



*An Independent Special District  
Serving Orange County Since 1947*

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# AGENDA

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## 769TH MEETING

**BOARD OF TRUSTEES  
ORANGE COUNTY VECTOR CONTROL DISTRICT**

**DECEMBER 16, 2010  
THURSDAY  
3:00 P.M.**

**13001 GARDEN GROVE BOULEVARD  
GARDEN GROVE, CALIFORNIA 92843-2102**

The mission of the Orange County Vector Control District is to provide the citizens of Orange County with the highest level of protection from vectors and vector-borne diseases.

**BOARD OF TRUSTEES**  
**Orange County Vector Control District**  
**AGENDA**  
**769th Meeting, December 16, 2010**  
**Thursday, 3:00 P.M.**

**ITEMS**

**COMMITTEE MEETINGS:**

⇨ 2:15 p.m. – Budget and Finance Committee: 1) Review Annual Audit (Agenda Item 10)

**MEETING – 3:00 P.M.:**

1. Pledge of Allegiance
2. Roll Call
3. Introductions
4. Public Participation
5. Announcement of Late Communications
6. Employee Anniversary Recognition
7. Management Information Items
8. Consent Calendar – Items for Approval by General Consent
  - 8A - Accept and Approve Monthly Financial Report; and Receive and File Warrant Register
    - 8A.1 - Monthly Financial Report
    - 8A.2 - Warrant Register
  - 8B - Appointment of Trustee Representatives
  - 8C - Report of District Activities
9. Approval of Minutes
  - 9A - Minutes of the Regular Meeting of the Board of Trustees held November 18, 2010
  - 9B - Minutes of the Special Meeting of the Board of Trustees held December 1, 2010
10. Accept Basic Financial Statements Dated June 30, 2010, Management Compliance Letter, and Audit Committee Letter for 2009-10 Annual Audit
11. Appointment of Nominating Committee for 2011 Officers of the Board of Trustees
12. Approval to Participate in the MVCAC NPDES Permit Coalition Monitoring Program; and Authorize the Signing of the MVCAC NPDES Application and Agreement
13. Haster Business Park Facility
14. Closed Session
  - 14A - Conference with Legal Counsel – Anticipated Litigation. Initiation of Litigation Pursuant to Government Code § 54956.9(c) Pertaining to Haster Business Park
  - 14B - Conference with Real Property Negotiators – Pursuant to Government Code § 54956.8
15. Reconvene to Open Session
16. Call for Nominations to the LAFCO Board of Commissioners as the Special District Representative
17. Recognition of Outgoing Trustees
18. Performance Management System Proposal
19. Written Communications
20. Comments from the Board of Trustees
21. Other Business
22. Adjournment  
(Meeting Calendar follows agenda.)

## AGENDA

**AGENDA:** This Agenda contains a brief general description of each item to be considered. Except as otherwise provided by law, no action shall be taken on any item not appearing in the following Agenda.

**NOTICE:** The public is entitled to copies of all documents that are made part of the agenda packet. If any document or other writing pertaining to an agenda item is distributed to all or a majority of the Board after the packet is prepared, a copy of that writing may be obtained by contacting the Clerk of the Board at 714-740-4141.

**PUBLIC PARTICIPATION:** Citizens desiring to comment on specific agenda items are requested to indicate their interest to the Executive Assistant/Clerk of the Board before the start of the meeting. At the beginning of the meeting, members of the public may address the Board of Trustees on agendized items, or non-agendized items of interest that are within the subject matter jurisdiction of the Board of Trustees. A member of the public shall be allowed a period of up to three (3) minutes, or a time at the discretion of the President of the Board, to address the Board of Trustees.

**ADA AGENDA NOTICE:** “In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the District Office at (714) 971-2421. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR Part 35]”

**BOARD ACTIONS:** The Board may not legally take action on any item presented at this time other than to direct staff to investigate a complaint or place an item on a future agenda unless (1) by a majority vote, the Board determines that an emergency situation exists, as defined by Government Code Section 54956.5, or (2) by a two-thirds vote, the Board determines that the need for action arose subsequent to the agenda being posted as required by Government Code Section 54954.2(b).

**WEB SITE:** The Agenda and Minutes are available through the Internet at [www.ocvcd.org](http://www.ocvcd.org). You can access the Agenda on the Monday prior to the Board of Trustees meeting. The Minutes are approved at the next regular Board of Trustees meeting and are available online the following Monday.

1. **PLEDGE OF ALLEGIANCE:** To be lead by Trustee Sowards (Alternate: Trustee Thompson).

2. **ROLL CALL:**

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	Los Alamitos	Ken C. Parker
Costa Mesa	Wendy Leece	Mission Viejo	John Paul Ledesma
Cypress	Doug Bailey	Orange	Denis Bilodeau
Dana Point	Steven H. Weinberg	Placentia	Greg Sowards
Fountain Valley	Cheryl Brothers	Rancho Santa Margarita	Gary Thompson
Fullerton	R. Paul Webb	San Juan Capistrano	Laura Freese
Garden Grove	Mark Rosen	Santa Ana	Cecilia Aguinaga
Huntington Beach	Joe Carchio	Seal Beach	Michael Levitt
Irvine	Dr. Steven Choi	Stanton	Al Ethans
Laguna Beach	Toni Iseman	Tustin	Al Murray
Laguna Hills	Melody Carruth	Villa Park	James Rheins
Laguna Niguel	Robert Ming	Westminster	Frank Fry, Jr.
Laguna Woods	Dr. Robert Bouer	Yorba Linda	Jim Winder
La Habra	James Gomez	County of Orange	John M. W. Moorlach

3. **INTRODUCTIONS:**

4. **PUBLIC PARTICIPATION:** At this time, members of the public may address the Board of Trustees regarding **agenda items or items of interest** that are within the subject matter jurisdiction of the Board of Trustees. Generally, the Board will not enter into a dialogue during this period.

Speakers should have a “Speaker Card” completed and presented to the Clerk of the Board prior to the start of the Board meeting.

Comments shall be limited to **three minutes per person**, unless different time limits are set by the President, subject to the approval of the Board.

5. **ANNOUNCEMENT OF LATE COMMUNICATIONS:**

6. **EMPLOYEE ANNIVERSARY RECOGNITION:** The Board of Trustees established a policy to recognize employees for their years of service at the December Board meeting. Employees are recognized starting at five years of service and then in five year increments. This year the District has 12 employees to recognize with 35, 30, 15, 10, and 5 years of service.

- Viki Blaylock, Executive Assistant/Clerk of the Board - 35 years
- Lawrence H. Shaw, Director of Operations - 30 years
- John Clark Plummer, Vehicle Maintenance Mechanic - 15 years
- Agripino Rodriquez, Vector Control Inspector II - 15 years
- Michael Hearst, District Manager - 10 years
- Robert Huff, Vector Control Inspector II - 10 years
- Richard Arnold, Vector Control Inspector II - 5 years
- Deborah Kimball, Accounting Supervisor - 5 years
- William Mudge, Vector Control Inspector II - 5 years
- Kelly Price, Director of Administrative Services - 5 years
- Julie Romo, Operations Clerk - 5 years
- Russell Sipe, Vector Control Inspector II - 5 years

7. **MANAGEMENT INFORMATION ITEMS:**

\*\*\*\*\*CONSENT CALENDAR\*\*\*\*\*

8. **CONSENT CALENDAR – Items for Approval by General Consent:** All Consent Calendar items may be acted upon by one motion unless a Trustee requests separate action on a specific item.

8A - **Accept and Approve Monthly Financial Report; and Receive and File Warrant Register:** Kelly Price, Director of Administrative Services, will present the financial report and warrant register, and address any questions the Board may have regarding these reports.

8A.1 - **Monthly Financial Report:**

**Recommended Action:** Accept for inclusion as Exhibit I, the Orange County Vector Control District Monthly Financial Report for the period ending November 30, 2010.

8A.2 - **Warrant Register:**

**Recommended Action:** Receive and file payment of Warrant Register (Exhibit II) dated December 16, 2010, in the amount of \$331,420.23 as presented by In-House Check Runs dated November 3, 8, 9, 17, 22, and 23, 2010. (The financial information is enclosed as a separate item with the agenda packet.)

[Staff Contact: K. Price. Phone: (714) 971-2421, Ext. 137]

(Consent Calendar continued next page)

8. **CONSENT CALENDAR – Items for Approval by General Consent:** (continued)

8B - **Appointment of Trustee Representatives:** The following cities with communication dates shown have appointed a representative for their city for the next two or four year term of office.

<u>Trustee Representative</u>	<u>Governing Body</u>	<u>Date of Communication</u>
Phillip B. Tsunoda	Aliso Viejo	(None to date)
Jim Dow	Buena Park	(None to date)
Wendy Leece	Costa Mesa	(None to date)
Steven H. Weinberg	Dana Point	(None to date)
Toni Iseman	Laguna Beach	November 17, 2010 (2 yrs.)*
Robert Ming	Laguna Niguel	November 17, 2010 (2 yrs.)*
Dr. Robert Bouer	Laguna Woods	(None to date)
James Gomez	La Habra	(None to date)
Dr. Virginia L. Barrett	Newport Beach	(None to date)
Greg Sowards	Placentia	(None to date)
Laura Freese	San Juan Capistrano	(None to date)
Al Ethans	Stanton	(None to date)
Frank Fry, Jr.	Westminster	(None to date)
Jim Winder	Yorba Linda	(None to date)

*\*Approved at previous Board meeting.*

**Recommended Action:** It is the District Manager’s recommendation that the Board of Trustees accept without reading the communications from the above named cities advising the Board of its appointment of a representative for the next two or four year term of office.

[Staff Contact: V. Blaylock. Phone: 714-971-2421, Ext. 112]

8C - **Report of District Activities:** Enclosed with the Agenda is the Report of District Activities as submitted by staff to the Board of Trustees by separate report dated December 10, 2010.

**Recommended Action:** Receive and File.

[Staff Contact: V. Blaylock. Phone: (714) 971-2421, Ext. 112]

\*\*\*\*\*END OF CONSENT CALENDAR\*\*\*\*\*

9. **APPROVAL OF MINUTES:**

9A - Approve without reading the Minutes of the 768th Meeting of the Board of Trustees held November 18, 2010, enclosed as a separate item with the agenda.

9B - Approve without reading the Minutes of the Special Meeting of the Board of Trustees held December 1, 2010, enclosed as a separate item with the agenda.

[Staff Contact: V. Blaylock. Phone: (714) 971-2421, Ext. 112]

10. **ACCEPT BASIC FINANCIAL STATEMENTS DATED JUNE 30, 2010, MANAGEMENT COMPLIANCE LETTER, AND AUDIT COMMITTEE LETTER FOR 2009-10 ANNUAL AUDIT:** The District's contracted accounting firm, Lance, Soll & Lunghard (LSL), has completed the 2009-10 annual audit. The results are transmitted through the compliance and audit committee letters (Exhibits A and B), in addition to the audited financial statements (Exhibit C).

The compliance letter reports on any noncompliance issues in accordance with the *Government Auditing Standards (GAS)*. It also discusses an agency's internal controls over financial reporting. The District's compliance letter reported no material weaknesses. This is defined as significant deficiency of the financial statements that was not prevented or detected by OCVCD as a part of the internal controls. The letter also revealed that "no instances of noncompliance" were discovered or required to be reported under the *Government Auditing Standards*.

The audit committee letter discusses the auditor's responsibility, accounting policies, accounting estimates, and other general accounting topics analyzed during the audit process. The District's audit committee letter reported no unusual transactions and that our accounting estimates were reasonable in relation to the financial statements taken as a whole. The letter also mentioned auditors had no disagreements with management and there were no other audit findings or issues discovered.

The attached financial statements are draft copies. Final copies will be distributed on or before the December 16 Board meeting.

The Budget and Finance Committee will meet at 2:15 p.m. prior to the Board meeting to review this item and present the committee's report at the Board meeting.

**Recommended Action:** It is the District Manager's recommendation that the Board of Trustees accept the Basic Financial Statements dated June 30, 2010 prepared by Lance, Soll & Lunghard, LLP; Management Compliance Letter; and Audit Committee Letter for 2009-10 Annual Audit.

[Staff Contact: K. Price. Phone: (714) 971-2421, Ext. 137]

11. **APPOINTMENT OF NOMINATING COMMITTEE FOR 2011 OFFICERS OF THE BOARD OF TRUSTEES:** Section 3.02.060 of the District Operations Code (Bylaws) provided, in part, as follows:

"3.02.060: Election of Officers: Board officers shall be elected annually, with the election held at the regular meeting in the month of January.

"For conducting the election, the presiding officer shall appoint a Nominating Committee at the December Board Meeting. The Nominating Committee shall recommend one candidate for each office at the January meeting. Recommendation of the Nominating Committee shall be included in the January Agenda, which shall be mailed to each Trustee prior to the January meeting of the Board of Trustees. Nominations can be made from the floor. Each board member shall have one vote. New officers shall assume their positions and responsibilities at the January meeting."

**Recommended Action:** Appointment of the Nominating Committee by President Anderson.

Nominating Committee for the 2011 Officers

Trustee

Appointing Agency

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[Staff Contact: V. Blaylock. Phone: 714-971-2421, Ext. 112]

12. **APPROVAL TO PARTICIPATE IN THE MVCAC NPDES PERMIT COALITION MONITORING PROGRAM; AND AUTHORIZE THE SIGNING OF THE MVCAC NPDES APPLICATION AND AGREEMENT:** The Mosquito and Vector Control Association of California (MVCAC) is forming a Coalition to allow its corporate members to pool resources and share liabilities associated with fulfilling the water quality monitoring and reporting requirements set forth in the State Water Resources Control Board (SWRCB) Draft National Pollutant Discharge Elimination System (NPDES) permit for vector control pesticide applications. This Coalition is modeled after other types of water quality monitoring coalitions used by storm water programs, irrigation districts, and agricultural groups that employ a pooled risk/cost approach in addressing NPDES concerns.

The MVCAC is in the process of hiring a consulting firm to conduct water quality sampling, testing, and reporting as stipulated in the draft NPDES permit (Exhibit D, Rules and Policies; and Exhibit E, Application and Agreement). The draft NPDES permit requires a five year (until June 30, 2016) study for the first term of the combined adulticide and larvicide permit, and will look at 11 types of pesticides in three habitats (urban, wetland, and agricultural). The MVCAC Coalition's estimated budget is \$357,763 for 2011, and projects that the District's assessed fee for the year will be approximately \$29,550. This does not include the \$1,500 annual fees to each of the two Regional Water Quality Boards the District is divided by.

If the District does not join the Coalition, it will need to hire a consultant to independently develop a monitoring plan and conduct water quality sampling, testing, and reporting. As an individual discharger not participating in the Coalition's study, the District's first year cost for testing and monitoring four pesticides in three Orange County environments would likely exceed \$100,000. An independent monitoring plan would be significantly more expensive and time-consuming than being part of the MVCAC Coalition, which transfers the responsibility for water monitoring compliance away from the individual district's and to the Coalition. The MVCAC has taken the lead in negotiating terms of the draft permit with the SWRCB and is best equipped to adapt to and/or advocate on behalf of the District.

**Recommended Action:** It is the District Manager's recommendation that the Board of Trustees approves the District's participation in the MVCAC NPDES Permit Coalition Monitoring Program; and authorizes the signing of the MVCAC NPDES Application and Agreement.

[Staff Contact: R. Cummings. Phone: (714) 971-2421, Ext. 138]

13. **HASTER BUSINESS PARK FACILITY:** Discussion regarding possible acquisition of Haster Business Park APN: 231-111-01.

14. **CLOSED SESSION(S):**

14A - **CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation**

Initiation of Litigation Pursuant to Government Code Section 54956.9(c) Pertaining to Haster Business Park; Two Potential Cases (Condemnation and/or Loss Recovery)

14B - **CONFERENCE WITH REAL PROPERTY NEGOTIATORS –**

Pursuant to Government Code Section 54956.8

Property: Haster Business Park APN: 231-111-01  
12882, 12884, 12886, 12888, 12890, 12892, 12894, 12896, 12898,  
12900, 12902, 12904, 12906, 12908, 12910, 12912, 12914, 12916,  
12918, 12920, 12922, 12924, and 12926 Haster Street,  
Garden Grove, California

Agency Negotiator: District Manager

Negotiating Parties: Orange County Vector Control District  
Murad Siam, IDS Real Estate Group  
River Source Life Insurance Company  
Dennis Achterberg

Under Negotiation: Price and terms of payment

15. **RECONVENE TO OPEN SESSION:**

16. **CALL FOR NOMINATIONS TO THE LAFCO BOARD OF COMMISSIONERS AS THE SPECIAL DISTRICT REPRESENTATIVE:** One of two regular special district seats on the Local Agency Formation Commission (LAFCO) is vacant. The LAFCO Executive Officer will accept nominations for both the regular and alternate special district positions. Nominations and either a resolution or minutes excerpt verifying the Board action must be received by LAFCO no later than 3:00 p.m. on Friday, January 14, 2011. The nominations will be included in information to be distributed to Independent Special Districts of Orange County (ISDOC) prior to their meeting and election on January 27, 2011.

[Staff Contact: M. Hearst. Phone: (714) 971-2421, Ext. 129]

17. **RECOGNITION OF OUTGOING TRUSTEES:** President Anderson will present plaques to outgoing Trustees.

18. **PERFORMANCE MANAGEMENT SYSTEM PROPOSAL; DISTRICT 2011 STRATEGIC PLAN OUTLINE:** During the October Board meeting, at the request of President Anderson, Robert J. Burg, Executive Vice President with Ralph Andersen & Associates, presented a proposal to assist in the Development of a Performance Management System for the District. The Board of Trustees moved to table this item for further discussion. The proposal calls for a process of developing the policies, tools, and procedures for the Trustees, District Manager, and leadership team, along with supervisors and employees, to implement a system of measurement of employee and organizational performance. The goals are to encourage more effective decision making, align thought and action throughout the organization, and improve efficiency at all levels. These changes will result in improved communications, stronger teamwork, and an overall increase in the level of accomplishments throughout the organization. The program is designed to provide communication and measurement tools that will be used to track accomplishments and accountability throughout the District for the next several years. The proposal outlining the Performance Management System was enclosed as a separate item with the November agenda packet.

President Anderson has directed District Manager Hearst to submit a draft of a tentative strategic plan outlining District goals and objectives for both the coming year and the long term. The draft plan is a supplement or possible alternative to the proposal from Ralph Andersen & Associates. A draft of the District 2011 Strategic Plan Outline was enclosed as a separate item with the November agenda packet.

(continued next page)

18. **PERFORMANCE MANAGEMENT SYSTEM PROPOSAL; DISTRICT 2011 STRATEGIC PLAN OUTLINE:** (continued)

Please review Mr. Burg's proposal, as well as the tentative strategic plan authored by District Manager Hearst, and be prepared to discuss adoption of either one or both options.

**Recommended Action:** It is the Board President's recommendation that the Board of Trustees proceed with development of either one or both plans: 1) Performance Management System; or 2) District 2011 Strategic Plan.

[Staff Contact: M. Hearst. Phone: (714) 971-2421, Ext. 129]

19. **WRITTEN COMMUNICATIONS:**

20. **COMMENTS FROM THE BOARD OF TRUSTEES:** At this time, members of the Board of Trustees may comment on agenda or non-agenda matters and ask questions of or give directions to staff, provided that NO action is taken on non-agenda items unless authorized by law.

21. **OTHER BUSINESS:**

22. **ADJOURNMENT:**

**ORANGE COUNTY VECTOR CONTROL DISTRICT  
MEETING CALENDAR**

<b>MEETING</b>	<b>LOCATION</b>	<b>DATE</b>
MVCAC 79 <sup>th</sup> Annual Conference	Renaissance Esmeralda Indian Wells, CA	January 30 - February 2, 2011
AMCA 77 <sup>th</sup> Annual Conference	Disneyland Hotel Anaheim, CA	March 20 - 24, 2011
MVCAC Spring Meeting	Embassy Suites Monterey Bay Seaside, CA	May 5 - 6, 2011
MVCAC Summer Meeting	Visalia Marriott Visalia, CA	July 21, 2011
MVCAC Fall Meeting	Embassy Suites South Lake Tahoe	November 2 - 4, 2011

- AMCA - American Mosquito Control Association
- ASTMH - American Society of Tropical Medicine and Hygiene
- CALPELRA - California Public Employees Labor Relations Association
- CalPERS - California Public Employees' Retirement System
- CDFA - California Department of Food & Agriculture
- CSDA - California Special Districts Association
- CSMFO - California Society of Municipal Financial Officers
- ERMA - Employment Risk Management Authority
- ESA - Entomological Society of America
- LCC - League of California Cities
- MVCAC - Mosquito and Vector Control Association of California
- OCERS - Orange County Employees Retirement System
- RIFA - Red Imported Fire Ant
- SOVE - Society for Vector Ecology
- SWS - Society of Wetland Scientists
- VCJPA - Vector Control Joint Powers Agency
- UTMB - University of Texas Medical Branch
- WNV - West Nile Virus