

MINUTES OF THE 778TH MEETING

BOARD OF TRUSTEES

Orange County Vector Control District

TIME: 3:00 P.M., September 15, 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	Lake Forest	Marcia Rudolph
Anaheim	Lucille Kring	La Palma	Larry A. Herman
Brea	Roy Moore	Mission Viejo	John Paul Ledesma
Buena Park	Jim Dow	Placentia	Chad P. Wanke
Costa Mesa	Wendy Leece	San Clemente	Joe Anderson
Dana Point	Steven H. Weinberg	San Juan Capistrano	Laura Freese
Fullerton	R. Paul Webb	Seal Beach	Michael Levitt
Garden Grove	Mark Rosen	Stanton	Al Ethans
Huntington Beach	Joe Carchio	Tustin	Al Murray
Irvine	Dr. Steven Choi	Villa Park	James Rheins
Laguna Beach	Toni Iseman	Westminster	Frank Fry, Jr.
Laguna Hills	Melody Carruth	Yorba Linda	Jim Winder
Laguna Woods	Milton W. Robbins	County of Orange	John M. W. Moorlach

TRUSTEES ABSENT:

Laguna Niguel	Robert Ming	Orange	Denis Bilodeau
Los Alamitos	Ken C. Parker	Rancho Santa Margarita	VACANT
Newport Beach	Leslie Daigle	Santa Ana	Cecilia Aguinaga

OTHERS PRESENT:

Michael G. Hearst, District Manager	Lawrence H. Shaw, Director of Operations
Robert Cummings, Dir. of Scientific Technical Serv.	John Newton, Vector Control Inspector II
Amber Semrow, Biologist	Jim Green, Vector Control Inspector II
Debi Kimball, Accounting Supervisor	Julie Romo, Operations Specialist
Kai Lin, Communications Specialist	
Alan R. Burns, District Counsel	
Viki Blaylock, Executive Assist/Clerk of the Board	

1. **Pledge of Allegiance:** President Brothers called the meeting to order at 3:04 p.m. and asked Trustee Moore to lead the Pledge of Allegiance.
2. **Roll Call:** Roll call indicated 25 Trustees present, with Trustees Tsunoda, Leece, Iseman, and Freese arriving shortly thereafter, making a total of 29 out of the current Board membership of 34 (Rancho Santa Margarita is vacant).

3. **Public Comments:** None.

4. **Announcement of Late Communication:**

Lawrence Shaw, Director of Communications, introduced Jerry Simms, who was recently promoted to Vector Control Inspector III.

President Brothers introduced Jeremy B. Yamaguchi, Mayor Pro Tem, from the City of Placentia.

5. **Committee Reports:** President Brothers, Executive Committee Chair, reported on the Executive Committee meeting.

- 5A - **Executive Committee:** Meeting was held at 1:30 p.m. prior to the Board meeting.
- 1) The Executive Committee unanimously approved Minutes of the August 10, 2011 meeting.
 - 2) The Executive Committee's Statement on the Haster Business Park Advance Payment Matter: *After reviewing the Haster Business Park advance payment matter for some months, and after conducting a limited internal investigation, the Executive Committee has determined that unless new facts come to light the District should not pursue the matter further. New rules have been put in place to prevent recurrences, and no further action is required.*
 - 3) Switching Back to Orange County Employees' Retirement System (OCERS): The Executive Committee unanimously moved to direct staff to study the financial ramifications of switching back to Orange County Employees' Retirement System (OCERS) from California Public Employees' Retirement System (CalPERS). Staff will study the pros and cons of each organization by looking at formulas, benefits packages, immediate cost, future cost, etc.
 - 4) Closed Session: Pursuant to Government Code Section 54957, the Executive Committee discussed the evaluation of the District Manager.
 - 5) Report of Action Taken in Closed Session: Public Employee Performance Evaluation: Position: District Manager. The Executive Committee conducted a preliminary Performance Evaluation on the District Manager. The District Manager Performance Evaluation will be agendized on the October Board of Trustees agenda to allow the full Board the opportunity to discuss the review in closed session. President Brothers requested feedback from the full Board on the District Manager's performance.

6. **Consent Calendar – Items Approved by General Consent:** On motion by Trustee Moorlach, seconded by Trustee Bailey, and passed by unanimous vote, the Board of Trustees approved the following Consent Calendar Items, with the exception of Agenda Item 6A, which was passed by majority vote (Abstained: Trustees Weinberg and Herman), and Agenda Item 6B.2, which was pulled for discussion and separate action.

6A - **Approval of Minutes:** Approved without reading the Minutes of the 777th Meeting of the Board of Trustees held August 18, 2011.

6B - **Accepted and Approved the Monthly Financial Report:**

6B.1 - Accepted and approved for inclusion as Exhibit I the Orange County Vector Control District Monthly Financial Report for the period ending August 31, 2011.

6C - **Authorized Travel for Staff to Attend the MVCAC Fall Quarterly Meetings in South Lake Tahoe, CA:** Authorized travel for President Brothers, District Manager Hearst, Director of Operations Shaw, Director of Scientific Technical Services Cummings, Director of Communications Dever, and Public Outreach Coordinator Pett to attend the Mosquito and Vector Control Association of California (MVCAC) Quarterly Meetings to be held November 2 - 4, 2011, at the Embassy Suites in South Lake Tahoe, California; and authorized a total cost of \$5,000 for travel expenses.

6D - **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 September 9, 2011.

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

6B - **Received and Filed Warrant Register:**

6B.2 - On motion by Trustee Gomez, seconded by Trustee Anderson, and passed by unanimous vote, the Board of Trustees received and filed approval of payment of Warrant Register dated September 15, 2011 (Exhibit II) in the amount of \$1,011,276.19 as presented by In-House Check Runs dated August 2, 3, 11, 16, 25, 30, and 31, 2011.

7. Management Information Items:

7A - Presentation – Contemporary Mosquito Control in Orange County:

Lawrence H. Shaw, Director of Operations, gave a presentation on Contemporary Mosquito Control in Orange County.

7B - Other Information Item: None.

8. Public Comments: None.

9. Written Communications: Attorney General Opinion on Trustee Terms: Received and Filed: District Counsel Burns presented a memo (**Exhibit A**) to the Board of Trustees concerning a city council’s right to remove a Trustee. This memo is based on an Opinion from Attorney General Kamala D. Harris, and Deputy Attorney General Diane E. Eisenberg. Attached is their published Opinion (**Exhibit B**) regarding the question: “May a city council remove its appointee to the Board of Trustees of a Mosquito and Vector Control District at the council’s pleasure?” The conclusion reads: “A city council may not remove its appointee to the Board of Trustees of a Mosquito and Vector Control District at the council’s pleasure.”

10. Adjournment: There being no further business for the Board’s consideration, President Brothers adjourned the meeting at 3:50 p.m. to the next regular meeting of the Board of Trustees on October 20, 2011.

I certify that the above Minutes substantially reflect the actions taken by the Board of Trustees at its meeting held September 15, 2011.

Michael G. Hearst, District Manager

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

_____ meeting held _____

ATTEST: _____
Secretary