

MINUTES OF THE 750TH MEETING

BOARD OF TRUSTEES

Orange County Vector Control District

TIME: 3:00 P.M., May 21, 2009

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

TRUSTEES PRESENT:

Cypress	Sandra Montez, President		
Brea	Roy Moore, Secretary		
Aliso Viejo	Phillip B. Tsunoda	Los Alamitos	Ken C. Parker
Anaheim	Lucille Kring	Mission Viejo	Gail Reavis
Buena Park	Jim Dow	Newport Beach	Dr. Virginia L. Barrett
Costa Mesa	Wendy Leece	Orange	Denis Bilodeau
Dana Point	Steven H. Weinberg	Placentia	Greg Sowards
Fountain Valley	Cheryl Brothers	Rancho Santa Margarita	Gary Thompson
Fullerton	Dr. F. Richard Jones	San Juan Capistrano	Laura Freese
Huntington Beach	Joe Carchio	Santa Ana	Fred S. Bella
Irvine	Rosemary Dugard	Seal Beach	Michael Levitt
Laguna Beach	Toni Iseman	Stanton	Al Ethans
Laguna Niguel	Robert Ming	Tustin	Lou Bone
Laguna Woods	Dr. Robert Bouer	Villa Park	James Rheins
La Habra	James Gomez	Westminster	Frank Fry, Jr.
Lake Forest	Jean D. Jambon	Yorba Linda	Jim Winder
La Palma	Larry A. Herman	County of Orange	John M. W. Moorlach

TRUSTEES ABSENT:

Garden Grove	Dr. Sheldon S. Singer	San Clemente	Joe Anderson
Laguna Hills	Melody Carruth		

OTHERS PRESENT:

Gerard Goedhart, District Manager
Lawrence H. Shaw, Assistant District Manager/Director of Operations
Michael G. Hearst, Director of Communications
Kelly Price, Director of Administrative Services
Robert Cummings, Director of Scientific Technical Services
Amber Semrow, Biologist
John Drews, Vector Control Inspector III
John Parsons, Vector Control Inspector III
John Newton, Vector Control Inspector II
Alan R. Burns, District Counsel
Viki Blaylock, Executive Assistant/Clerk of the Board

1. **Pledge of Allegiance:** President Montez called the meeting to order at 3:00 p.m. and asked Trustee Dow to lead the Pledge of Allegiance.
2. **Roll Call:** Roll call indicated 27 Trustees present, with Trustees Tsunoda, Bilodeau, Thompson, Ethans, and Fry arriving shortly thereafter, making a total of 32 out of the current Board membership of 35.
3. **Introduction of Visitors:** Michael G. Hearst, Director of Communications, introduced visitors: John Bliss and Arcelia Herrera, SCI Consulting Group; and Kathleen Moran, Executive Assistant, Office of Supervisor Moorlach.
4. **Public Participation:** None.
5. **District Manager Information Items:**
 - 5A - **National Cotton Council vs. EPA Decision:** District Counsel Burns gave a presentation on the National Cotton Council vs. EPA Decision. Robert Cummings, Director of Scientific Technical Services, and Lawrence Shaw, Assistant District Manager/Director of Operations, also presented information.
 - 5B - **Other Information Items:** None.
6. **Consent Calendar – Items Approved by General Consent:** On motion by Trustee Ethans, seconded by Trustee Bouer, and passed by unanimous vote, the Board of Trustees approved the following Consent Calendar Item.
 - 6A - **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 May 15, 2009.
7. **Approval of Minutes:** On motion by Trustee Gomez, seconded by Trustee Reavis, and passed by unanimous vote, the Board of Trustees approved without reading the Minutes of the 749th Meeting of the Board of Trustees held April 16, 2009.
8. **Accepted and Approved the Monthly Financial Report and Warrant Register:** The Board of Trustees accepted and approved items (A) and (B) below.
 - 8A - On motion by Trustee Kring, seconded by Trustee Reavis, and passed by unanimous vote, the Board of Trustees accepted for inclusion as Exhibit I the Orange County Vector Control District Monthly Financial Report for the period ending April 30, 2009.
 - 8B - On motion by Trustee Gomez, seconded by Trustee Reavis, and passed by unanimous vote, the Board of Trustees received and filed approval of payment of Warrants Register dated May 21, 2009 (Exhibit II) in the amount of \$458,848.21 as presented by In-House Check Runs dated April 1, 9, 13, 14, 21, 23, 27, and 28, 2009.

9. **Adopted Resolution No. 337, A Resolution of Intention to Levy Assessments for Fiscal Year 2009-10 for 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), Preliminarily Approving the Engineer's Reports for District No. 1 and District No. 2, and Providing Notice of Public Hearings for District No. 1 and District No. 2:** On motion by Trustee Fry, seconded by Trustee Kring, and passed by unanimous vote, the Board of Trustees adopted Resolution No. 337 (Exhibit A), a Resolution of Intention to Levy Assessments for Fiscal Year 2009-10 for Orange County Vector Control District Vector Surveillance and Control Assessment District (District No. 1), and for the Mosquito, Fire Ant, and Disease Control Assessment (District No. 2), Preliminarily Approving Engineer's Reports for District No. 1 (Exhibit B) and District No. 2 (Exhibit C), and Providing Notice of Public Hearings for the proposed continuation of the assessments for both District No. 1 and thereafter for District No. 2. John Bliss, SCI Consulting Group, presented the item to the Board.
10. **Authorized Purchase of a Machine (Applied Biosystems Magmax Express™) for Automated Processing of Samples for West Nile Virus Testing with the District's PCR Equipment:** On motion by Trustee Weinberg, seconded by Trustee Kring, and passed by unanimous vote, the Board of Trustees approved the purchase of the Magmax Express™ (Exhibit D) for automated processing of specimens for WNV testing for a total cost of \$16,432.
11. **Adopted Resolution No. 338, Fixing the Employer's Contribution Under the Public Employees' Medical and Hospital Care Act (PERS Employees); Adopted Resolution No. 342, Fixing the Employer's Contribution Under the Public Employees' Medical and Hospital Care Act (Non-PERS Employees); and Adopted Resolution No. 339, Amending Personnel and Salary Resolution; and**

Determination by Two-thirds Vote to Take Action on Non-Agenda Item: District Counsel Alan Burns announced that based on facts presented to Director of Administrative Services Price by the California Public Employees' Retirement System (CalPERS), there was a need to take action on a non-agenda item (Adoption of Resolution No. 342) under the following conditions: 1) the action arose after the Agenda was prepared; and 2) there is a need to take immediate action.

On motion by Trustee Fry, seconded by Trustees Kring, and passed by unanimous vote, the Board of Trustees moved to agendaize the Adoption of Resolution No. 342, Fixing the Employer's Contribution Under the Public Employees' Medical and Hospital Care Act (Non-PERS Employees).

11A - On motion by Trustee Weinberg, seconded by Trustee Reavis, and passed by majority vote (Abstained: Trustee Brothers; Absent: Trustees Singer, Carchio, Iseman, Carruth, Anderson, Freese, and Rheins), the Board of Trustees Adopted Resolution No. 338, Fixing the Employer's Contribution Under the Public Employees' Medical and Hospital Care Act (PERS Employees) (Exhibit E).

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11. Adopted Resolution Nos. 338, 339, and 342: (continued)

11B - On motion by Trustee Bouer, seconded by Trustee Reavis, and passed by majority vote (Abstained: Trustee Brothers; Absent: Trustees Singer, Carchio, Iseman, Carruth, Anderson, Freese, and Rheins), the Board of Trustees Adopted Resolution No. 342, Fixing the Employer's Contribution Under the Public Employees' Medical and Hospital Care Act (Non-PERS Employees) (Exhibit F).

11C - On motion by Trustee Bouer, seconded by Trustee Jambon, and passed by majority vote (Abstained: Trustee Brothers; Absent: Trustees Singer, Carchio, Iseman, Carruth, Anderson, Freese, and Rheins), the Board of Trustees adopted Resolution No. 339, Amend Personnel and Salary Resolution No. 321 to Change California Employees' Retirement System Employer's Contribution Method (Exhibit G).

The adoption of the above resolutions changed the District to the statutory minimum method. [Compliance for AB 2544 can be met in two ways: 1) through the District's current contribution method, *unequal contribution*; or 2) through the *statutory minimum method*.] Through this contribution method, the retiree medical increases are reduced in the future. The District's program unfunded liability will decrease approximately 52 percent, from \$4,952,500 to \$2,398,982. As to not cause financial hardship to either the active employees or current retirees, a supplemental benefit will be added to the health allowance to maintain all at the current amounts being given.

Under the statutory minimum method, the active and retiree allowances are split into two parts: 1) health allowance, and 2) supplemental benefit. The health allowance is an annual employer contribution for actives mandated by CalPERS. The retiree portion of the health allowance is calculated using the active amount and multiplying it by a CalPERS rate that increases by 5 percent every year. The supplemental benefit is an amount set and controlled by the District.

The supplemental benefit will be eliminated for future full-time employees hired after July 1, 2009. Upon retirement, employees hired after this date will only receive the California Employees' Retirement System (CalPERS) health allowance.

Management met with all full-time employees on May 12 to inform them of the proposed change to the retiree medical insurance program. This meeting fulfilled the District's legal obligation under current law and allows the Board to approve the proposed changes.

12. Adopted Procedures and Establishment of a Nuisance Abatement Committee— Resolution Nos. 340 and 341: The Board of Trustees adopted the following resolutions establishing Nuisance Abatement Procedures and a Nuisance Abatement Committee.

12A - On motion by Trustee Kring, seconded by Trustee Leece, and passed by majority vote (Noes: Trustee Barrett), the Board of Trustees adopted Resolution No. 340, Establishing Nuisance Abatement Procedures (Exhibit H).

12B - On motion by Trustee Leece, seconded by Trustee Kring, and passed by unanimous vote, the Board of Trustees adopted Resolution No. 341, Establishing a Nuisance Abatement Committee (Exhibit J).

13. **County of Orange “White Paper” Update:** As of May 21, the “White Paper” was not completed.

14. **Approved Date Change of September 17 Board of Trustees Meeting to September 24:** On motion by Trustee Fry, seconded by Trustee Brothers, and passed by unanimous vote, the Board of Trustees approved changing the date of the September 17 Board of Trustees meeting to Thursday, September 24 to eliminate the date conflict with the League of California Cities Annual Conference.

15. **Written Communications - Trustee Reports from the AMCA Conference:** Attached as Exhibit K are reports from Trustees Montez and Ethans that were submitted after attendance at the 2009 Annual Conference of the American Mosquito Control Association (AMCA). These reports are required to comply with AB 1234.

16. **Adjournment:** There being no further business for the Board’s consideration, President Montez adjourned the meeting at 4:30 p.m.

I certify that the above Minutes substantially reflect the actions taken by the Board of Trustees at its meeting held May 21, 2009.

Gerard Goedhart, District Manager

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

_____ meeting held _____

ATTEST: _____
Secretary