

MINUTES OF THE 761ST MEETING

BOARD OF TRUSTEES

Orange County Vector Control District

TIME: 3:00 P.M., April 15, 2010

PLACE: 13001 Garden Grove Blvd., Garden Grove, CA 92843

TRUSTEES PRESENT:

San Clemente	Joe Anderson, President		
Brea	Roy Moore, Vice President		
Newport Beach	Dr. Virginia L. Barrett, Secretary		
Aliso Viejo	Phillip B. Tsunoda	Lake Forest	Richard T. Dixon
Anaheim	Lucille Kring	La Palma	Larry A. Herman
Buena Park	Jim Dow	Mission Viejo	John Paul Ledesma
Costa Mesa	Wendy Leece	Orange	Denis Bilodeau
Dana Point	Steven H. Weinberg	San Juan Capistrano	Laura Freese
Fountain Valley	Cheryl Brothers	Seal Beach	Michael Levitt
Garden Grove	Mark Rosen	Stanton	Al Ethans
Huntington Beach	Joe Carchio	Tustin	Al Murray
Irvine	Dr. Steven Choi	Villa Park	James Rheins
Laguna Beach	Toni Iseman	Westminster	Frank Fry, Jr.
Laguna Hills	Melody Carruth	Yorba Linda	Jim Winder
Laguna Niguel	Robert Ming	County of Orange	John M. W. Moorlach
Laguna Woods	Dr. Robert Bouer		

TRUSTEES ABSENT:

Cypress	Doug Bailey (Excused)	Placentia	Greg Sowards
Fullerton	R. Paul Webb	Rancho Santa Margarita	Gary Thompson
La Habra	James Gomez	Santa Ana	VACANT
Los Alamitos	Ken C. Parker		

OTHERS PRESENT:

Michael G. Hearst, Director of Communications	Lawrence H. Shaw, Director of Communications
Kelly Price, Director of Administrative Services	Steve Koenig, Sr. Vector Control Inspector III
Robert Cummings, Dir. of Scientific Technical Serv.	Charlie Cassidy, Vector Control Inspector III
Amber Semrow, Biologist	Carlos Martinez, Vector Control Inspector III
Mike Saba, Assistant Biologist	John Parsons, Vector Control Inspector III
Debi Kimball, Accounting Supervisor	Allyson Reinig, Vector Control Inspector III
Alan R. Burns, District Counsel	John Newton, Vector Control Inspector II
Viki Blaylock, Executive Assistant/Clerk of the Board	Julie Romo, Operations Clerk

1. **Pledge of Allegiance:** President Anderson called the meeting to order at 3:00 p.m. and asked Trustee Ming to lead the Pledge of Allegiance.
2. **Roll Call:** Roll call indicated 25 Trustees present, with Trustees Tsunoda, Kring, and Ledesma arriving shortly thereafter, making a total of 28 out of the current Board membership of 34 (Santa Ana – Vacant).
3. **Introduction of Visitors:** Tom Meany, Orange County Pest Control, Inc.; Wyatt McClean, Labor Relations Representative, California School Employees Association; and Kathleen Moran, Executive Assistant, Office of Supervisor Moorlach.
4. **Public Participation:** Wyatt McClean, Labor Relations Representative, California School Employees Association, addressed the Board on behalf of the employees regarding unionizing.
5. **Announcement of Late Communications:** Viki Blaylock, Clerk of the Board, announced that the following late communications were received and distributed to the Board of Trustees, staff, and made available to the public:
 - Addendum for Item 10: Minutes of the April 5 Special Meeting.
 - Information for Item 16: Closed Session: Additional Recruitment Firms.
6. **Appointment of Trustee from the City of Fullerton:** On motion by Trustee Ethans, seconded by Trustee Bouer, and passed by unanimous vote, the Board of Trustees accepted the correspondence, dated April 7, 2010, from the City of Fullerton appointing Mr. R. Paul Webb as its new representative to complete the unexpired term of Dr. F. Richard Jones, who resigned from the Board on March 29, 2010; and appointed Mr. Webb to serve on the Board of Trustees Budget and Finance Committee for 2010. Mr. Webb's term will expire December 31, 2011.
7. **Trustee Brothers Completed Five Years of Service:** Trustee Cheryl Brothers, from the City of Fountain Valley, completed five years of service on the Board of Trustees. Trustee Brothers was appointed to the Board in April 2005, and has served on the Policy & Personnel, and Building, Property & Equipment Committees. Trustee Brothers has attended 56 of the 60 Board meetings for a 93 percent attendance record. President Anderson presented a five year service certificate to Trustee Brothers at the Board meeting.

8. **Information Items:** None.

9. **Consent Calendar – Items Approved by General Consent:** On motion by Trustee Fry, seconded by Trustee Choi, and passed by unanimous vote, the Board of Trustees approved the following Consent Calendar Items.
 - 9A - **Accepted and Approved the Monthly Financial Report; Received and Filed Warrant Register:**
 - 9A.1 - Accepted for inclusion as Exhibit I the Orange County Vector Control District Monthly Financial Report for the period ending March 31, 2010.

 - 9A.2 - Received and filed approval of payment of Warrants Register dated April 15, 2010 (Exhibit II) in the amount of \$525,944.93 as presented by In-House Check Runs dated March 1, 2, 11, 15, 16, 23, 25, 29, and 31, 2010.

 - 9B - **Approved Final Closeout Agreement and Release of All Claims with Westland Heating & Air Condition, Inc.:** Approved the Final Closeout Agreement and Release of All Claims with Westland Heating & Air Conditioning, Inc. for addition of three change orders which were implemented totaling \$5,899. The detail on the change orders is described in the Final Closeout Agreement and Release of All Claims (Exhibit A).

 - 9C - **Report of District Activities:** Received and Filed: Enclosed with the Agenda was the Report of District Activities as submitted by staff to the Board of Trustees by separate report dated April 9, 2010.

10. **Approval of Minutes:**
 - 10A - **Minutes of the 760th Meeting:** On motion by Trustee Murray, seconded by Trustee Kring, and passed by unanimous vote, the Board of Trustees approved without reading the Minutes of the 760th Meeting of the Board of Trustees held March 18, 2010.

 - 10B - **Minutes of the April 5 Special Meeting:** On motion by Trustee Ethans, seconded by Trustee Rheins, and passed by unanimous vote, the Board of Trustees approved without reading the Minutes of the Special Meeting of the Board of Trustees held April 5, 2010.

11. **Adopted Resolution No. 349, Adopting the Annual Operating Budget for Fiscal Year 2010-11:** On motion by Trustee Freese, seconded by Trustee Kring, and passed by a majority vote (Noes: Trustees Brothers and Moorlach), the Board of Trustees approved the Fiscal Year 2010-11 Budget with the changes recommended by the Budget and Finance Committee; approved the Building, Property and Equipment Committee’s recommendation to approve the Capital Improvement Projects (Facility Fund) in the Fiscal Year 2010-11 Budget; and adopted Resolution No. 349, Adopting the Annual Operating Budget for Fiscal Year 2010-11 (Exhibit B).

AYES: Trustees Tsunoda, Kring, Moore, Dow, Leece, Weinberg, Rosen, Carchio, Choi, Iseman, Carruth, Ming, Bouer, Dixon, Herman, Ledesma, Barrett, Bilodeau, Anderson, Freese, Levitt, Ethans, Murray, Rheins, Fry, and Winder.

NOES: Trustees Brothers and Moorlach.

ABSENT: Trustees Bailey, Webb, Gomez, Parker, Sowards, and Thompson.

12. **Adopted Resolution No. 350 to Direct the Preparation of the Engineer’s Reports for Fiscal Year 2010-11 for the Orange County Vector Control District Vector Surveillance and Control Assessment District (District No. 1); and the Mosquito, Fire Ant and Disease Control Assessment (District No. 2):** On motion by Trustee Choi, seconded by Trustee Kring, and passed by unanimous vote, the Board of Trustees adopted Resolution No. 350 (Exhibit C) to direct Willdan Financial Services to prepare the Engineer’s Reports for both Orange County Vector Control District Vector Surveillance and Control Assessment District (District No. 1); and the Mosquito, Fire Ant and Disease Control Assessment (District No. 2) for Fiscal Year 2010-11.

The following table summarizes the maximum authorized assessment rate and annual revenue from each District since Fiscal Year 2004-05.

FY	CPI History	Maximum Authorized % Change	Uncaptured Excess	Maximum Authorized Assessment Rate District #2	Actual/ Proposed Assessment Rate Levied District #2	Actual/ Proposed Assessment Revenues District #2	Actual/Proposed Assessment Revenues District #1
2004-05	N/A			\$5.42	\$5.42	\$4,306,278.44	\$1,488,269.88
2005-06	3.66%	3.00%	0.66%	\$5.58	\$5.30	\$4,263,641.78	\$1,489,599.38
2006-07	5.42%	3.00%	3.08%	\$5.75	\$5.25	\$4,264,508.72	\$1,501,507.06
2007-08	3.20%	3.00%	3.28%	\$5.92	\$5.14	\$4,196,516.50	\$1,505,044.40
2008-09	3.92%	3.00%	4.20%	\$6.10	\$5.10	\$4,180,451.00	\$1,510,567.00
2009-10	-0.90%	3.00%	0.30%	\$6.28	\$5.06	\$4,162,307.23	\$1,514,335.46
2010-11	1.80%	3.00%	0.00%	\$6.39	\$5.02		

Final assessment amounts submitted to the County Auditor-Controller may be different than the preliminary amounts listed for the Engineer's Reports.

13. **Approved Agreement for Annual Audit with Lance, Soll & Lunghard, LLP:** On motion by Trustee Moorlach, seconded by Trustee Murray, and passed by unanimous vote, the Board of Trustees approved the agreement for annual audit with Lance, Soll & Lunghard, LLP, for a cost of \$32,695 for a three-year agreement for fiscal years 2009-10 through 2011-12, with the option for an amendment of two additional years, 2012-13 and 2013-14, for an additional cost of \$23,460. Direction was given to staff to prepare an audit policy that would allow for the option of changing accountant firms at the close of each contract period. The auditor scoring sheet is attached (Exhibit D). The Agreement for Auditor Services is attached (Exhibit E), with the Lance, Soll & Lunghard, LLP proposal included as part of the agreement.
14. **Approved Contract with Eco-Analysts in the Amount of \$84,320 for Environmental Consulting Services for the Preparation and Processing of a California Environmental Quality Act (CEQA) Document:** On motion by Trustee Moorlach, seconded by Trustee Winder, and passed by unanimous vote (Trustee Bilodeau left the room due to employment conflict with one of the proposers), the Board of Trustees approved the contract with Eco-Analysts in the amount of \$84,320 for environmental consulting services to prepare and process a California Environmental Quality Act document. The contract for this project is attached (Exhibit F). The Proposal for Environmental Assessment of the Vector Control Programs of the Orange County Vector Control District, prepared by Eco-Analysts, is available upon request.
15. **Operations Committee Report: Continued Discussion on Pilot Program for Privatization of Rat Control:** On motion by Trustee Brothers, seconded by Trustee Dixon, and passed by majority vote (Noes: Weinberg, Herman, Iseman, Bouer, Barrett, Levitt, and Fry), the Board of Trustees moved to continue discussion of the Pilot Program for Privatization of Rat Control to allow the Operations Committee the opportunity to meet and conclude its study. The Committee will report its findings to the Board on May 20.
16. **Closed Session:** At 3:56 p.m., President Anderson called for the Board to meet in closed session to discuss:
 - 1) Personnel Matters Pursuant to Gov. Code § 54957
Position: District Manager/dismissal, recruitment and status (evaluation)
 - 2) Conference with Legal Counsel – Anticipated Litigation Pursuant to Gov. Code § 54956.9 (statements of previous District Manager)
17. **Report of Action Taken in Closed Session:** The Board reconvened to open session at 4:51 p.m. On motion by Trustee Brothers, seconded by Trustee Carchio, and passed by unanimous vote, the Board of Trustees moved to engage a recruitment firm, and that the Policy and Personnel Committee shall be tasked with selecting the recruitment firm. President Anderson shall be empowered to sign the agreement and select the recruiter without further Board approval.

18. **Adjournment:** There being no further business for the Board's consideration, President Anderson adjourned the meeting at 4:57 p.m.

I certify that the above Minutes substantially reflect the actions taken by the Board of Trustees at its meeting held April 15, 2010.

Michael G. Hearst, Interim District Manager

Approved as written and/or corrected by the Board of Trustees at its _____

_____ meeting held _____

ATTEST: _____
Secretary