

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

Board of Trustees Meeting
November 14, 2008

Minutes

Trustees Attending

- 1 Stephen Sham (Alhambra)
- 2 Roger Chandler (Arcadia)
- 3 Joseph Rocha (Azusa)
- 4 Rick Barakat (Bradbury)
- 5 Linda Elderkin (Claremont)
- 6 Henry Morgan (Covina)
- 7 Ernest Gutierrez (El Monte)
- 8 Charles Myers (Glendora)
- 9 Jeff Parriott (Industry)
- 10 Dan Holloway (La Puente)
- 11 Robert Neher (La Verne)
- 12 Dan Kirby (Monrovia)
- 13 Dave Barron (Monterey Park)
- 14 Elliott Rothman (Pomona)
- 15 Robert Bruesch (Rosemead)
- 16 Janice Nelson (Sierra Madre)
- 17 Kenneth G. Gillanders (Temple City)
- 18 Roger Hernandez (West Covina)

Trustees Absent

- 1 Margaret Finlay (Duarte)
- 2 Mark Breceda (Irwindale)
- 3 Frank Hall (Co. of Los Angeles)
- 4 Jeffrey Templeman (San Dimas)
- 5 Albert Huang (San Gabriel)
- 6 Tom Sykes (Walnut)

Staff Attending

- Steve West
- Kenn Fujioka
- Kelly Middleton
- Rose Alba
- Esther Elliott
- Carol Anne Hagele
- Ramona Deacon

Staff Absent

- Mel Cook

1. Call to Order

The meeting was called to order by Vice President Sham at 7:01 a.m.

2. Pledge of Allegiance and Silent Roll Call

The Pledge of allegiance was led by Vice President Sham.

3. Opportunity for Public Comment on Non-Agenda Items

None

4. Consent Calendar

- A. List of Claims for October, 2008
- B. Budget Status Report for October, 2008
- C. Minutes of Board of Trustees Meeting October, 2008
- D. Surveillance and Vector Report
- E. Abatement Report
- F. Education Program

A motion by Trustee Gutierrez to approve the Consent Calendar was seconded and unanimously approved.

5. September 2008 Monthly Treasurer Report / District Working Balance for November 2008

A motion by Trustee Gutierrez to continue the Monthly Treasurer Report / District Working Balance to the December meeting was seconded and unanimously approved.

6. Vote for Board of Trustees Officers for 2009

District Manager Steve West reported that the Board proposed to endorse the current Board Officers for 2009. Without a Nominations Committee or concomitantly a Nominations Committee Chairman to conduct an election, District Manager West suggested the President select a member of the Board to conduct it.

A motion by Trustee Gutierrez for a vote of the Board to confirm its prior determination to extend the terms of exiting Board officers through 2009 was seconded and unanimously approved.

7. District Administration

A. Holiday Schedule

District Manager West reported an error in the dates District offices will be closed during the Thanksgiving holidays. District offices will be closed Thursday, November 27, 2008 and Friday, November 28, 2008.

B. Baldwin Park Status Report

District Manager Steve West announced that a timely telephone meeting among the District's legal counsel, a representative of a Prop. 218 consultant firm, and him regarding who should sponsor and manage the City of Baldwin Park's possible annexation process to the District and the Proposition 218 elections resulted in a subsequent meeting on this subject with Baldwin Park management and legal officials. The consensus of that meeting was that, although the approved contract states that the "218" election is to be conducted by the City of Baldwin Park, the City and District administrative and legal staff agree that the District should conduct that election.

The agreement was originally constructed for the City to conduct the election because the District Manager was concerned about an appearance of a conflict of interest with the District "benefiting" from a positive vote of the Baldwin Park land owners. Baldwin Park had budgeted \$30,000 for an election hoping that amount was sufficient.

As a result of these discussions, staff will present to the Board at a future meeting the documentation to codify the proposed action. It will include the \$20,000 payment by Baldwin Park to the District with the balance to be funded by the District. Staff estimates the total cost of the election to approximate \$50,000 to \$60,000. This fact is indicative of the City's underestimation of the cost. We will propose to use that revenue from Baldwin Park, a total of \$102,602 this fiscal year to bear the election cost, noting the final cost would be offset by Baldwin Park's \$20,000 payment and the District's \$7,000 budget this fiscal year to fund LAFCO's costs of an annexation. Staff will further propose a consultant to conduct the Proposition 218 election with District staff responsible for oversight. The District Manager's concern about possible "charges" of subjectivity is best "disproven" by the employment of a consultant.

Trustee Kirby initiated Board questions asking if there is legal precedent on something like this, and further if it isn't the first time this issue has arisen. He also requested clarification

of whether this is a money or legal issue.

District Manager West replied that since the District adopted and advertised its assessment schedule prior to Prop 218, our current fee matrix is protected from the regulations of Prop 218. However, among discussion among the staff, consultant, and legal advisors, the District Manager and District Counsel were led to recognize that Baldwin Park's election and subsequent absorption by the District would be subject to Prop 218. The result is the election and subsequent assessments must be Prop 218 compliant, and the Board will not have the flexibility with the \$20 cap we currently enjoy. The result is our total assessment would become a two tier system if Baldwin Park votes to joins the District.

Trustee Elderkin asked if at some point they would ultimately be paying less than the other cities. The District Manager replied that it is a distinct possibility and that an Engineers Report (by the consultant), as part of the Prop 218 election, would determine that "level" in Baldwin Park.

Trustee Baron asked if the Baldwin Park election could be consolidated with another election. District Manager West responded it can not because it is a mail ballot to property owners.

Asking for clarification, Trustee Barakat asked if the \$30,000 difference will be paid by the Baldwin Park contractor or us. The District Manager replied that San Gabriel Valley Mosquito & Vector Control District would be contracting with and paying the complete consultant costs less the amount (\$20,000) to be remitted to the District.

Trustee Barakat continued asking if, of the \$60,000, Baldwin Park will provide \$20,000 or \$30,000 and would the District pay the balance? Is that correct? The District Manager responded that the funds to pay the consultant would be charged to the Baldwin Park Revenue Account.

Trustee Barakat continued stating the fund be paid by them to us and which we're spending on providing vector control to them means in effect we are subsidizing the service. The District Manager responded that Trustee Barakat is correct.

Trustee Barakat continued saying that if we weren't putting on the election using the revenue from Baldwin Park; it would stay in our coffers to improve service everywhere. The District Manager responded that Mr. Barakat statement is accurate.

Trustee Elderkin stated that in her experience with elections the information has to be really "good" so that people understand. She also mentioned that the up side of a Prop 218 election is that they have to actively send the letter back which takes more energy.

Trustee Baron stated that a consultant can tell us the normal process and how they have conducted other mail ballots. Trustee Elderkin asked if we have to go thru the Prop 218 process. The District Manager replied that we have to do so.

Trustee Bruesch asked if the District Manager remembered that the percentage of ballots that were returned for the Altadena/Kinneola annexation was less than 10%. Assistant Manager Fujioka stated that it was more than 60% in favor of annexation.

Trustee Rothman asked the District Manager when we would have the name of the consulting company. District Manager West said it would be several months but he is likely to recommend the company called SCI.

Trustee Baron questioned whether there would be a *Request For Proposals* (RFP). District Manager West said he proposed not to do so based on the time constraints by a RFP process.

Trustee Rothman asked the District Manager if, before he recommends a firm for the Prop 218 election process, to find out if they conducted the recent mail-in ballot for the City of Pomona. The consulting company was handling a small hike in their special assessment and lost at 87% against. If it is the same company, staff may recommend them but it would not be wise for this Board to use them.

District Manager West responded he would certainly determine who conducted the election in Pomona and inform the Board at the time the staff report is brought to the Board.

Trustee Baron suggested that at least 3 companies be contacted, at least by phone. District Manager West said he would do that.

Trustee Baron mentioned that there are local elections in March, so many of these consultants may be busy with city elections. District Manager West said he understands the point and since it is a mail-ballot election it can be done at anytime avoiding “election” conflict.

Trustee Gutierrez recommended the District Manager investigate SCI’s track record and find out who they have done work for and what was their success rate.

C. MVCAC Legislative Day, Tuesday, March 3, 2009, Sacramento

District Manager West reported that the Mosquito Association will be renewing its sponsorship of a Legislative Day on March 3, 2009 in Sacramento. The Association is contracted with Ralph Heim, who is a well known consultant and lobbyist in Sacramento, to provide legislative services and “staff” a Legislative Day. This activity was dropped when the Blanning and Baker contract was not renewed. However, Mr. Heim proposes this event be reinstated with the understanding that substantial Trustee support would be the key factor for success. Districts in Southern California with large boards are anticipated to “supply” a large number of Trustees to attend the Sacramento event. At least three Trustees and possibly more from San Gabriel Valley Mosquito & Vector Control District would be most beneficial.

Trustee Baron reminded everyone that March 3, 2009 is an election day in some cities so some Trustees may be unavailable.

President Chandler asked Trustees to inform the District Manager if they plan to attend.

8. Disease Surveillance

Assistant Manager Kenn Fujioka reported it was close to the end of the year for West Nile virus activity.

Los Angeles County reported 162 cases, 56 of them in our District this year. Kenn was concerned that it is much warmer than normal and this may affect transmission in 2009.

Kenn responded to President Chandler's question by stating that putting soap in standing water would prevent mosquitoes from breeding longer than bleach.

Trustee Elderkin remarked that the severity of 2004's WNV season is a good issue for Legislative Day.

9. Trustee Reports

Trustee Myers attended the MVCAC Fall Meeting at Lake Tahoe and reported that the Association hopes members will send their representatives to Legislative Day in 2009. They are hoping for at least 100 participants. The possibility of having a "Day at the District" for local legislators at each district was also discussed.

There was also a lot of discussion about adulticiding for mosquitoes. Trustee Myers elaborated on the various philosophies and ecologies that exist throughout California. These differences make one protocol for the entire state virtually impossible, but the methodologies of Northern and Southern California districts are always being compared anyway.

In response to Trustee Elderkin's question Assistant Manager Fujioka stated that vector control districts use pyrethrin to control adult mosquitoes. There is currently a worldwide shortage of pyrethrin and very few alternatives can be used in California. Assistant Manager Fujioka also commented on the furor concerning aerial spraying of hormones to control the light brown apple moth in Northern California.

Trustee Myers informed the Board that three pieces of state legislation have been proposed because of that spraying for the light brown apple moth. He described the continuous battle to allay the public's fear of aerial application versus the possibility using this technique when necessary.

10. New Business

Assistant Manager Fujioka responded to Trustee Morgan's question by reporting that the Water Company had postponed shutting off the water to control black flies twice.

11. Adjournment

A motion by Trustee Gutierrez to adjourn the meeting was seconded and unanimously approved. The meeting was adjourned at 7:31 PM.