

CONTRA COSTA MOSQUITO AND VECTOR CONTROL DISTRICT
BOARD MEETING
MINUTES No. 10-5

A regular meeting of the Board of Trustees of the Contra Costa Mosquito and Vector Control District was held on Monday, September 13, 2010, in the District Office at 155 Mason Circle, Concord, California.

TRUSTEES PRESENT Soheila Bana
 Jeff Bennett
 Nancy Brownfield
 Michael Cory
 Chris Cowen
 Jim Fitzsimmons
 Kristin Haegeland
 Richard Head
 Richard Mank
 Richard Means
 Angela Micheals
 Daniel Pellegrini
 Jim Pinckney
 Sharyn Rossi
 Diane Wolcott

TRUSTEES ABSENT Richard Ainsley
 Russ Belleci
 Peggie Howell
 Myrto Petreas
 Jose Saavedra
 Brian Smalley
 Kirk Thill

OTHERS PRESENT Craig Downs, General Manager
 Mark Cornelius, Legal Counsel
 Carlos Sanabria, Operations Manager
 Ray Waletzko, Administrative & Finance Manager
 Steve Schutz, Scientific Programs Manager
 Greg Howard, Program Supervisor
 Allison Lewis, Administrative Secretary
 Owen Poole

1. President Fitzsimmons called the meeting to order at 7:07 p.m.
2. A roll call indicated that 15 Trustees were present, seven were absent, and there were no vacancies.
3. The meeting opened with the Pledge of Allegiance.
4. APPROVAL OF THE AGENDA AS POSTED

** A motion was made by Trustee Pellegrini and seconded by Trustee Head, to approve the Agenda as posted. *Motion passed unanimously.*

5. PUBLIC INPUT ON NON AGENDA ITEMS - None

6. CONSENT CALENDAR

A. MINUTES - APPROVAL OF MINUTES 10-4, REGULAR BOARD MEETING HELD ON JULY 12, 2010

B. EXPENDITURES - APPROVAL OF EXPENDITURES OF JULY 1, 2010 THROUGH AUGUST 31, 2010, INCLUDING CHECKS NO. 18276 THROUGH NO. 18421, IN THE AMOUNT OF \$1,587,964.11

C. PAYROLL - APPROVAL OF PAYROLL EXPENDITURES OF JULY 1, 2010 THROUGH AUGUST 31, 2010, INCLUDING CHECKS NO. 62303 THROUGH NO. 62452, IN THE AMOUNT OF \$293,391.94

D. INVESTMENT ACTIVITY REPORT FOR JUNE 2010 & JULY 2010

E. FINANCIAL REPORT

** A motion was made by Trustee Pellegrini and seconded by Trustee Cory to approve the Consent Calendar. *Motion passed unanimously.*

7. ACTION ITEMS

A. Public Hearing to Consider Abatement of Nuisance at Delta Road, Knightsen (Appendix I)

1. Open Public Hearing & Opening Remarks by Board President - President Fitzsimmons opened the public hearing to consider abatement of nuisance at Delta Road, Knightsen. Referred opening remarks to staff.
2. Warning & Notice to Abate a Public Nuisance - General Manager Downs stated the warning notice was mailed certified return receipt to the Bethel Island LLC (landowner) office in Albany, CA, on August 10, 2010 as well as posted at the property. On August 20, 2010 the District issued a Citation to Appear at the District office on September 2, 2010, the citation was posted at the property and hand delivered to Bethel Island LLC offices in Albany, CA. Neither the property owner nor a representative of the landowner attended the meeting to dispute the legal proceeding. On September 3, 2010 the Notice to Abate was posted at the property, personally served to Bethel Island LLC office in Albany, CA by DNT Services and mailed certified return receipt to Edward Biggs (Agent for Corporation) at his home. The Notice to Abate was also personally served by DNT Services to Edward Biggs at his home, 1783 Green Acres

Lane, Suisun, CA on September 8, 2010.

3. Testimony by District Staff - Operations Manager, Carlos Sanabria, reported that the nuisance at Delta Road, Knightsen has long standing water management issues. A survey of the property was conducted with the lessee in 2008, a list of observations and recommendations were distributed to the lessee and to date, no improvements have been made. Mosquito breeding on the property is due to poor water management and infrastructure issues, such as inadequate drainage. A copy of his PowerPoint presentation is included as part of these minutes. This year to date, the District has spent \$6,000 in time and material to abate mosquito breeding at this property and the owners have not taken measures to rectify the situation.

4. Testimony by Property Owner & Representatives - None

5. Public Testimony - None

6. Further Staff Testimony (if needed) - General Manager Downs noted that all notices, proof of service and return receipts will be submitted to the secretary to be included in the minutes.

7. Close Public Hearing - President Fitzsimmons closed the public hearing after ensuing discussion.

8. Board Deliberation - General Manager Downs answered board questions.

9. Consider Adoption of Resolution 10-4 (Appendix II)
Finding and Determining the Existence of a Public Nuisance,
Ordering Compliance with the Orders of the Board
and Ordering Payment of Nuisance Abatement Costs

** A motion was made by Trustee Pellegrini and seconded by Trustee Wolcott, to adopt Resolution 10-4, Finding and Determining the Existence of a Public Nuisance, Ordering Compliance with the Orders of the Board and Ordering Payment of Nuisance Abatement Costs. *Motion passed unanimously.*

B. Annual Report of 2009/2010 Investment Portfolio Performance (Appendix III) - Administrative & Finance Manager Waletzko reported on the 2009/2010 Investment Portfolio Performance. The District only invests in the Local Agency Investment Fund (LAIF); which is part of the California State Treasury. During fiscal year 2009/2010 the District earned \$53,666 in interest, a decrease of \$91,568 from the previous year. The average rate of return on funds invested in LAIF for FY 09/10 was .65%. Administrative & Finance Manager Waletzko noted that due to the current state of the economy the State of California Controller's office issued a statement explaining that the State can not borrow LAIF funds and funds can not be transferred or impounded by any state official or agency.

** A motion was made by Trustee Head and seconded by Trustee Cory to accept the Annual Report of 2009/2010 Investment Portfolio Performance. *Motion passed unanimously.*

8. INFORMATIONAL REPORTS

- A. Audit Committee Report - Trustee Pinckney reported that the committee met on August 12th, at the offices of the district auditors, Maze & Associates. Vikki Rodriguez, Maze & Associates, was present to report on accomplishments the committee has achieved in the last five years. The scope and timing of the audit was outlined, procedures for audit were discussed and it was noted that all of the audits in the past five years have received an unqualified opinion. The final audited financial statements will be presented at the November Board meeting. The auditors will be at the district the week of September 20th, to work with district staff.

- B. West Nile Virus Update - Scientific Programs Manager, Steve Schutz, reported that despite a slow start to the season, West Nile Virus (WNV) activity has increased statewide over the past two months and has now equaled or surpassed last year in some categories. To date, the District's surveillance program has reported four positive dead birds (two each from Oakley and Brentwood) and a positive mosquito sample from Oakley. Despite significant reductions in the numbers of dead birds being reported and tested compared with last year, the percentage of dead birds testing positive is similar (17% this year, vs. 20% last year). A strong correlation was found between year-to-year variations in the number of positive dead birds and accumulated degree-days above viral developmental threshold temperature of 14.9 degrees Celsius, confirming a model proposed by University of California researchers.

9. BOARD AND STAFF ANNOUNCEMENTS

- A. Board - None

- B. Staff - None

10. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:12 p.m.

I certify the above minutes were approved as read or corrected at a meeting of the Board of Trustees held on November 8, 2010.

Ayes: _____
Noes: _____
Abstain: _____
Absent: _____

H. Richard Mank
Secretary, Board of Trustees