Marin/Sonoma

Mosquito & Vector Control District 595 Helman Lane

Cotati, California 94931

1-800-231-3236 (toll free) 707-285-2210 (fax)

BOARD OF TRUSTEES SPECIAL & REGULAR BOARD MEETING

DATE: November 8, 2023

TIME: 6:00 p.m. (Special Board Meeting will continue into Regular Board Meeting

at 7:00 p.m.)

LOCATION: Teleconference - See Below

Please note that options for observing the Board Meeting and for submitting communication regarding the meetings have changed. The Board of Trustees will meet remotely via teleconferencing, as authorized by Government Code Section 54953(e), because state or local officials have imposed or recommended measures to promote social distancing. (Gov. Code §§ 54953(e)(3), (e)(4).). All members of the public seeking to observe and/or to address the local legislative body may participate in the meeting telephonically or otherwise electronically in the manner described below.

The Board Meeting Teleconference:

Click the link on the District's website, https://www.msmosquito.org/board-meetings, to watch live-streamed meetings. The unique link for each meeting is found on the first page of the applicable agenda (see Zoom Meeting Link below for this meeting).

Public Communication:

The public is welcome to address the Board of Trustees on items listed on the Consent Calendar or on other items not listed on the agenda but within the Board's jurisdiction during the general Public Comment period. There will also be an opportunity for the public to comment on other agenda items at the time they are discussed. Please raise your hand using the electronic "raise hand" button or provide typed comments via the Q & A button. Both features are available at the bottom of the Zoom screen.

The public may submit comments by:

- 1) Emailing comments to dawnw@msmosquito.org or
- 2) Delivering written comments via mail to the District; or
- 3) Participating in the teleconference by calling (669) 900-9128 or joining the videoconference at the link provided below:

Zoom Meeting Link

The Webinar ID is 848 3951 2804

Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection by contacting the Board Clerk at dawnw@msmosquito.org or calling the District's offices at (707) 285-2200. If, due to a disability, and reasonable accommodation is needed to participate in this meeting, please contact the ADA Coordinator 24 hours in advance of the meeting at (707) 285-2204.

Agendas and supporting documents are also available for review on the District's official noticing bulletin board (595 Helman Lane, Cotati, CA 94931) and at the District's website at: https://www.msmosquito.org/board-meetings

In accordance with the Americans with Disabilities Act, if you require special assistance to participate in this meeting, please contact the Marin/Sonoma Mosquito & Vector Control District (MSMVCD) at 1-800-231-3236.

Translators, American Sign Language interpreters, and/or assistive listening devices for individuals with hearing disabilities will be available upon request. A minimum of 48 hours is needed to ensure the availability of translation service.

MSMVCD hereby certifies that this agenda has been posted in accordance with the requirements of the Government Code.

Items marked * are enclosed attachments.

Items marked # will be handed out at the meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL (13 members must be present for a quorum)

Bruce Ackerman, Fairfax
Cathy Benediktsson, Tiburon
Gail Bloom, Larkspur
Tamara Davis, Sonoma Co. at Large
Art Deicke, Santa Rosa
Laurie Gallian, Sonoma
Pamela Harlem, San Rafael
Susan Harvey, Cotati
Susan Hootkins, Petaluma
Evan Kubota, Windsor

Alison Marquiss, Corte Madera Shaun McCaffery, Healdsburg Vicki Nichols, Sausalito Carol Pigoni, Cloverdale (*First V.P.*) Diana Rich, Sebastopol (*Secretary.*) Herb Rowland, Jr., Novato Ed Schulze, Marin Co. at Large David Witt, Mill Valley (*Second V.P.*) Aarón Zavala, Rohnert Park Richard Snyder, Belvedere (*President*)

Open Seats:

Ross, one Marin County at Large, San Anselmo and one Sonoma County at Large

4. **PUBLIC TIME**

Public Time is time provided by the board so the public may make comment on any item not on the agenda.

The public will be given an opportunity to speak on each agenda item at the time the item is presented. Once the public comment portion of any item on this agenda has been closed by the Board, no further comment from the public will be permitted unless authorized by the Board President and if so authorized, said additional public comment shall be limited to the provision of information not previously provided to the Board or as otherwise limited by order of the Board.

We respectfully request that you state your name and address and provide the Board President with a Speaker Card so that you can be properly included in the consideration of the item.

Please limit your comments to three (3) minutes per person or twenty (20) minutes per subject in total so that all who wish to speak can be heard.

5. CONSENT CALENDAR

A. APPROVAL OF AGENDA

B.* Resolution 2023/24-XX: Authorizing Remote Teleconference/Virtual Meetings of the District Pursuant to Government Code Section 54953(e)(3)

Staff Report: The attached proposed resolution would authorize the Board of Trustees to continue to hold virtual/teleconference meetings in compliance with the Brown Act, considering the termination of the Governor's declared state of emergency and current state standards regarding recommended social distancing measures.

- C.* MINUTES Minutes of Board Meetings held on October 5 and 11, 2023.
- **D.* FINANCIAL REPORTS** Accept Financial Reports for October 2023.

ACTION NEEDED

INFORMATION ENCLOSED

6. <u>NEW BUSINESS</u>

A.* Proclamation 2023/24-01, Honoring Dana Shigley

Staff report: Ms. Shigley recently stepped down from her part-time employment as Interim Financial Manager and Management Aide. At last month's meeting of the Executive Committee, staff were directed to prepare the enclosed Proclamation to recognize Ms. Shigley and express gratitude for her dedicated service and valuable contributions to the District.

ACTION NEEDED

EXECUTIVE COMMITTEE AND STAFF RECOMMENDATION: Consider a motion to approve the proposed "Proclamation Honoring Dana Shigley." INFORMATION ENCLOSED

- B. Update by Public Information Officer, Nizza Sequeira
- C.* Recent changes to the Brown Act and the Future of Remote Meetings. General Counsel will brief the Board on the changes that are slated to occur as a result of AB557 taking effect on January 1, 2024. The Board and its standing committees have been meeting under the provisions of AB361, which will sunset on December 31, 2023. Options for next year include meeting in person only or allowing hybrid meetings with limited remote participation by Trustees as permitted by law. Counsel will explain these options and provide a summary document. The Boardroom is now equipped with the audiovisual equipment necessary to facilitate hybrid meetings if the Board wishes to meet in that way.

ACTION NEEDED

EXECUTIVE COMMITTEE AND STAFF RECOMMENDATION: Consider a motion directing staff as to the format of Board and standing committee meetings held after January 1, 2024.

D.* Proposed Fifth Amendment to District Manager Employment Agreement

Staff Report: The proposed amendment to the employment agreement with Manager Smith is intended to accommodate the recruitment process for a new District Manager. If approved, the amendment would extend the term of the present agreement, which expires on December 31st, 2023, to March 31, 2024. No other changes, for example, salary or benefits, would be made to the terms of the existing employment agreement.

RECOMMENDED ACTION: Recommendation by Executive Committee:

- 1. Review and discuss the proposed Fifth Amendment to Section 2.1 of the Amended and Restated District Manager Employment Agreement.
- 2. Authorize the Board President to execute the Fifth Amendment to the District Manager Amended and Restated Employment Agreement.

INFORMATION ENCLOSED

7. COMMITTEE & STAFF REPORTS

- A. Executive Committee
 Report by Richard Snyder, Chair.
- B. Manager Recruitment Committee Report by Carol Pigoni, Chair

8.* MANAGER'S REPORTS

INFORMATION ENCLOSED

9. WRITTEN COMMUNICATIONS

CORRESPONDENCE RECEIVED BY THE DISTRICT FROM RESIDENTS OR ANY OTHER PARTY SHALL BE READ ALOUD OR HANDED OUT TO THE BOARD

10. OPEN TIME FOR BOARD OR STAFF COMMENTS

11. <u>ADJOURNMENT</u>

RESOLUTION NO. 2023/24-XX

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE MARIN/SONOMA MOSQUITO & VECTOR CONTROL DISTRICT AUTHORIZING REMOTE TELECONFERENCE/VIRTUAL MEETINGS OF THE DISTRICT PURSUANT TO GOVERNMENT CODE SECTION 54953(e)

WHEREAS, the Board of Trustees of the Marin/Sonoma Mosquito & Vector Control District ("District") is committed to preserving and nurturing public access and participation in meetings of the Board; and

WHEREAS, meetings of the Board are open and public, as required by the Ralph M. Brown Act (Government Code Sections 54950 – 54963); and

WHEREAS section 54953(e) of the Brown Act makes provisions for remote teleconferencing participation subject to the existence of certain conditions. To continue meeting by remote teleconferencing means without complying with section 54953(b)(3), a required condition is that state or local officials have imposed or recommended measures to promote social distancing, and that the legislative body continues to make certain findings by majority vote at least every 30 days; and

WHEREAS, among other measures to promote physical distancing, the California Division of Occupational Safety and Health ("Cal/OSHA") regulations at Title 8 Section 3205 recommend physical distancing in the workplace as precautions against the spread of COVID-19 and imposes certain restrictions and requirements due to a "close contact" which occurs when individuals are within six feet of another person in certain circumstances; and

WHEREAS, the Centers for Disease Control and Prevention continue to recommend avoiding contact and keeping a safe distance from a person who has a suspected or confirmed case of COVID-19; and

WHEREAS, to allow for physical distancing and remote meeting attendance in accordance with these recommended measures, the District desires to have procedures in place for the option to provide virtual access to Board meetings, with or without a public meeting location ("AB 361 Option"). Adoption of this Resolution will permit virtual meetings without the need to comply with Government Code Section 54953(b)(3), as authorized by Government Code Section 54953(e), and in such cases, the Board shall comply with the requirements to provide the public with access to the meetings as prescribed in Government Code Section 54953(e)(2); and

WHEREAS, as permitted when the AB 361 Option is utilized, the District will provide the public with the ability to attend Board meetings virtually. When the AB 361 Option is utilized, members of the public who wish to provide comment may make comments virtually.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Marin/Sonoma Mosquito & Vector Control District as follows:

SECTION 1. Recitals. The above recitals are incorporated as though set forth in this section.

<u>SECTION 2.</u> Authorization. The Board, and the District Manager or his designee, is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act.

<u>SECTION 3.</u> Effective Date. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of: (a) 30 days; or (b) such time as the Board adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the Board may continue to hold teleconference meetings without compliance with Government Code Section 54953(b)(3).

<u>SECTION 4.</u> Severability. Should any provision of this Resolution, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Resolution or the application of this Resolution to any other person or circumstance and, to that end, the provisions hereof are severable.

Passed and adopted at a special meeting of the Board of Trustees held November 8, 2023, by the following roll call vote:

	Bruce Ackerman Cathy Benediktsson Gail Bloom Tamara Davis Art Deicke Laurie Gallian Pamela Harlem Susan Harvey Susan Hootkins Evan Kubota Alison Marquiss Shaun McCaffery Vicki Nichols Carol Pigoni Diana Rich Herb Rowland Ed Schulze David Witt Aarón Zavala Richard Snyder	Yes	<u></u>	Abstain	Absent		
ATTEST:			APPI	ROVED:			
Diana Rich Secretary, Board of Trustees		-		ard Snyd sident, Bo	er ard of Trus	stees	_

Marin/Sonoma Mosquito & Vector Control District

Board of Trustees 595 Helman Lane Cotati, CA 94931

Meeting Held via Videoconference October 5th, 2023

SPECIAL BOARD MEETING MINUTES

1. CALL TO ORDER

President Snyder called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Members present:

Ackerman, Bruce Marquiss, Alison Benediktsson, Cathy Arrived @ 6:01 pm Nichols, Vicki Bloom, Gail Pigoni, Carol Davis, Tamara Rich, Diana Deicke, Art Schulze, Ed Gallian, Laurie Witt, David Harvey, Susan Zavala, Aarón Hootkins, Susan Snyder, Richard Kubota, Evan

Members absent:

Harlem, Pamela McCaffery, Shaun Rowland Jr., Herb

Open seats: Ross, one Marin County at Large, San Anselmo and one Sonoma County at Large

Others present:

Philip Smith, District Manager Liz Garcia, Administrative Services Manager Dawn Williams, Administrative Technician (Confidential)

A quorum was present and due notice had been published.

4. **PUBLIC TIME**

No public comment.

5. CONSENT CALENDAR

A. CHANGES TO AGENDA/APPROVAL OF AGENDA

- B. Resolution 2023/24-05: Authorizing Remote Teleconference/Virtual Meetings of the District Pursuant to Government Code Section 54953(e)(3)
- C. MINUTES Minutes for Board Meeting held on September 6th, 2023.
- **D. FINANCIAL REPORTS** Will be included in the October 11th, 2023, Board Meeting agenda packet.

It was M/S Trustee Davis/Trustee Schulze to accept the Consent Calendar:

Motion passed with a roll call vote:

Ayes: Trustee Ackerman, Trustee Benediktsson, Trustee Bloom, Trustee Davis, Trustee Deicke, Trustee Gallian, Trustee Harvey, Trustee Hootkins, Trustee Kubota, Alison Marquiss, Trustee Nichols, Trustee Pigoni, Trustee Rich, Trustee Schulze, Trustee Witt, Trustee Zavala and Trustee Snyder

No: (none)
Abstain: (none)

Absent: Trustee Harlem, Trustee McCaffery, and Trustee Rowland

6. <u>NEW BUSINESS</u>

No new business.

7. <u>COMMITTEE & STAFF REPORTS</u>

No committee reports.

8. MANAGER'S REPORTS

No reports at this meeting. They will be included in the October 11th, 2023, Board Meeting agenda packet.

9. WRITTEN COMMUNICATIONS

No written communications.

10. OPEN TIME FOR BOARD OR STAFF COMMENTS

Trustee Bloom inquired about the sunset date for the remote meetings provision. President Snyder responded that this item would be addressed at the next Board meeting. District Manager Smith added that the Board is currently meeting remotely under the provisions of Assembly Bill 361, which sunsets on December 31, 2023.

Trustee Schulze asked if there were any letters of resignation from the Trustees. District Manager Smith replied that there weren't any to be dealt with at this meeting.

Trustee Benediktsson inquired whether she had missed any recent notifications of Budget Committee meetings. Manager Smith assured her that she had not.

11. <u>ADJOURNMENT</u>

There being no further business to come before the Board, it was M/S Trustee Schulze/Trustee Pigoni to adjourn the meeting at 6:07 p.m.

District Representative MSMVCD	Date of Approval
113.11 (62	
Trustee MSMVCD Board of Trustees	Date of Approval

Marin/Sonoma Mosquito & Vector Control District

Board of Trustees 595 Helman Lane Cotati, CA 94931

Meeting Held via Videoconference October 11, 2023

SPECIAL & REGULAR BOARD MEETING MINUTES

1. CALL TO ORDER

President Snyder called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Members present:

Benediktsson, Cathy
Bloom, Gail
McCaffery, Shaun
Davis, Tamara
Nichols, Vicki
Deicke, Art
Pigoni, Carol

Gallian, Laurie Rich, Diana Arrived @ 6:01 pm

Harlem, Pamela Arrived @ 6:02 pm

Schulze, Ed

Harvey, Susan

Hootkins, Susan

Schulze, Ed

Zavala, Aarón

Snyder, Richard

Kubota, Evan

Members absent:

Ackerman, Bruce Rowland Jr., Herb Witt, David

Open seats: Ross, one Marin County at Large, San Anselmo and one Sonoma County at Large

Others present:

Philip Smith, District Manager Liz Garcia, Administrative Services Manager Dawn Williams, Administrative Technician (Confidential)

A quorum was present and due notice had been published.

4. **PUBLIC TIME**

No public comment.

5. CONSENT CALENDAR

A. CHANGES TO AGENDA/APPROVAL OF AGENDA

- B. Resolution 2023/24-06: Authorizing Remote Teleconference/Virtual Meetings of the District Pursuant to Government Code Section 54953(e)(3)
- C. FINANCIAL REPORTS Accept Financial Reports for August and September 2023.

It was M/S Trustee Davis/Trustee Schulze to accept the Consent Calendar.

It was M/S Trustee Davis/Trustee Schulze to withdraw their previous motion on the Consent Calendar.

It was M/S Trustee Davis/Trustee Schulze to accept the Consent Calendar with the following change:

Item C, Financial Reports, Review Accept Financial Reports for August and September 2023

Motion passed with a roll call vote:

Ayes: Trustee Benediktsson, Trustee Bloom, Trustee Davis, Trustee Deicke, Trustee Gallian, Trustee Harlem, Trustee Harvey, Trustee Hootkins, Trustee Kubota, Alison Marquiss, Trustee McCaffery, Trustee Nichols, Trustee Pigoni, Trustee Rich, Trustee Schulze, Trustee Zavala and Trustee Snyder

No: (none)
Abstain: (none)

Absent: Trustee Ackerman, Trustee Rowland and Trustee Witt

6. NEW BUSINESS

A.* Employee Recognition: Length of Service Awards

It was M/S Trustee Schulze/Trustee Davis to adopt Resolution 2023/24-07, recognizing, thanking, and commending the staff members listed for their dedication and years of service to the District and its mission.

Motion passed with a roll call vote:

Ayes: Trustee Benediktsson, Trustee Bloom, Trustee Davis, Trustee Deicke, Trustee Gallian, Trustee Harlem, Trustee Harvey, Trustee Hootkins, Trustee Kubota, Alison Marquiss, Trustee McCaffery, Trustee Nichols, Trustee Pigoni, Trustee Rich, Trustee Schulze, Trustee Zavala and Trustee Snyder

No: (none)
Abstain: (none)

Absent: Trustee Ackerman, Trustee Rowland and Trustee Witt

B. Laboratory Update

In addition to the regular quarterly report that was provided in the agenda packet, Dr. Kelly Liebman gave a presentation on the number of service requests received for mosquito, yellowjacket, fish, and rodent calls during 2023 versus the 5-year average statistics. Dr. Liebman also briefed the Board on the number of dead bird reports in the West Nile virus (WNv) program over a 10-year period. She noted that both the statewide and the District's WNv numbers for 2023 reflect a tremendous uptick in activity. Lastly, she spoke about Alpha-gal Syndrome (Tick-borne Meat Allergy), which is caused by a bite from a Lone Star tick (not found in CA). This is an allergic condition in which people become allergic to alpha-gal, a sugar found in the tissues of all mammals except humans and other primates. When people who are allergic to alpha-gal eat beef, pork, lamb, or meat from other mammals, they experience an allergic reaction that causes a range of symptoms, including a rash, nausea, vomiting, and diarrhea.

C. Financial Update

Administrative Services Manager Liz Garcia provided a brief update on the 2023 Year-to-Date current expenses through September 30th and compared them to the prior year. The two periods were very comparable, with the exception of a decrease in expenses of \$316k this year. This was due to the one-time funding of CEPPT (pension prefunding trust) in the Salaries and Benefits category last year, which was offset by an increase in the Materials and Supplies category this year. As of the end of September, all departments are under budget. In the coming months, staff and the Budget committee will review all budget categories, after which staff plans to prepare a proposed midyear budget adjustment for the Board's consideration at its meeting in January 2024.

7. <u>COMMITTEE & STAFF REPORTS</u>

A. Legislative Committee

Trustee Davis mentioned two bills currently working their way through the California Legislature. AB557 would modify the open meetings law (Brown Act) teleconferencing provisions and is expected to pass and be signed by the Governor. AB740 deals with drone cybersecurity bill and has now been designated as a two-year bill, so any further action on this proposal is paused until the following year. A number of mosquito districts have purchased foreign-made drones that could be grounded by this legislation. Trustee Davis noted that Assemblymember Jim Wood pushed to secure several million dollars in funding for mosquito districts dealing with invasive *Aedes* mosquitoes. Unfortunately, the proposal failed to pass, but Assemblymember Wood and MVCAC will try again next year.

B. Manager Recruitment Committee

Trustee Pigoni explained that the committee held its first meeting on August 29th, during which they reviewed a draft Request for Proposals document (RFP) for Executive Recruitment Services. Following some minor modifications, the committee directed staff to distribute the RFP to eight companies. The committee met again on October 3rd to review the four proposals received, selecting two firms to interview via Zoom at their next meeting.

8. MANAGER'S REPORTS

Manager Smith noted that the State Department of Public Health Vector-borne Disease Section had issued its annual report for 2022. In addition to being posted on the Trustee portal, hard copies are available to Trustees upon request. (Manager's and Assistant Manager's reports were included in the October board packet)

9. WRITTEN COMMUNICATIONS

A message was received from Trustee Morgan Patton, resigning her position on the Board to take a position as an aide to Fourth District Supervisor Dennis Rodoni of the County of Marin.

10. OPEN TIME FOR BOARD OR STAFF COMMENTS

Trustee Schulze inquired about the MVCAC conference that will be held in January 2024. Manager Smith replied that the details of this event and registration particulars will be provided in the near future.

Trustee Hootkins stated that she had encountered about a dozen yellowjackets in front of her garage and decided to sit in her vehicle until they left. She spoke with Assistant Manager Hawk about the incident, and he advised that she made the right decision due to the aggressive nature of these insects.

11. ADJOURNMENT

MSMVCD Board of Trustees

There being no further business to Schulze/Trustee Davis to adjourn the	come before the Board, it was M/S Trustee meeting at 7:18 p.m.
District Representative MSMVCD	Date of Approval
Trustee	Date of Approval

Vendor	Amount	Description	Fund
DAPCO, INC. DAPCO, INC. DAPCO, INC. FLAC G-AIR, INC. LDRICH NETWORK CONSULTING LDRICH NETWORK CONSULTING LDRICH NETWORK CONSULTING T & T EST BEST & KRIEGER, LLC. RITTANY GREENE	1,370.94	Bti Granules	GENERAL
DAPCO, INC.	16,468.80	BACILLUS SPHAERICUS/Bti GRANULES	GENERAL
DAPCO, INC.	2,181.24	Drione	GENERAL
FLAC	1,186.90		GENERAL
G-AIR, INC.	11,960.25	Aerial Application- Helicopter	GENERAL
LDRICH NETWORK CONSULTING	6,559.66	Computers and Laptops	GENERAL
LDRICH NETWORK CONSULTING	2,025.37	Computer Software	GENERAL
LDRICH NETWORK CONSULTING	5,000.00	Network and IT Consulting Services	GENERAL
Г&Т	137.48	AT&T	GENERAL
ST BEST & KRIEGER, LLC.	585.00	Legal Counsel	GENERAL
RITTANY GREENE	7,844.02	-	GENERAL
A SURVEYING & DRAFTING SUPPLY INC. SACR	1,280.00	Computer Software	GENERAL
AGWIN & DORWARD	641.00	Landscape Services	GENERAL
ALTFORNIA SPECIAL DISTRICTS ASSOC.	9,050.00	CSDA	GENERAL
ALPERS 457 PLAN	9.046.36	***	GENERAL
AROLYN BORR	418.23	Computer Software Network and IT Consulting Services AT&T Legal Counsel Computer Software Landscape Services CSDA Staff Travel Uniforms COVID-19 Expenses Methoprene Pellets Spinosad Other Field Equipment Comcast Retiree Medical Benefit Other Professional Services - Human Employee Wellness Benefit Dental - Active Employees Other Professional Services Lab Equipment Copier Supplies Copy Machine Lease Steel Admin Building Kaiser - Active Employees Employee Wellness Benefit Grounds Retirement - Employer Classic	GENERAL
INTAS CORPORATION	3 762 19	Uniforms	GENERAL.
INTAG CORDODATION	1 090 56	COVID-19 Evnenses	CENERAL
INDER MOGOTITHO COMMENT DEODITORS INC	77 771 20	Methorrene Dellets	CENERAL
IARKE MOSQUITO CONTROL IRODUCIS, INC	10 722 24	Chinosad	CENEDAI
TARKE MOSQUITO CONTROL FRODUCTS, INC	264 00	Other Field Fauinment	CENERAL
MODER DISTURCE	204.90	Compact	CENERAL
NIMEN OF WIDIN	2/0.22	Dotings Modical Dansfit	CENERAL
JUNII OF MARIN	24,073.21	Retiree Medical Benefit	GENERAL
onnect your care	12.95	Other Professional Services - Human	GENERAL
AWN WILLIAMS	500.00	Employee wellness Benefit	GENERAL
ELTA DENTAL OF CALIFORNIA	6,935.14	Dental - Active Employees	GENERAL
CONOMY PLUMBING	1,667.70	Other Professional Services	GENERAL
ENEVA SCIENTIFIC, LLC	3,233.52	Lab Equipment	CAPITAL PROJECTS
REAT AMERICA FINANCIAL SERVICES	349.54	Copier Supplies	GENERAL
REAT AMERICA FINANCIAL SERVICES	332.09	Copy Machine Lease	GENERAL
OME DEPOT CREDIT SERVICES	61.03	Steel	GENERAL
DME DEPOT CREDIT SERVICES	79.52	Admin Building	GENERAL
ORDAN COLE	7,844.02		GENERAL
AISER FOUNDATION HEALTH PLAN	7,400.00		GENERAL
AISER FOUNDATION HEALTH PLAN	48,853.21	Kaiser - Active Employees	GENERAL
IZ GARCIA	500.00	Employee Wellness Benefit	GENERAL
OWE'S BUSINESS ACCOUNT	31.19	Grounds	GENERAL
ARIN COUNTY EMPLOYEES RETIREMENT ASSOC	40,224.30		GENERAL
ARIN COUNTY EMPLOYEES RETIREMENT ASSOC	32,090.12	Retirement - Employer PEPRA	GENERAL
ARIN INDEPENDENT JOURNAL	1,666.66	Retirement - Employer PEPRA Public Relations Newspaper Articles Newspaper and Legal Notices Annual Audit Coats, Rain Gear and Boots Retiree Health Savings Account Disease Surveillance and Testing (DART) Fuel and Oil Hydrant Water Dry Ice Gas and Electricity Postage Machine Lease	GENERAL
ARIN INDEPENDENT JOURNAL	108.00	Newspaper and Legal Notices	GENERAL
AZE & ASSOCIATES	10,833.00	Annual Audit	GENERAL
CHAEL WELLS	200.00	Coats, Rain Gear and Boots	GENERAL
SSION SQUARE RETIREMENT	3,687.97	Retiree Health Savings Account	GENERAL
/CAC	2,376.00	Disease Surveillance and Testing (DART)	GENERAL
ATIONWIDE TRUST COMPANY, FSB	2,400.00	,	GENERAL
ICK BARBIERI TRUCKING ILC	14,502.85	Fuel and Oil	GENERAL
DRTH MARIN WATER DISTRICT	452.04	Hydrant Water	GENERAL
ational Ice Delivery. Inc	2.850 00	Dry Ice	GENERAL
G & E	2,050.00 867 50	Gas and Electricity	GENERAL
ATRICK VON FIM	1 250 00	Sas and bicotificity	GENERAL
TINION VON ELM	1, 4JU.UU		GENERAL

For the Accounting Period: 10/23

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Vendor	Amount	Description	Fund
RECOLOGY SONOMA MARIN	395.98	Solid Waste Collection and Disposal	GENERAL
REDWOOD LOCK LLC	68.13	Other Tools	GENERAL
EGIONAL GOVERNMENT SERVICES	478.40	Recruitment Services	GENERAL
EGIONAL GOVERNMENT SERVICES	859.00	Other Professional Services - Human	GENERAL
ICHARD A. SANCHEZ	1,642.50	Janitorial Services	GENERAL
ANTA ROSA AUTO PARTS	574.18	Vehicle Maintenance	GENERAL
ARA COLE	7,844.00		GENERAL
ONOMA MEDIA GROUP	3,502.00	Radio Advertising	GENERAL
ONOMA MEDIA INVESTMENTS, LLC	1,928.25	Public Relations Newspaper Articles	GENERAL
ONOMA MEDIA INVESTMENTS, LLC	206.00	Newspaper and Legal Notices	GENERAL
ASC	1,286.42		GENERAL
EAMSTERS LOCAL UNION NO. 856 HEALTH AND	675.00		GENERAL
EAMSTERS LOCAL UNION NO. 856 HEALTH AND	2,934.02	Teamsters Anthem	GENERAL
ERESA THOMAS-NETT	111.00	Employee Wellness Benefit	GENERAL
HE HARTFORD	582.06	Sentry Life and Hartford Life	GENERAL
PS	299.96	Disease Surveillance and Testing (DART)	GENERAL
S BANK	-77.53	_	GENERAL
S BANK	208.23	Other Clothing and Safety Supplies	GENERAL
S BANK	473.94	Other Food and Household Supplies	GENERAL
S BANK	93.16	Office Supplies	GENERAL
S BANK	135.31	Copier Supplies	GENERAL
S BANK	580.29	Printer Cartridges and Supplies	GENERAL
S BANK	105.17	Other Outreach and Education Supplies	GENERAL
S BANK	63.50	Other Office Expense	GENERAL
S BANK	77.55	Other Lab Supplies	GENERAL
S BANK	62.39	Fish Supplies	GENERAL
S BANK	39.26	Mosquito Traps	GENERAL
S BANK	195.99	Field Tools	GENERAL
S BANK	284.68	YJ Field Equipment	GENERAL
S BANK	68.97	Hand Tools	GENERAL
S BANK	357.38	Computer Software	GENERAL
S BANK	137.48	Vehicle Maintenance	GENERAL
S BANK	107.05	Boats and Forklifts	GENERAL
S BANK	264.35	Admin Building	GENERAL
S BANK	14.00	Other Memberships and Subscriptions	GENERAL
S BANK	30.00	Employee Training	GENERAL
S BANK	941.16	Staff Travel	GENERAL
ECTOR CONTROL JPA	357.93	Employee Assistance Program (EAP)	GENERAL
ERIZON WIRELESS		Cell Phone Services	GENERAL
ISION SERVICE PLAN (CA)	887.21	Vision Service Plan - Active Employees	GENERAL
INE COUNTRY RADIO	2,340.00	Radio Advertising	GENERAL
ORTHINGTON ARCHITECTURE DESIGN	5,600.00	Other Professional Services	CAPITAL PROJECTS

Total: 474,531.19

11/01/23 09:36:49

MARIN SONOMA MOSQUITO & VECTOR CONTROL DIST Page: 1 of 1 Object Summary Budget vs. Actual Query Report ID: B100S0 For the Accounting Period: 10 / 23

Object=6000,6010,6012,6014,6015,6016,6022,6023,6030,6032,6041,6043,6045,6047,6051,6053,6055,6057,605

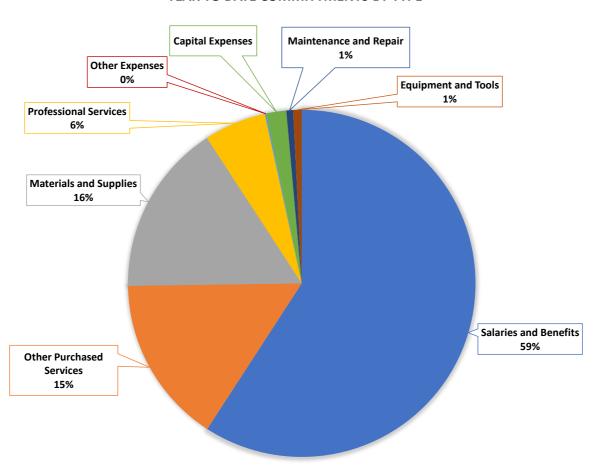
Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
6010 Salaries and Wages	328,157.34	1,293,834.87	4,222,384.00	4,222,384.00	2,928,549.13	31 %
6012 Marin County Emp Retirement Assoc.	3,204.84	12,819.36	37,920.00	37,920.00	25,100.64	34 %
6014 Overtime	57.86	2,786.57	27,500.00	27,500.00	24,713.43	10 %
6015 Seasonal Wages	25,657.75	106,095.43	366,400.00	366,400.00	260,304.57	29 %
6016 Trustee Wages	0.00	5,325.00	18,000.00	18,000.00	12,675.00	30 %
6022 Medicare Employer portion	5,032.46	20,033.02	66,538.00	66,538.00	46,504.98	30 %
6023 FICA (Social Security)	2,516.99	9,306.85	22,717.00	22,717.00	13,410.15	41 %
6030 Retirement - Employer Classic	49,105.86	194,835.73	624,565.00	624,565.00	429,729.27	31 %
6032 Retirement - Employer PEPRA	32,090.12	125,515.82	410,408.00	410,408.00	284,892.18	31 %
6041 Kaiser - Active Employees	48,853.21	190,496.23	688,091.00	688,091.00	497,594.77	28 %
6043 Dental - Active Employees	6,935.14	13,870.28	48,844.00	48,844.00	34,973.72	28 %
6045 Vision Service Plan - Active Employees	887.21	3,499.55	11,099.00	11,099.00	7,599.45	32 %
6047 Teamsters Anthem	2,934.02	11,736.08	20,654.00	20,654.00	8,917.92	57 %
6051 Sentry Life and Hartford Life	582.06	2,508.16	4,900.00	4,900.00	2,391.84	51 %
6053 Employee Assistance Program (EAP)	357.93	357.93	2,200.00	2,200.00	1,842.07	16 %
6055 Employee Boot Allowance	0.00	831.22	7,600.00	7,600.00	6,768.78	11 %
6057 Employee Wellness Benefit	1,111.00	3,980.40	17,500.00	17,500.00	13,519.60	23 %
6059 State Unemployment (5.0% x 44 emp)	55.21	888.59	11,186.00	11,186.00	10,297.41	8 %
6065 Retiree Medical Benefit	24,073.21	75,864.86	305,000.00	305,000.00	229,135.14	25 %
6XXX Object Group Tota	1 531,612.21	2,074,585.95	6,913,506.00	6,913,506.00	4,838,920.05	30 %
Grand Total:	531,612.21	2,074,585.95	6,913,506.00	6,913,506.00	4,838,920.05	30 %

Monthly Budget Summary Report

October 2023

	Current Month	Year To Date	Current	Available	Percent
	Commitments	Commitments	Appropriation	Appropriation	Committed
Salaries and Benefits	\$535,300	\$2,089,338	\$7,086,682	\$4,997,344	29%
Other Purchased Services	26,332	551,822	1,043,779	491,957	53%
Materials and Supplies	131,827	566,416	996,100	429,684	57%
Professional Services	41,956	203,967	813,117	609,150	25%
Other Expenses	1,091	5,248	441,800	436,552	1%
Capital Expenses	0	65,251	293,500	228,249	22%
Maintenance and Repair	4,427	22,412	206,100	183,688	11%
Equipment and Tools	11,357	27,719	110,460	82,741	25%
	\$752,290	\$3,532,174	\$10,991,538	\$7,459,364	32%

YEAR TO DATE COMMITTMENTS BY TYPE



PROCLAMATION NO. 2023/24-01

A PROCLAMATION OF THE BOARD OF TRUSTEES OF THE MARIN/SONOMA MOSQUITO & VECTOR CONTROL DISTRICT HONORING DANA SHIGLEY FOR HER DEDICATED SERVICE AND STERLING CONTRIBUTIONS TO THE DISTRICT AND ITS MISSION

WHEREAS, in July 2020, while working for Municipal Resource Group as a Consultant to the District, Dana Shigley prepared a wide-ranging report detailing ten significant recommendations to modernize and improve the operation of the District's Financial Office, covering matters pertaining to software, hardware, procedures, and staffing; and

WHEREAS, in January 2021, Dana Shigley performed additional work to prioritize and plan the phased implementation of the recommendations, also guiding District staff in executing one of the most crucial upgrades: the selection of a new financial management information system; and

WHEREAS, in June 2021, Ms. Shigley joined the District staff as a part-time Management Aide, suggesting and implementing many valuable enhancements to the District's administrative policies, procedures, financial forecasts and plans, including the preparation and passage of a comprehensive update of the Board Policy Manual; and

WHEREAS, in November 2022, upon the departure of the Financial Manager, Ms. Shigley stepped in at short notice as the Interim Financial Manager, not only providing expertise, stability, and continuity to the District's crucial administrative, financial, and payroll systems but also effecting further improvements, culminating in the creation of the new Administrative Services Manager position, subsequently playing a key role in the recruitment and training of the present incumbent; and

WHEREAS, Ms. Shigley's attributes include her calm demeanor, financial and analytical expertise, ability to write clear, concise, and carefully considered reports, policies, and procedures, in addition to the capacity to mentor, inspire, and collaborate with other staff and Trustees to effect beneficial change; and

WHEREAS, in August of 2023, after managing the transition to the present Administrative Services Manager, Ms. Shigley decided to step down from her employment with the District to spend more time with her family.

NOW, THEREFORE, BE IT PROCLAIMED by the Board of Trustees of the Marin/Sonoma Mosquito & Vector Control District as follows:

<u>SECTION 1.</u> Recitals. The above recitals are incorporated as though set forth in this section.

SECTION 2. The Board proclaims its sincere appreciation to Dana Shigley for her dedicated and outstanding service to the District's administration and mission.

<u>SECTION 3.</u> Effective Date. This Proclamation shall take effect immediately upon its adoption.

Passed at a regular meeting of the Board of Trustees held November 8, 2023, by the following roll call vote:

ATTEST:	APPROVED:
Diana Rich	Richard Snyder
Secretary, Board of Trustees	President, Board of Trustees



Memorandum

To: Marin/Sonoma Mosquito and Vector Control District (District)

From: Janet Coleson, General Counsel

Date: November 1, 2023

Re: Recent Changes to the Brown Act

INTRODUCTION

Recent legislative changes to the Brown Act will necessitate changes to the way the District conducts Board of Trustee and any other public meetings. Specifically, the District has been relying on Govt Code section 54953 (e)(3) to still hold remote meetings. Passage of AB 557, effective on January 1, 2024, however, deletes the language that allows a jurisdiction to hold a remote meeting if there is either a declared state of emergency OR state or local officials have imposed or recommended measures to promote social distancing.

If you recall, the District was relying on recommended social distancing measures published by the State Department of Industrial Relations and the fact that under the recommended distancing measures, our meeting room was too small to accommodate all of the Trustees and potential members of the public during a meeting. Therefore, a remote meeting was deemed the safest way to hold Board and other public meetings.

AB 557, however, deleted the exact language from GC 54953 (e)(3) relied upon by the District to hold remote meetings. As a result, as of January 1, 2024, the Board will no longer be able to hold remote meetings without an in-person component, unless there is a Governor proclaimed state of emergency.

REMOTE ACCESS OPTIONS

The Brown Act provides that Trustees may attend a Board meeting remotely as long as the Trustee posts the agenda containing the address of each remote location at the remote location AND a quorum of Trustees participates from the jurisdiction (all of Marin and Sonoma Counties). Note that there is no limit to the number of Trustees who may attend a Board meeting remotely as long as all of the remote locations are listed on the agenda and posted at the remote location and there is a quorum within Marin and Sonoma Counties.

As well, it is possible to set up "satellite office" locations where members could meet within the jurisdiction, thereby eliminating the need to include home addresses on an agenda. Instead of home addresses, the agenda would need to include the address of the satellite office.



Please note that all remote locations must be available and accessible to the public if a member of the public requests to attend from any of the remote locations.

Alternatively, the Board may hold a hybrid meeting including an in-person location (presumably District offices) and other remote locations that do NOT have to be listed on the agenda under the Brown Act's just cause and personal emergency exceptions. The constraints with this option however, are that a quorum of the Board must be at the same location in the jurisdiction (again, presumably District offices) and other Trustees are limited to using any of the just cause and personal emergency exceptions to only twice during a calendar year.

Hopefully, we'll be able to accommodate attendance at meetings via a combination of the available options. Please do not hesitate to contact me with any questions regarding this issue.

Link to the chaptered version of AB557:

 $\frac{https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=202320240AB557\&showamends=false}{}$

FIFTH AMENDMENT TO MARIN/SONOMA MOSQUITO & VECTOR CONTROL DISTRICT AMENDED AND RESTATED DISTRICT MANAGER EMPLOYMENT AGREEMENT

This Fifth Amendment ("Amendment") to the Marin/Sonoma Mosquito & Vector Control District ("DISTRICT") District Manager Employment Agreement ("Agreement"), dated November 8, 2023, is by and between the DISTRICT, a California Special District and Philip D. Smith, District Manager, ("SMITH"), and collectively referred to as "the parties."

RECITALS

WHEREAS, the parties entered into the Amended and Restated District Manager Employment Agreement ("Agreement") on July 1, 2018 in order to provide the terms of employment of the District Manager; and

WHEREAS, the parties entered into the First Amendment to the Amended and Restated District Manager Employment Agreement ("First Amendment") on August 13, 2020; and

WHEREAS, on November 10, 2021, the parties amended the Agreement a second time ("Second Amendment") to extend the Term of the Agreement to December 31, 2023; and

WHEREAS, the Amended and Restated District Manager Employment Agreement was amended a third time (Third Amendment) on June 8, 2022 to adjust the salary; and

WHEREAS, the Amended and Restated District Manager Employment Agreement was amended a fourth time (Fourth Amendment) on January 11, 2022 to adjust the salary; and

WHEREAS, the parties now desire to amend the Agreement a fifth time ("Fifth Amendment") to extend the Term of the Agreement to March 31, 2024.

NOW, THEREFORE, the parties agree as follows.

FIFTH AMENDMENT

Section 2.1 <u>Commencement and Term</u>, is hereby amended in its entirety to read as follows:
 "2.1 Commencement and Term: SMITH accepted employment as District Manager of the DISTRICT and agreed to serve, as such, commencing on December 1, 2011. This Agreement was originally set to expire on November 30, 2015, and was extended until December 31, 2018, again until December 31, 2021, and subsequently to December 31, 2023. The term of the Agreement is hereby further extended for an additional three (3)

months, expiring at midnight on March 31, 2024, subject to sections 2.2 and 3.0 of this Agreement.

Date

2. Other than as stated above, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the below written effective date.

Phillip D. Smith, District Manager

Marin/Sonoma Mosquito & Vector Control District

Marin/Sonoma Mosquito & Vector Control District

Date

Date

Confidential Administrative Assistant

Manager's Report

- Further progress has been made on the facilities expansion project. We now believe that the existing wetlands onsite no longer meet the Army Corps definitions. This means we may fall only under the state's jurisdiction, which will simplify the application process. The conceptual design I described last month continues to be refined.
- We plan to interview finalist candidates next week for the part-time Human Resources Technician position.

Work is underway on improving the gutters, and fascia boards to the District's metal buildings (maintenance shop, vehicle storage etc.). The old downspouts have been replaced with custom-built larger commercial units because the originals were woefully undersized domestic types too small to handle the sheet flow from the large metal roofs during heavy rainfall.

- As of October 3^{1st}, the balances in the District's OPEB trust account for retiree future medical benefits and the pension prefunding trust (CEPPT) were essentially unchanged from last month's figures.
- Mechanic/Facilities Manager Rob McGovern and I have identified grant funding to replace some conventional gas water heaters with more efficient heat pump models. A similar opportunity exists to replace some fluorescent light fixtures with LED units at no out-of-pocket cost to the District. We are also preparing a bid packet for an improved video security system.
- President Snyder advises that the Board's next full business meeting will be held on December 13^{th,} 2023. A poll will be circulated to select a date for a brief Special Meeting in late November or early December. This "AB361 meeting" will be the last of its type.
- On behalf of the Board, at a recent Staff Appreciation event, Trustee Shaun McCaffery thanked the employees for their hard work during this year's very busy mosquito & yellowjacket season. He also presented a dozen awards to staff members, recognizing them for their lengths of service, which ranged from five to twenty-five years.

Assistant Manager's Report

 On October 25th, the District was notified that two adult mosquito samples obtained from the Ellis Creek Water Recycling Facility in Petaluma tested positive for West Nile virus. Six mosquito samples from within the district tested positive for West Nile virus in 2023; four of the positive samples have been from the Ellis Creek Water Recycling Facility.

- We have observed that populations of our spring/summer mosquito species have declined. Adult females and eggs will overwinter, and life cycles will start again when conditions are favorable in early 2024. We anticipate finding populations of our winter mosquito species very soon.
- We have seen a substantial decline in yellowjacket-related service requests.
- On October 27th, the laboratory ended the mosquito-borne disease surveillance trapping program for the 2023 season. Laboratory staff will be busy with tick surveillance and tick-borne disease testing, among other tasks.
- The California Department of Public Health's dead bird surveillance program ended in October.
- Our Mechanic/Facilities Manager is planning equipment maintenance and fabrication projects to be performed during the winter months. The Field Supervisors will also be leading numerous equipment maintenance and calibration projects.
- For most of our seasonal employees, October 31st was their last day working with us for 2023. We expressed our appreciation for their assistance during a staff gathering on October 26th. We received numerous communications of gratitude from the public this year recognizing the excellent work of our seasonal staff.
- On November 9th, staff will attend a continuing education workshop in Fairfield. The workshop is required to maintain vector control technician certification.
- Seven staff members have been studying hard and will be taking the California Department of Public Health vector control technician certification exams on November 16th.
- Due to production delays and notifications of price increases slated for January 1, 2024, we are stocking up on mosquito control materials in preparation for winter and spring mosquito control operations.