



*An Independent Special District
Serving Orange County Since 1947*

AGENDA

764TH MEETING

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

**JULY 15, 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
764th Meeting, July 15, 2010
Thursday, 3:00 P.M.

ITEMS

COMMITTEE MEETINGS:

⇨ 2:00 p.m. - Budget & Finance: 1) Discuss Farmers & Merchants Bank Investment Options.

REGULAR MEETING – 3:00 P.M.:

1. Pledge of Allegiance
2. Roll Call
3. Introduction of Visitors
4. Public Participation
5. Announcement of Late Communications
6. Management Information Items
7. Committee Reports
 - 7A - Budget & Finance Committee (Meeting July 15)
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 - Report of District Activities
9. Approval of Minutes
10. Public Hearing to Consider the Ordering of Services and Projects, and Levy of the Assessments for Fiscal Year 2010-11 for Orange County Vector Control District’s Vector Surveillance and Control Assessment District (“District No. 1”), and the Mosquito, Fire Ant and Disease Control Assessment (“District No. 2”); and Adopt Resolution No. 353 “A Resolution Approving Engineer's Reports and Confirming Assessments for Fiscal Year 2010-11 in Connection with the Orange County Vector Control District’s Vector Surveillance and Control Assessment District (‘District No. 1’), and Mosquito, Fire Ant and Disease Control Assessment District (‘District No. 2’)”
11. Written Communications
12. Comments from the Board of Trustees
13. Other Business
14. 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. 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 Dixon (Alternate: Trustee Herman).

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	VACANT
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. INTRODUCTION OF VISITORS:

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. MANAGEMENT INFORMATION ITEMS:

7. COMMITTEE REPORTS:

7A - **Budget & Finance Committee:** Meeting at 2:00 on July 15: 1) Discuss Farmers & Merchants Bank Investment Options.

*****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 June 30, 2010.

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

Recommended Action: Receive and file payment of Warrant Register (Exhibit II) dated July 15, 2010, in the amount of \$485,585.04 as presented by In-House Check Runs dated June 3, 7, 8, 10, 17, 22, 24, 28, and 29, 2010. (The financial information is enclosed as a separate item with the agenda packet.)

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

8B - **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 July 9, 2010.

Recommended Action: Receive and File.

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

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

9. **APPROVAL OF MINUTES:** Approve without reading the Minutes of the 763rd Meeting of the Board of Trustees held June 17, 2010, enclosed as a separate item with the agenda.

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

10. **PUBLIC HEARING TO CONSIDER THE ORDERING OF SERVICES AND PROJECTS, AND LEVY OF THE ASSESSMENTS FOR FISCAL YEAR 2010-11 FOR ORANGE COUNTY VECTOR CONTROL DISTRICT'S VECTOR SURVEILLANCE AND CONTROL ASSESSMENT DISTRICT ("DISTRICT NO. 1"), AND MOSQUITO, FIRE ANT AND DISEASE CONTROL ASSESSMENT ("DISTRICT NO. 2"); AND ADOPT RESOLUTION NO. 353 A RESOLUTION APPROVING ENGINEER'S REPORTS AND CONFIRMING ASSESSMENTS FOR FISCAL YEAR 2010-11 IN CONNECTION WITH THE ORANGE COUNTY VECTOR CONTROL DISTRICT'S VECTOR SURVEILLANCE AND CONTROL ASSESSMENT DISTRICT ("DISTRICT NO. 1"), AND MOSQUITO, FIRE ANT AND DISEASE CONTROL ASSESSMENT DISTRICT ("DISTRICT NO. 2"):** On April 15, 2010, the Board directed the preparation of the Engineer's Reports for the Orange County Vector Control District's Vector Surveillance and Control Assessment District (District No. 1) and for the Mosquito, Fire Ant and Disease Control Assessment (District No. 2). The Engineer's Reports were made available to the Board and were preliminarily adopted by Resolution No. 351 at the June 17, 2010, Board meeting. The Engineer's Reports provided details about the special and general benefits from the proposed assessments, the method of assessment, an estimate of cost and budget for the assessments, and justification of the proposed assessments for District No. 1 and District No. 2. These Reports (Exhibit A and Exhibit B) were revised to further define the general and special benefits from the assessments and to account for additional guidance for assessments provided by the State Supreme Court.

Maximum Assessment Rates and Actual Rates Levied: The maximum authorized assessment rate is the maximum assessment rate that can be levied in the given fiscal year without approval from property owners in another assessment ballot proceeding.

The assessments for District No. 1 do not include an authorized annual increase in the assessment rates. Therefore, the historical assessment rate of \$1.92 per single family home is also the maximum authorized assessment rate for Fiscal Year 2010-11. The proposed assessments for District No. 1 at this rate of assessment would generate approximately \$1,511,186 in assessments.

The assessments for District No. 2 included an annual increase equal to the change in the Los Angeles Area Consumer Price Index ("CPI"), not to exceed 3% (three percent) per year. This means that in each subsequent fiscal year after 2004-05 the maximum authorized assessment rate increases by an amount equal the annual change in the CPI, but not more than 3%.

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10. PUBLIC HEARING/ADOPT RESOLUTION NO. 353: (continued)

In Fiscal Year 2004-05, the District No. 2 assessments were levied at the maximum rate for that fiscal year. Since this first fiscal year for assessments, the assessments have been levied below the maximum authorized rate.

The table shown below depicts the historical assessment rates levied in District No. 2 and the maximum authorized rate for each fiscal year, including the rates proposed for Fiscal Year 2010-11. From January 2009 to January 2010, the change in the CPI was 1.80%. As a result, the maximum authorized rate for Fiscal Year 2010-11 is \$6.21. (The District retains the ability to levy up to the maximum authorized rate without conducting a ballot proceeding.)

Maximum Authorized Assessment Rate and Actual Rates by Year

FY	CPI History	Maximum Authorized % Change	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%	\$5.58	\$5.30	\$4,263,641.78	\$1,489,599.38
2006-07	5.42%	3.00%	\$5.75	\$5.25	\$4,264,508.72	\$1,501,507.06
2007-08	3.20%	3.00%	\$5.92	\$5.14	\$4,196,516.50	\$1,505,044.40
2008-09	3.92%	3.00%	\$6.10	\$5.10	\$4,180,451.00	\$1,510,567.00
2009-10	-0.90%	0%	\$6.10	\$5.06	\$4,162,307.23	\$1,514,335.46
2010-11	1.80%	1.80%	\$6.21	\$5.02	\$4,114,124.16 ⁽¹⁾	\$1,511,185.55 ⁽¹⁾

⁽¹⁾Final assessment amounts submitted to the County Auditor-Controller may be different than the preliminary amounts listed for the Engineer's Reports.

At the Board meeting on June 17, 2010, the Board preliminarily approved the proposed assessment rate for Fiscal Year 2010-11 of \$5.02. This proposed rate is \$1.19 less than the maximum authorized assessment rate. (If needed, the District could have levied the assessments for Fiscal Year 2010-11 for District No. 2 at the maximum authorized rates of \$6.21 per single family equivalent without another ballot proceeding. No additional ballot proceeding would be required to levy at a rate up to the maximum authorized rate because these rates, including the annual adjustments in these rates, were approved in the 2004 ballot proceeding.)

Since the Board previously approved the assessment rate of \$5.02, a higher rate cannot be levied at this time for Fiscal Year 2010-11. However, in future years, the actual rate levied can be revised up or down by any amount that does not cause the actual rates levied to exceed the maximum authorized assessment rates.

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10. **PUBLIC HEARING/ADOPT RESOLUTION NO. 353:** (continued)

The notice for these Public Hearings was published in both the Orange County Register and the Los Angeles Times. After conducting the public hearings and accepting any public input on the proposed assessments and the services they would fund, the Board can consider the resolution that would levy the assessments for Fiscal Year 2010-11.

- 1) **Recommended Action:** It is the Interim District Manager’s recommendation that the Board of Trustees hold two public hearings for the proposed continuation of the assessments for both District No. 1 and thereafter District No. 2.

Open Public Hearing for Assessment of District No. 1 to consider the ordering of services and projects, and the levy of the assessments for Fiscal Year 2010-11 for the proposed continuation of the assessment.

Close Public Hearing

Open Public Hearing for Assessment of District No. 2 to consider the ordering of services and projects, and the levy of the assessments for Fiscal Year 2010-11 for the proposed continuation of the assessment.

Close Public Hearing

- 2) **Recommended Action:** It is the Interim District Manager’s recommendation that after the close of the public hearings to consider the ordering of services and projects, and the levy of the assessments for Fiscal Year 2010-11, the Board of Trustees adopt by roll call vote Resolution No. 353 (Exhibit C), entitled, “A Resolution Approving Engineer’s Reports Confirming Assessments for Fiscal Year 2010 in Connection with the Orange County Vector Control District’s Vector Surveillance and Control Assessment District (‘District No. 1’), and the Mosquito, Fire Ant and Disease Control Assessment (‘District No. 2’).”

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

11. **WRITTEN COMMUNICATIONS:**

12. **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.

13. **OTHER BUSINESS:**

14. **ADJOURNMENT:**

**ORANGE COUNTY VECTOR CONTROL DISTRICT
MEETING CALENDAR**

MEETING	LOCATION	DATE
MVCAC Summer Meeting	Courtyard by Marriott Sacramento	July 22, 2010
LCC Annual Conference	San Diego Convention Center San Diego	September 15 - 17, 2010
SOVE	Raleigh Hilton, Raleigh, NC	September 26 - 30, 2010
MVCAC Fall Meeting	Embassy Suites Lake Tahoe	November 3 - 5, 2010
MVCAC 79 th Annual Conference	Renaissance Esmeralda Indian Wells	January 30 - February 1, 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