

MINUTES OF THE 770TH MEETING

BOARD OF TRUSTEES

Orange County Vector Control District

TIME: 3:00 P.M., January 20, 2011

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

TRUSTEES PRESENT:

Fountain Valley	Cheryl Brothers, President		
La Habra	James Gomez, Vice President		
Cypress	Doug Bailey, Secretary		
Aliso Viejo	Phillip B. Tsunoda	Los Alamitos	Ken C. Parker
Anaheim	Lucille Kring	Mission Viejo	John Paul Ledesma
Brea	Roy Moore	Newport Beach	Leslie Daigle
Costa Mesa	Wendy Leece	Orange	Denis Bilodeau
Dana Point	Steven H. Weinberg	Rancho Santa Margarita	Gary Thompson
Fullerton	R. Paul Webb	San Clemente	Joe Anderson
Garden Grove	Mark Rosen	Santa Ana	Cecilia Aguinaga
Irvine	Dr. Steven Choi	Stanton	Al Ethans
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	Milton W. Robbins	County of Orange	John M. W. Moorlach
La Palma	Larry A. Herman		

TRUSTEES ABSENT:

Buena Park	Jim Dow	San Juan Capistrano	Laura Freese
Huntington Beach	Joe Carchio	Seal Beach	Michael Levitt
Lake Forest	Richard T. Dixon	Tustin	Al Murray
Placentia	Chad P. Wanke		

OTHERS PRESENT:

Michael G. Hearst, District Manager	Lawrence H. Shaw, Director of Operations
Kelly Price, Director of Administrative Services	John Parsons, Vector Control Inspector III
Robert Cummings, Dir. of Scientific Technical Serv.	John Newton, Vector Control Inspector II
Tawnia Pett, Public Outreach Coordinator	Julie Romo, Operations Clerk
Mike Saba, Assistant Biologist	
Alan R. Burns, District Counsel	
Viki Blaylock, Executive Assistant/Clerk of the Board	

1. **Pledge of Allegiance:** President Anderson called the meeting to order at 3:02 p.m. and asked Trustee Thompson to lead the Pledge of Allegiance.

2. **Roll Call:** Roll call indicated 24 Trustees present, with Trustees Leece, Iseman, Bilodeau, and Fry arriving shortly thereafter, making a total of 28 out of the current Board membership of 35.

3. **Introductions: New Trustees:** Milton W. Robbins, City of Laguna Woods; Leslie Daigle, City of Newport Beach; and Chad P. Wanke (not present), City of Placentia.

Other Introductions: Allison E. Burns, Stradling Yocca Carlson & Rauth.

4. **Public Participation:** None.

5. **Announcement of Late Communications:** 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:
 - District Manager’s Update Memo dated January 7, 2011 regarding purchase of Haster Business Park. Trustee Leece requested memo for discussion on Agenda Item No. 20.

6. **Appointment of Trustee Representatives:** On motion by Trustee Gomez, seconded by Trustee Bailey, and passed by unanimous vote, the Board of Trustees accepted without reading the communications from the named cities advising the Board of its appointment of a representative 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	January 6, 2011 (2 yrs.)
Jim Dow	Buena Park	January 11, 2011 (2 yrs.)
Wendy Leece	Costa Mesa	January 11, 2011 (2 yrs.)
Steven H. Weinberg	Dana Point	January 11, 2011 (2 yrs.)
Milt Robbins	Laguna Woods	December 20, 2010 (2 yrs.)
James Gomez	La Habra	January 5, 2011 (2 yrs.)
Leslie Daigle	Newport Beach	January 12, 2011 (2 yrs.)
Chad Wanke	Placentia	January 10, 2011 (2 yrs.)
Al Ethans	Stanton	January 12, 2011 (2 yrs.)
Frank Fry, Jr.	Westminster	January 12, 2011 (2 yrs.)
Jim Winder	Yorba Linda	December 29, 2010 (2 yrs.)

7. **Nominating Committee Report on Election of Officers of the Board of Trustees for 2011:** Trustee Herman reported that the Nominating Committee (Trustees Herman, Ethans, and Kring) met and placed the following names in nomination for the respective offices. On motion by Trustee Herman, seconded by Trustee Kring, the committee report was accepted.

President	Roy Moore	Brea
Vice-President	James Gomez	La Habra
Secretary	Cheryl Brothers	Fountain Valley

8. **Election of Officers of the Board of Trustees for 2011:** President Anderson placed the names in nomination for the respective offices, and asked if there were further nominations from the floor.

On motion by Trustee Parker, seconded by Trustee Herman, Trustee Moore was nominated as a candidate for the office of President to the Board of Trustees.

On motion by Trustee Leece, seconded by Trustee Rheins, Trustee Brothers was nominated as a candidate for the office of President to the Board of Trustees.

President Anderson stated there were two candidates nominated for the office of President, Trustee Moore and Trustee Brothers. President Anderson called for a roll call vote. The Board of Trustee by majority vote (Ayes: 14; Noes: 11; Abstained: 3), elected Trustee Brothers to the office of President to the Board of Trustees.

On motion by Trustee Rosen, seconded by Trustee Kring, and passed by unanimous vote, the Board of Trustees elected Trustee Gomez to the office of Vice-President to the Board of Trustees.

On motion by Trustee Leece, seconded by Trustee Choi, Trustee Bailey was nominated as a candidate for the office of Secretary to the Board of Trustees.

On motion by Trustee Aguinaga, seconded by Trustee Iseman, Trustee Kring was nominated as a candidate for the office of Secretary to the Board of Trustees.

President Anderson stated there were two candidates nominated for the office of Secretary, Trustee Kring and Trustee Bailey. President Anderson called for a roll call vote. The Board of Trustee by majority vote (Ayes: 14; Noes: 13; Abstained: 1), elected Trustee Bailey to the office of Secretary to the Board of Trustees.

President Anderson stated the following Trustees were elected to their respective offices.

President	Cheryl Brothers	Fountain Valley
Vice-President	James Gomez	La Habra
Secretary	Doug Bailey	Cypress

Trustee Brothers was installed as the new President for 2011.

9. **Recognition of Outgoing President:** President Brothers presented an engraved plaque and gavel to Past-President Anderson.

10. **Recognition of Outgoing Trustees:** President Brothers presented a plaque to outgoing Trustee Greg Sowards from the City of Placentia.

11. **Trustees Completing Ten Years of Service:**
 - 11A - **Trustee Dow from the City of Buena Park Completed Ten Years of Service:**

Trustee Jim Dow, from the City of Buena Park, completed ten years of service on the Board of Trustees. Trustee Dow was appointed to the Board in January 2001. During the past ten years he has served on the following committees: Budget and Finance; Building, Property and Equipment; and Operations. Trustee Dow has attended 81 of the 120 meetings of the Board for a 68 percent attendance record. Board President Brothers will present a ten year service certificate to Trustee Dow at the next Board meeting.

 - 11B - **Trustee Winder from the City of Yorba Linda Completed Ten Years of Service:**

Trustee Jim Winder, from the City of Yorba Linda, completed ten years of service on the Board of Trustees. Trustee Winder was appointed to the Board in January 2001. During the past ten years he has served on the following committees: Fire Ant; Vehicle and Equipment; and Policy and Personnel. Trustee Winder has attended 95 of the 120 meetings of the Board for a 79 percent attendance record. Board President Brothers presented a ten year service certificate to Trustee Winder at the Board meeting.

12. **Management Information Items:**
 - 12A - **AMCA Annual Conference:** The 77th Annual Meeting of the American Mosquito Control Association will be held at the *Disneyland®* Hotel in Anaheim from March 20 - 24, 2011. The District is making local arrangements for this event. Trustees interested in attending should notify Viki Blaylock.

 - 12B - **Other Information Item:** None

13. **Committee Report: Budget & Finance Committee:** The Committee met at 1:30 p.m. prior to the Board meeting to review and discuss the following items: 1) Review Financial Statements for Annual Audit (Agenda Item 16). Chair Parker reported that the Committee unanimously passed the Annual Audit; and 2) Discuss Authority and Accounting Procedures for Haster Business Park Lease Prepayments. Chair Parker reported that this item will be continued.

14. **Consent Calendar – Items Approved by General Consent:** On motion by Trustee Anderson, seconded by Trustee Kring, and passed by unanimous vote, the Board of Trustees approved the following Consent Calendar Items, with the exception of Agenda Items 14A.2, which was pulled for discussion and separate action.

14A - **Accepted and Approved the Monthly Financial Report:**

14A.1 - Accepted for inclusion as Exhibit I the Orange County Vector Control District Monthly Financial Report for the period ending December 31, 2010.

- 14B - **Board of Trustees Committee Assignments:** Received and Filed: Each year, at the installation of the new Board officers, the Board Committees are reconstituted. Enclosed with the Agenda was a questionnaire and committee function sheet. Trustees are to submit by February 2 their first, second, and third choice for committees on which to serve. New committees will be approved in February and will commence in March.

- 14C - **Accepted 2010 Trustee Attendance Report:** Received and Filed: Accepted the 2010 Board of Trustees Attendance Report, attached as Exhibit A.

- 14D - **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 January 14, 2011.

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

14A - **Received and Filed Warrant Register:**

14A.2 - On motion by Trustee Ming, seconded by Trustee Carruth, and passed by unanimous vote, the Board of Trustees received and filed approval of payment of Warrant Register dated January 20, 2011 (Exhibit II) in the amount of \$425,820.85 as presented by In-House Check Runs dated December 2, 7, 8, 9, 16, 20, 21, and 29, 2010.

15. **Approval of Minutes:** On motion by Trustee Iseman, seconded by Trustee Carruth, and passed by majority vote (Abstained: Trustees Robbins, Daigle, and Thompson), the Board of Trustees approved without reading the Minutes of the 769th Meeting of the Board of Trustees held December 16, 2010.
16. **Accepted Basic Financial Statements Dated June 30, 2010, Management Compliance Letter, and Audit Committee Letter for 2009-10 Annual Audit:** On motion by Trustee Moorlach, seconded by Trustee Ledesma, and passed by unanimous vote, the Board of Trustees accepted the Management Compliance Letter (Exhibit B); Audit Committee Letter for 2009-10 Annual Audit (Exhibit C); and Basic Financial Statements (Exhibit D) dated June 30, 2010 prepared by Lance, Soll & Lunghard, LLP.

17. **Adoption of Notice of Exemption:** On motion by Trustee Anderson, seconded by Trustee Leece, and passed by unanimous vote, the Board of Trustees adopted a Notice of Exemption (Exhibit E) in preparation to purchasing the Haster Business Park Property. Allison Burns, Real Estate Consulting Counsel, presented this item to the Board.

18. **Closed Session:** At 4:12 p.m. President Brothers called for the Board of Trustees to meet in closed session and asked District Manager Hearst to remain in closed session along with District Counsel Burns. Real Estate Consulting Counsel Allison Burns was also asked to be present in the closed session. District Counsel Burns read the following closed session items prior to the Board convening in closed session:

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 Negotiators: Michael G. Hearst, District Manager
Allison Burns, Real Estate Consulting Counsel

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

19. **Reconvened to Open Session:** The Board reconvened to open session at 4:55 p.m.

20. **Report of Action Taken in Closed Session: Authorized Purchase of Haster Business Park Property:** The Board reconvened to open session at 4:55 p.m. District Counsel Burns reported that the Board of Trustees by majority vote authorized the purchase of the Haster Business Park Property (APN: 231-111-01) per terms negotiated and described in the Purchase and Sales Agreement (PSA), the opening of an escrow as described therein, and authorized the President, Secretary, and District Manager to take such further action and execute such documents necessary to purchase the property in conformance with these documents. The Purchase and Sale Agreement and Joint Escrow Instructions is attached as Exhibit F. The vote was as follows:

(continued next page)

20. **Report of Action Taken in Closed Session: Authorized Purchase of Haster Business Park Property:** (continued)

AYES: Trustees Tsunoda, Kring, Moore, Leece, Bailey, Weinberg, Brothers, Rosen, Choi, Iseman, Carruth, Gomez, Herman, Ledesma, Thompson, Anderson, Aguinaga, Ethans, Rheins, Fry, Winder, and Moorlach.

NOES: Trustees Ming and Parker.

ABSTAINED: Trustees Robbins and Daigle.

ABSENT: Trustees Dow, Webb, Carchio, Dixon, Bilodeau, Wanke, Freese, Levitt, and Murray.

21. **Performance Management System Proposal; District 2011 Strategic Plan Outline:** On motion by Trustee Anderson, seconded by Trustee Leece, and passed by unanimous vote, the Board of Trustees moved to continue this item.

22. **Written Communications:** None

23. **Adjournment:** There being no further business for the Board’s consideration, President Brothers adjourned the meeting at 5:00 p.m. to the next regular meeting of the Board of Trustees on February 17, 2011.

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

Michael G. Hearst, District Manager

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

ATTEST: _____
Secretary