

**San Gabriel Valley Mosquito & Vector Control District
1145 N. Azusa Canyon Road, West Covina, California 91790**

Board of Trustees Meeting

**May 13, 2011
Minutes**

Trustees Attending

- 1 Roger Chandler (Arcadia)
- 2 Joseph Rocha (Azusa)
- 3 Rick Barakat (Bradbury)
- 4 Henry Morgan (Covina)
- 5 Andre Quintero (El Monte)
- 6 Charles Myers (Glendora)
- 7 Dan Holloway (La Puente)
- 8 Frank Hall (Co. of Los Angeles)
- 9 Robert Neher (La Verne)
- 10 Dan Kirby (Monrovia)
- 11 Elliott Rothman (Pomona)
- 12 Robert Bruesch (Rosemead)
- 13 Janice Nelson (Sierra Madre)
- 14 Kevin B. Sawkins (San Gabriel)
- 15 Mary Su (Walnut)
- 16 Shelly Sanderson (West Covina)

Trustees Absent

- 1 Stephen Sham (Alhambra)
- 2 Sam Pedroza (Claremont)
- 3 Margaret Finlay (Duarte)
- 4 Jeff Parriott (Industry)
- 5 Manuel Garcia (Irwindale)
- 6 Joseph Leon (Monterey Park)
- 7 Jeffrey Templeman (San Dimas)
- 8 Cynthia Sternquist (Temple City)

Staff Attending

- Esther Elliott
- Carol Anne Hagele
- Mel Cook
- Steve West
- Marta Tanaka
- Alfonso Melgoza
- Rose Alba
- Kelly Middleton
- Kenn Fujioka

Staff Absent

- Ramona Deacon

Guest

- Henry P. Eng, CPA, District Auditor

1. Call to Order

The meeting was called to order by Secretary Henry Morgan at 7:05 AM

2. Pledge of Allegiance and Silent Roll Call

The Pledge of Allegiance was led by Secretary Morgan

3. Opportunity for Public Comment on Non-Agenda Items

None

4. Consent Calendar

Trustee Neher requested Item 4E, Abatement Report, be withdrawn from Consent Calendar in order to discuss it further.

A motion by Trustee Chandler to approve all Items except Item 4E Abatement Report in the Consent Calendar was seconded and unanimously approved.

At the request of Trustee Neher, Trustee Morgan agreed to move Item 4E, Abatement Report, to Item 8 on the Agenda.

- A. List of Claims for April, 2011
- B. Budget Status Report for April, 2011
- C. Minutes of Board of Trustees Meeting April, 2011
- D. Surveillance and Vector Report
- E. Abatement Report
- F. Education Program

5. May 2011 Monthly Treasurer Report / District Working Balance Report for March, 2011

A motion by Trustee Chandler to approve the May 2011 Monthly Treasurer Report / District Working Balance Report for March, 2011 was seconded and unanimously approved.

6. Baldwin Park Charges for Services

District Manager West introduced his Manager's Report on the alternative costs the District could charge the City of Baldwin Park for providing our services citing addition to facilities depreciation and other adjustments, the expense to Baldwin Park would increase. District Manager West reported he met with Henry P. Eng, the District's Auditor who was in attendance, to discuss depreciation and how it could be applied. Mr. West's report reflected how charges to Baldwin Park could be increased through a per hour expense or by a formula charging Baldwin Park for its share of District costs were it to be annexed.

Attachment 1 reflects charging the City of Baldwin Park at an hourly rate of \$148.55 for requested services. This would approximately double the Time and Material's contract previously submitted to the Board from approximately \$12,000 - \$14,000 a year to \$30,000 to \$40,000 a year. An addition of depreciation to that hourly rate would further increase the cost. The alternative formula to charge Baldwin Park based on a "fair share for the services" would total about \$150,000.

Staff's analysis of this situation is to recommend an emphasis on Prop 218 election with Baldwin Park paying for half thereby putting the responsibility on the residents to pay an assessment instead of using the City's General Fund. Baldwin Park residents should know they will be getting the District's services for only about a \$9.00 annual assessment fee. An alternative choice would be to identify specific problems, and then use the Health & Safety Code to compel residence compliance.

Finally the District Manager emphasized as a subsequent matter that we should pursue the Prop 218 election. But we do not want to waste money we might lose if we think the

election will not be approved.

Subsequent discussion by Board members is partially included in the minutes below; however, not all Trustees voices could be recorded.

- The Prop 218 election will fail without aggressive education. Property owners automatically vote no.
- Is there any legal loophole with the County we can use? District Manager West stated that in the midst of the past WNV epidemic the County paid for our services in Baldwin Park and South Pasadena as an interim measure.
- The idea of having a Prop 218 election needs to come from Baldwin Park residents. Charging them an exorbitant but legal amount per hour for our services is one way to get their attention.
- District staff needs to promote all the positive aspects of being within the District. The residents of Baldwin Park need to be enthusiastic such that they would get mosquito control for only \$9 a year.
- The District needs to be recompensed for the amount spent for summer extra help so that our member cities don't end up paying for all of it.
- As discussed before, the Prop 218 election will be very hard to sell.
- District Manager West suggested we go "around" the City Manager if necessary and to Baldwin Park's City Council.
- The City needs to promote all the positive aspects of being a part of the District. The City Council should be glad the cost is on the backs of the residents and not on the City's General Fund.
- We're forgetting that all the public information that we are providing is getting to them. We're educating them so that they look for sources. It is only fair we get something back. They have been getting service for a long time.
- The largest thing that we do as a District is our surveillance. We should inform Baldwin Park that there is more involved than just a reaction to a resident's call.
- Have we gotten legal opinions? Any way to get litigation. Have we talked to legislators in Sacramento?
- District Manager West stated we have not undertaken any legal action.
- We have only once used the Board' statutory authority to impose a fine when the Arboretum in Arcadia asked us to send them a notice of violation of the Health and Safety Code in order to get money from Los Angeles County restore their mosquito breeding habitat.
- I don't think the District should be proactive in Baldwin Park as we do in other cities and only respond to their calls.

A motion by Trustee Chandler to direct staff to come up with exact costs, no more than any other city and include surveillance, that we should not be proactive in Baldwin Park other than what we do in other cities and we should respond to their calls and bill them exact costs.

- Trustee Myers pointed out that the Health & Safety Code law works very well, but an agreement by this Board is needed to use the legal methods available. His final suggestion is to give this to the Policy Committee with a very short time frame to

come up with a recommendation to bring to the Board. Also we should get a straw vote of the Board members here today to see if they are interested in coming to special Board meetings or extending this Board meeting to hear to legal complaints. We can't go anywhere with the law without a commitment from the Board and it has to be 100%.

- Trustee Chandler suggested we get a yea vote. We're hearing all kinds of ideas but not a coherent plan.
- Trustee Morgan stated we have to determine what the right price will be. Tell the city this is what it will cost Baldwin Park for us to take care of a problem.
- The cost should include aerial surveillance. Same with all cities.
- The District should spend more time in every city. It is not possible not have WNV by having one technician in three cities.

Vote on the motion on the floor.

All in favor. All Present in favor except Trustee Sanderson who opposed and endorsed the recommendation.

7. District Administration

District Manager Steve West, Trustee Morgan, and Public Information Officer Kelly Middleton attended the MVCAC Spring meeting. Major topic of discussion was the NPDES permit.

District Manager also informed the Board that he testified at the California Forward special meeting hosted by the City of El Monte

8. Disease Surveillance

Assistant Manager Kenn Fujioka reported the first positive crow in Los Angeles County was found by staff in West Covina. It was discovered and collected at the corner of San Bernardino Road and Azusa Canyon Road by District Ecologist Tera Sorvillo.

He attended the AMCA Legislative Day on May 9-11 in Washington DC. The main topic of discussion was the Senate bill HR872 which was passed in the House. HR72 clarifies the Clean Water Act so that vector control districts would not have to file a NPDES permit. However, it is being heard in the Agriculture Committee of the Senate and it is uncertain if the bill will go to the President for signature.

Representatives of the AMCA were there to explain that the 6th Circuit Court decision does nothing but add repetitive requirements to report pesticide use. He stated that further regulation it should be done under FIFRA (Federal Insecticide Fungicide Rodenticide Act) which we have been under since 1947.

Item 4E Abatement Report:

At the request of Trustee Neher, Assistant Manager Fujioka explained Item 4E Abatement Report regarding the service provided to the city of Monterey Park. Technician Marc Mitchel spent a lot of time isolating the source of increased mosquito breeding there. He located the problem area in Monterey Park where there is a large reservoir with a cover on it. The reservoir's cover has a lip where water collects. He is working with the staff of the reservoir getting this under control.

A motion by Trustee Chandler to approve Item 4E, Abatement Report in the Consent Calendar was seconded and unanimously approved.

Trustee Bruesch mentioned a school directly across from that site and asked if additional education was needed. Kenn stated no more than normal; but that the mosquitoes feed at dusk so during the day the children are not at risk. The District can provide extra pamphlets to distribute.

In response to Trustee Neher's question Kenn advised the Board that there are two main species of mosquitoes that transmit West Nile virus, *culex Quinquefasciatus* and *culex Tarsalis*.

9. Trustee Reports

Trustee Su thanked staff for coming to the City of Walnut and giving presentation.

Trustee Morgan informed the Board that he attended MVCAC Spring planning meeting with Steve and Kelly. He reported that enrichment of the Trustee program which emphasizes Trustee responsibilities is going well.

10. New Business

Trustee Hall requested an update on South Pasadena at the next Board meeting. District Manager West reported he has written a letter to the City Manager of South Pasadena asking them to agree to our Sphere of Influence application.

11: Adjournment

A motion to adjourn the Board meeting was seconded and unanimously approved. The meeting was adjourned at 8:03 a.m.