

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

Board of Trustees Meeting

September 10, 2010

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 Margaret Finlay (Duarte)
- 8 Andre Quintero (El Monte)
- 9 Jeff Parriott (Industry)
- 10 Dan Holloway (La Puente)
- 11 Robert Neher (La Verne)
- 12 Manuel Garcia (Irwindale)
- 13 Frank Hall (Co. of Los Angeles)
- 14 Dan Kirby (Monrovia)
- 15 Joseph Leon (Monterey Park)
- 16 Elliott Rothman (Pomona)
- 17 Robert Bruesch (Rosemead)
- 18 Janice Nelson (Sierra Madre)
- 19 Kenneth Gillanders (Temple City)
- 20 Mary Su (Walnut)

Trustees Absent

- 1 Charles Myers (Glendora)
- 2 Jeffrey Templeman (San Dimas)
- 3 Albert Huang (San Gabriel)
- 4 Shelly Sanderson (West Covina)

Guest

Mike Jenkins, District Legal Counsel

Staff Attending

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

1. Call to Order

The meeting was called by President Sham at 7:01 AM

2. Pledge of Allegiance and Silent Roll Call

The Pledge of allegiance was led by President Sham.

3. Opportunity for Public Comment on Non-Agenda Items

None

4. Consent Calendar

A motion by Trustee Chandler to approve the Consent calendar as presented was seconded and unanimously approved.

- A. List of Claims for August, 2010
- B. Budget Status Report for August, 2010
- C. Minutes of Board of Trustees Meeting August, 2010
- D. Surveillance and Vector Report
- E. Abatement Report
- F. Education Program

5. July Monthly Treasurer Report / District Working Balance Report for September, 2010

A motion by Trustee Parriott to approve the July Monthly Treasurer Report / District Working Balance Report for September, 2010 was seconded and unanimously approved.

6. Status Report regarding Proposition 218 Election (City of Baldwin Park)

District Manager Steve West reported as he was directed to meet with Vijay Singhal, CEO for the City of Baldwin Park, regarding the Prop 218 election. They agreed it is his and the District Manager's recommendation to not proceed with the Prop 218 election. It was mutually understood that the election would only have a mild chance of passing. Although Mr. Singhal had not talked to the City Council, he was confident they would consider providing additional financial support when it was decided to proceed with the election. The District Manager explained the SCI contract costs are between \$90,000 and a \$100,000 for the entire process; \$20,000 has already been paid by Baldwin Park for the election evaluation leaving \$80,000 as the balance for election costs. The District Manager and the CEO believed the total cost should be shared which would mean an additional \$30,000 from Baldwin Park and \$50,000 paid by the District.

Their recommendation is to wait until after the first of the year and then reconsider the election timing issue. The election would be conducted by this District.

A motion by Trustee Chandler to approve staff's recommendation to table the decision to conduct a Prop 218 election in the City of Baldwin Park until after the first of the year was seconded and unanimously approved.

7. Consider the Agreement between the City of Baldwin Park and the San Gabriel Valley Mosquito & Vector Control District for the period of July 1, 2010 to June 30, 2011 which was continued from the August 13, 2010 Board of Trustee Meeting

District Manager West introduced the item and reported that at the request of the Board, the rates and expenses on the Time and Materials Agreement (T&MA) for Baldwin Park had been recalculated.

Considerable discussion of the item followed with the following points and discourse:

Initial Trustees' discussion centered on why a city would sponsor an election costing the land owners \$125,000 when the District would provide services on a T&MA at a cost of \$12,000. Trustees commented that it appears the revised T&MA agreement charges a minimal amount and that Baldwin Park is getting a bargain.

The District Manager responded that it is not the amount of revenue received from any one District city. Rather it is the collective assessment from all cities which pays for staff and materials to respond to a problem. Using Bradbury as an example land owner's fees are approximately \$2500, but we would spend far more money there as necessary if a public health danger in that City required it. We would not expend only the amount of money equal to the city's landowner's revenue. Our staff of seventeen people can only meet the demands of 1.5 million people and 150 square miles based on the aforementioned process. Simply speaking

driving a truck to a site, pesticide application, and time spent would easily exceed \$9.03, annual fee.

Mr. West continued that complications arose once we and the City began our discussion about a Proposition 218 election. Baldwin Park had already started the process to hire a consultant in 2007. They expected to pay to conduct the election. In the course of succeeding events, the City's attorneys for this District and the City of Baldwin Park met and determined that the City may not conduct the election and the District must do so.

Staff requests that the Board adopt some direction to staff given the fact that we have been providing vector control services since July 1, 2010. Staff would like the Board to be aware that the Health and Safety Code regulations we can use to abate a nuisance requires a fairly complicated process over a 30 day period.

Trustee discussion raised these points:

- 1) Can we prevent or stop a breeding source the correct way for only a \$10,000 - \$12,000 a year contract?
- 2) If a city paid only the contract amount, why would they be supportive of joining the District? In effect we would be subsidizing them.
- 3) This Board has the difficult task of being fair, and right, and realistic. That means we should change what it really costs including overhead and all other real costs.

There was further Board discussion of the options with the District Manager expressing appreciation for the contradictions the Board faces but direction would be appreciated.

A motion by Trustee Barakat that we present them with a contract at \$125,000. Seconded. Approved. 16 Opposed: 4

Board discussion continued after the vote on the matter of how not to antagonize Baldwin Park such that they would not fund the future election. Staff responded to several questions concerning the best method to gain the City's support for an election. The District Manager stated that he would explain the Board's logic and work to persuade Vijay Singhal to support a future election. However, the Board has voted to give the District Manager specific direction.

Trustee Barakat asked for the reasoning of those who voted no on the motion.

Trustee Elderkin stated that it is radically in our interest to have Baldwin Park in this District; mosquitoes don't live in Arcadia or Claremont. If Baldwin Park doesn't take care of their City it's bad for all of us. Having entered into this long process beginning with hiring a consultant, thorough research, and our commitment to proceed with the election, we are now saying the climate has changed. We all work in a city and know the climate has changed with any election now virtually undoable. We have had a contract at the \$125,000, and we changed to a time and materials format because we were negotiating with the city over who would conduct the election. We thought we were going to proceed because we wanted them in the District. We created special circumstances for them.

The issue for me was that as a result of changing the terms, we agreed on special terms because we had almost decided to proceed with an election. Now it looks like the election has to be postponed and it might not be next January or several years. The economy may have bottomed out but, maybe not. People are really not inclined to vote to tax themselves for any good cause

right now. So my real issue is to communicate with the City that we in a special circumstances. I think I would say, Steve, if I was talking to them that the Board has voted on this issue and we can't sustain this special circumstance forever.

We have been carrying them for a few years on this time and materials contract because we saw a light at the end of the tunnel. Now we're not sure there is a light. Had we thought this election was to proceed, we could have asked the City to pay for it, and then maybe we'd carry them for one more year or something like that. But we can't keep carrying them year by year at such a reduced rate. It isn't fair to other cities.

So what do we do in the interim? I think to propose we go right back to the beginning cost isn't acting in good faith. I voted against it because I don't think it is reasonable to change on a dime when we did approve this special category based on the election. If we're going to change it, I would prefer to tell them, "Sorry, your special circumstance are going to go, they have to because the election is not coming, and we can't keep carrying you on the premise for a reduced rate. So if we have to go back where we started or somewhere in the middle, I would have at least give them a sense of the situation we face now.

In addition to these comments that I would say the motion should be flexible. I would want to give the District Manager some leeway to be able to negotiate the \$125,000; maybe we could get \$80,000 or \$75,000. I don't know what that number might be, but at least it gives the District Manager some basis to defend a position. Make it clear that if the City Manager says "leave it" then we're not going to provide services for free.

Comments from various Trustees included:

If the City Manager says it is too much for this year then ask what could they afford? Suggest \$90,000 or \$70,000 then ramp it up again until we finally proceed with the election. They need to know that we have changed and if there's no election, we cannot carry them indefinitely.

We should give them notice. We want you to be able to offer something. Although we voted for \$125,000, are we going to negotiate? Why do we always have to give them special consideration?

Would the Board be interested in providing the District Manager with the flexibility to negotiate, then you need to amend the motion?

It was suggested a motion with more flexibility based on the comments made would be justified. It was pointed out that the District is already 4 months into the year and could justify going the first half of the fiscal year at a \$12,000 rate and the second half of the fiscal year at the higher rate. That would settle at roughly \$70,000. That would give the District Manager more flexibility.

A motion by Trustee Elderkin to reconsider the motion by Trustee Barakat that we present the City of Baldwin Park with a contract at \$125,000 was seconded and approved by eighteen Trustees. Trustees Elliott and Barakat opposed.

A motion by Trustee Finlay to negotiate a contract with the City of Baldwin Park for the \$3,000 for the first quarter of the fiscal year and then negotiate for the balance of the annual rate up to \$125,000; then come back to the Board at the October meeting to decide the final rate was seconded and unanimously approved.

8. Consider Updating District Logo Design

Public Information Officer Kelly Middleton reported that they have been working with a designer to update the look of our website and brochures, and while going through this process realized that if the district was ever going to update the look of the logo, now would be logical time to do that. The consultant drafted some options for us to consider. The Public Information Committee considered them at their last meeting and selected the option provided in the agenda packet. They recommended bringing the design and a breakdown of the cost to the Board for consideration. Since the proposed logo is similar, the District could transition slowly and only order consumables after our current stock is exhausted. The only expense proposed now would be to update the patches on the technicians' uniforms, the decals on the vehicles, and the street sign. The remainder would be purchased as they become necessary.

Trustee Comments:

At a cost of \$3500, this is not a good time to do this. Why do we have to change the logo on the uniforms now? If they are similar enough so no one would notice can't we wait until the contract is up?

PIO Comments:

We could wait until the end of the contract which is in one year and then renegotiate to update the patches at no cost.

Trustee Comments:

- 1) Many boards change their identity and live to regret it because it creates a misunderstanding of who they are and what their business is? Our logo originally created in 1991 and has become widely recognized. This new design appears to promote mosquitoes instead our mission to destroy them. The motto also suggests we are promoting the department of public health. Thanks to the Public Information Committee and staff's efforts, but the Board has higher priorities at this time.
- 2) In favor of the mosquito because it provides a visual representation of what we do.
- 3) What is wrong with the current logo? Need a stronger argument to support the change.

PIO Comment:

Our designer included these designs at a very nominal cost for your consideration. Our current logo is well recognized and this would only update and modernize its look. We are very often confused with water agencies and with local public works adding the mosquito will visually distinguish our agency.

A motion by Trustee Quintero to approve the new logo was seconded.

Trustee Comments:

Usually companies change their identities because it conveys a negative impression. Some organizations change because they want to reach out to a younger audience. I don't sense we have that need and don't see the upside of the change unless we get to a point where we're going to rebrand ourselves for a particular reason. If the need is there then do it the whole way.

A motion by Trustee Quintero to approve the new logo was seconded. The vote was Nay: 12, Yea: 6 Abstain: 1 Absent: 4

8. District Administration

No report.

9. Disease Surveillance

Assistant Manager Kenn Fujioka stated the District's first human case was reported last week. An eighteen year old male was bitten on the job somewhere in Azusa, Glendora, or Ontario. Staff is currently looking for sources of water near his residence. He was tested after being hospitalized four days with a high temperature. The onset was August 12th. We received the report in September so where ever he was bitten those mosquitoes are gone. Statewide 38 human cases have been identified versus 34 cases last year. The hot spot in the United States is Arizona.

10. Trustee Reports

None

11. New Business

None

12. President Sham announced that the Personnel Committee will meet in Closed Session in the Board room and the Public Information Committee will meet in the kitchen.

14. Adjournment

No motion. The meeting was adjourned at 7:58 AM.