may wish to consider if there is evidence of a statewide problem.

c) **Role of the Board of Trustees.** Current law grants flexibility to a board of trustees to change the size of a board by ordering an increase or decrease to the number of trustees representing the unincorporated area of a county. The author may wish to consider the role trustee boards should have in determining the size of their board given this provision in current law.

5) **Prior Legislation.** AB 991 (Devore) of 2005 would have reduced the size of the Orange County Vector Control District's board of trustees, and would have required the county board of supervisors to appoint one trustee and the city selection committee to appoint 10 members, as specified. AB 991 failed passage in the Local Government Committee.

6) **Arguments in Support.** According to Supervisor Don Horsley, "In San Mateo County, the existing countywide mosquito abatement district is comprised of 21 members – one representative from the Board of Supervisors and one representative from each of the 20 cities in the county. This is a very large board that can be difficult to manage and challenging for each jurisdiction to keep consistently filled with trustees. For instance, our board currently has four vacant seats. In addition, the recent history of the San Mateo County Mosquito District proved that a larger board does not necessarily offer greater oversight. Rather than completely overhauling the governance structure of this special district, creating the option of having a more focused representative board could produce a more effective management tool. In San Mateo County, I believe the appointment process outlined in AB 1362 would be a good fit for the board of trustees of the mosquito and vector control district."

7) **Arguments in Opposition.** According to the Mosquito and Vector Control Association of California, "The nexus of this proposal is reported to come from San Mateo County's concerns with the size of its district's board of trustees. However, as a statewide association comprised of over 60 member agencies, including many large urban districts with diverse populations, our members have not raised concerns as to the size of their board of trustees. In fact, 2015 marks the centennial anniversary of the creation of mosquito control districts in California, and we believe that the addition of a city selection process for trustee appointments is not necessary. As we continue to work with you on your concerns related by the San Mateo County Board of Supervisors, we believe that the issues in that specific county and district should be addressed on their own, as opposed to opening a governance structure that would be statewide."