

# MINUTES OF THE 762ND MEETING

## BOARD OF TRUSTEES

### Orange County Vector Control District

TIME: 3:00 P.M., May 20, 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
Costa Mesa	Wendy Leece	Los Alamitos	Ken C. Parker
Cypress	Doug Bailey	Mission Viejo	John Paul Ledesma
Dana Point	Steven H. Weinberg	Orange	Denis Bilodeau
Fountain Valley	Cheryl Brothers	Rancho Santa Margarita	Gary Thompson
Fullerton	R. Paul Webb	San Juan Capistrano	Laura Freese
Garden Grove	Mark Rosen	Seal Beach	Michael Levitt
Huntington Beach	Joe Carchio	Stanton	Al Ethans
Irvine	Dr. Steven Choi	Tustin	Al Murray
Laguna Beach	Toni Iseman	Villa Park	James Rheins
Laguna Hills	Melody Carruth	Westminster	Frank Fry, Jr.
Laguna Niguel	Robert Ming	Yorba Linda	Jim Winder
Laguna Woods	Dr. Robert Bouer	County of Orange	John M. W. Moorlach
La Habra	James Gomez		

#### TRUSTEES ABSENT:

Buena Park	Jim Dow	Santa Ana	VACANT
Placentia	Greg Sowards		

#### OTHERS PRESENT:

Michael G. Hearst, Interim District Manager	Lawrence H. Shaw, Director of Operations
Kelly Price, Director of Administrative Services	Steve Koenig, Sr. Vector Control Inspector III
Robert Cummings, Dir. of Scientific Technical Serv.	Carlos Martinez, Vector Control Inspector III
Amber Semrow, Biologist	John Parsons, Vector Control Inspector III
Tawnia Pett, Public Outreach Coordinator	Allyson Reinig, Vector Control Inspector III
Lora Babilo, Communications Specialist	Jon E. Miller, Vector Control Inspector II
Alan R. Burns, District Counsel	William Mudge, Vector Control Inspector II
Viki Blaylock, Executive Assistant/Clerk of the Board	John Newton, Vector Control Inspector II
	Julie Romo, Operations Clerk

1. **Pledge of Allegiance:** President Anderson called the meeting to order at 3:00 p.m. and asked Trustee Bouer to lead the Pledge of Allegiance.
2. **Roll Call:** Roll call indicated 29 Trustees present, with Trustees Kring, Freese, and Murray arriving shortly thereafter, making a total of 32 out of the current Board membership of 34 (Santa Ana – Vacant).
3. **Public Participation:** Robert Burg, Executive Vice President, Ralph Andersen & Associates; Wyatt McClean, Labor Relations Representative, California School Employees Association; Robert Scott Heinkel, Orange County Pest Control Operators; and Tom Meany, Orange County Pest Control Operators.
4. **Presentation of Certificate of Appreciation to Viki Blaylock:** President Anderson presented a Certificate of Appreciation to Viki Blaylock, Executive Assistant/Clerk of the Board, for her 35 years of service to the Orange County Vector Control District.
5. **Announcement of Late Communications:** President Anderson announced that the following late communications were received and distributed to the Board of Trustees, staff, and made available to the public:
  - Trustee Ming’s Memorandum (Final Version): Summary of May 6, 2010 Operations Committee Meeting; Summary of Potential Residential Rat Control Privatization Proposal; Summary of Ride Along Results.
  - Letter regarding Rodent Control Privatization from Robert S. Heinkel, Chairman, Pest Control Operators of California, Orange County District.
6. **Committee Reports:**
  - 6A - **Budget & Finance Committee:** Meeting May 20: Chair Parker reported that the committee met and recommended the following: 1) Continue Investment Policy item until June Board meeting (Item 7B); 2) Approval of Audit Policy No. 39 (Item 7C); and 3) Approval of the Agreement for Engineer Consultant Services (Items 7D).
  - 6B - **Operations Committee:** Meeting May 6: Committee reported during Item 12, Operations Committee Report on Pilot Program for Privatization of Rat Control.
  - 6C - **Policy & Personnel Committee:** Meeting May 20: Committee reported during closed session: District Manager Recruitment.

7. **Consent Calendar – Items Approved by General Consent:** On motion by Trustee Moorlach, seconded by Trustee Carruth, and passed by unanimous vote, the Board of Trustees approved the following Consent Calendar Items, with the exception of Agenda Item 7A.2, which was pulled for discussion and separate action; and 7B, which was pulled and continued to the June Board meeting.

7A - **Accepted and Approved the Monthly Financial Report; Received and Filed Warrant Register:**

7A.1 - Accepted for inclusion as Exhibit I the Orange County Vector Control District Monthly Financial Report for the period ending April 30, 2010.

- 7B - **Continue to Next Month the Approval of 2010-11 Investment Policy for Monies of Orange County Vector Control District:** Moved to continue to next month the approval of the amendment of Policy No. 38, entitled “Orange County Vector Control District Statement of Investment Policy for Fiscal Year 2010-11.”

- 7C - **Approved Policy No. 39, Annual Audit Accountant Firm Policy:** Approved Policy No. 39, Annual Audit Accountant Firm Policy (Exhibit A).

- 7D - **Approved Agreement for Engineer Consultant Services with A and E Consultant Group:** Approved the Agreement for Engineer Consultant Services with A and E Consultant Group. The Agreement for Engineer Consultant Services (Exhibit B) will govern all future services with A and E Consultants. The hourly rate for the Principle Engineer is \$165.

- 7E - **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 14, 2010.

**Consent Calendar:** The following Consent Calendar item was pulled and separate action was taken as follows:

7A - **Accepted and Approved the Monthly Financial Report; Received and Filed Warrant Register:**

7A.2 - Received and filed approval of payment of Warrants Register dated May 20, 2010 (Exhibit II) in the amount of \$408,353.66 as presented by In-House Check Runs dated April 1, 8, 12, 13, 22, 26, and 28, 2010.

8. **Approval of Minutes:** On motion by Trustee Moorlach, seconded by Trustee Leece, and passed by majority vote (Abstained: Trustees Bailey, Webb, Gomez, Parker and Thompson), the Board of Trustees approved without reading the Minutes of the 761st Meeting of the Board of Trustees held April 15, 2010.
9. **Postponed Until the June Board Meeting the Adoption of Resolution No. 351, A Resolution of Intention to Levy Assessments for Fiscal Year 2010-11 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 Moorlach, seconded by Trustee Rosen, and passed by unanimous vote, the Board of Trustees moved to postpone this item until the June Board meeting.
10. **Approved District's Integrated Vector Management and Response Plan:** On motion by Trustee Gomez, seconded by Trustee Kring, and passed by unanimous vote, the Board of Trustees approved the Integrated Vector Management and Response Plan. The Integrated Vector Management and Response Plan is available upon request from the Clerk of the Board.
11. **Approved Date for a Secret Ballot Election to Determine if a Majority of Employees from the Orange County Vector Control District Desire Union Representation by the California School Employees Association:** On motion by Trustee Herman, seconded by Trustee Rosen, and passed by majority vote (Noes: Trustees Dixon and Ledesma), the Board of Trustees approved a secret ballot employee election, in accordance with Resolution No. 305, to be held on May 27, 2010, between 7:30 a.m. and 8:30 a.m., to determine if a majority of Orange County Vector Control District employees desire to be formally represented by the California School Employees Association (CSEA). The District's Employer-Employee Rules and Regulations (EER), Resolution No. 305, is attached as Exhibit C for reference. Representative Wyatt McClean from the California Schools Employees Association addressed the Board during this item.
12. **Operations Committee Report: Concluded the Study on Pilot Program for Privatization of Rat Control:** On motion by Trustee Ming, seconded by Trustee Gomez, and passed by unanimous vote, the Board of Trustees moved to conclude the study of the Pilot Program for Privatization of Rat Control. Trustee Ming prepared a summary memorandum on this subject, which is attached as Exhibit D. Robert Scott Heinkel and Tom Meany, Orange County Pest Control Operations of California, addressed the Board during this item.

**Closed Session:** At 3:55 p.m., President Anderson called for the Board to meet in closed session. District Counsel Burns stated the following would be discussed in closed session:

13. Public Employee Appointment and Selection Criteria (Gov. Code § 54957). Position: District Manager
14. Conference with Labor Negotiator to Set Salary and Benefit Parameters for Recruitment (Gov. Code § 54957.6). Agency Designated Representatives: President Anderson/Personnel and Policy Committee Chair Carchio. Unrepresented Employee: New District Manager to be recruited.
15. Conference with Labor Negotiator to Establish Compensation Package (Gov. Code § 54957.8). Agency Representative: President Anderson. Unrepresented Employee: Interim District Manager
16. Conference with Legal Counsel – Anticipated Litigation Pursuant to Gov. Code § 54956.9 (Statements of Previous District Manager)

**Report of Action Taken in Closed Session:** The Board reconvened to open session at 4:33 p.m. District Counsel Burns reported the following:

**Report of No Action Taken:** The Board of Trustees passed by unanimous vote (Ayes: 29; Noes: 0) to take no action on the matter discussed in closed session under Conference with Legal Counsel – Anticipated Litigation Pursuant to Gov. Code § 54956.9 (Statements of Previous District Manager).

No action was reported on any of the other items discussed in closed session.

17. **Written Communications - Trustee Report from the AMCA Conference:** Attached as Exhibit E is the report from Trustee Kring which was submitted after attendance at the 2010 Annual Conference of the American Mosquito Control Association (AMCA). These reports are required to comply with AB 1234.
18. **Adjournment:** There being no further business for the Board's consideration, President Anderson adjourned the meeting at 4:36 p.m.

I certify that the above Minutes substantially reflect the actions taken by the Board of Trustees at its meeting held May 20, 2010.

\_\_\_\_\_  
Michael G. Hearst, Interim District Manager

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

\_\_\_\_\_ meeting held \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Secretary