### **AGENDA**

## 1069<sup>th</sup> MEETING OF THE BOARD OF TRUSTEES OF THE ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT JUNE 12TH, 2019

\_\_\_\_\_

TIME: 5:00 P.M.

PLACE: Office of the District, 23187 Connecticut Street, Hayward

TRUSTEES: Eric Hentschke, President, City of Newark

Wendi Poulson, Vice-President, City of Alameda P. Robert Beatty, Secretary, City of Berkeley

Cathy Roache, County-at-Large
Alan Brown, City of Dublin
Betsy Cooley, City of Emeryville
George Young, City of Fremont
Elisa Marquez, City of Hayward
James N. Doggett, City of Livermore
Jan O. Washburn, City of Oakland
Robert Dickinson, City of Piedmont
Kathy Narum, City of Pleasanton
Victor Aguilar, City of San Leandro
Subru Bhat, City of Union City

- 1. Call to order.
- 2. Roll call.
- 3. President Hentschke invites any member of the public to speak at this time on any issue relevant to the District. (Each individual is limited to three minutes).
- 4. Approval of the minutes of the 1068th meeting held May 8th, 2019 (**Board action required**)
- 5. Public Hearing on the proposed tax rate. (Information only).
- Resolution 1069-1, a resolution ordering the levy of assessments for fiscal year 2019-20 for the Alameda County Mosquito Abatement District Mosquito and Disease Control Assessment. (Board action required)
- 7. Presentation by Doug Pryor of Bartel & Associates, LLC on the District's CalPERS actuarial report (Information only)
- 8. Closed session to discuss the General Manager's twelve-month evaluation pursuant to Government Code Section 54957.6. (Information only)
- 9. Compensation recommendation of General Manager Ryan Clausnitzer based on a recommendation from the Manager Evaluation Committee and according to the employee contract. (Board action required)
- 10. Coastal mosquito and vector control districts proposed mutual aid agreement (Information only)
- 11. Financial Reports as of May 31st, 2019: (Information only).
  - a. Check Register

- b. Income Statement
- c. Investments, reserves, and cash report
- 12. Presentation of the Monthly Staff Report for June 2019 (Information only).
- 13. Presentation of the Manager's Report for June 2019 (Information only).
  - a. Trustee & Staff Anniversaries
  - b. CSDA Legislative Day recap & upcoming CSDA GM Summit
  - c. Chan Zuckerburg Biohub on-site meeting and presentation by Lab Director
  - d. Alameda & Contra Costa counties' special district chapters joint meeting: 9:30 A.M on July 15<sup>th</sup> at Amador Rancho Community Center Building Bellevista Room 1998 Rancho Park Loop, San Ramon
  - e. Summary of LAFCo's objectives & authority
- 14. Board President asks for reports on conferences and seminars attended by Trustees.
- 15. Board President asks for announcements from members of the Board.
- 16. Board President asks trustees for items to be added to the agenda for the next Board meeting.
- 17. Adjournment.

RESIDENTS ATTENDING THE MEETING MAY SPEAK ON ANY AGENDA ITEM AT THEIR REQUEST.

Please Note: A copy of this agenda is also available at the District website, <a href="www.mosquitoes.org">www.mosquitoes.org</a> or via email by request. Alternative formats of this agenda can be made available for persons with disabilities. Please contact the district office at (510) 783-7744, via FAX (510) 783-3903 or email at <a href="mailto:acmad@mosquitoes.org">acmad@mosquitoes.org</a> to request an alternative format.

#### **MINUTES**

## 1068<sup>th</sup> MEETING OF THE BOARD OF TRUSTEES OF THE ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT

May 8<sup>th</sup>, 2019

TIME: 5:00 P.M.

PLACE: Office of the District, 23187 Connecticut Street, Hayward

TRUSTEES: Eric Hentschke, President, City of Newark

Wendi Poulson, Vice-President, City of Alameda P. Robert Beatty, Secretary, City of Berkeley

Cathy Roache, County-at-Large
Alan Brown, City of Dublin
Betsy Cooley, City of Emeryville
George Young, City of Fremont
Elisa Marquez, City of Hayward
James N. Doggett, City of Livermore
Jan O. Washburn, City of Oakland
Robert Dickinson, City of Piedmont
Kathy Narum, City of Pleasanton
Victor Aguilar, City of San Leandro
Subru Bhat, City of Union City

- 1. Board President Hentschke called the regularly scheduled board meeting to order at 5:00 P.M.
- 2. Trustees Hentschke, Poulson, Roache, Cooley, Young, Marquez, Doggett, Washburn and Bhat were present. Trustees Brown, Dickinson and Narum were absent. Trustees Aguilar and Beatty arrived at 5:03 and 5:06 respectively.
- 3. Board President Hentschke invited members of the public to speak on any issue relevant to the District. Melanie Guillory-Lee of SCI Consulting Group was present to report on the preliminary Engineers Report for the fiscal year 2019-2020. Laboratory Director Eric Haas-Stapleton was present to report on the District's current research into UAS & AI technology to monitor larval mosquitoes. Mosquito Control Technician Jeremy Sette was present to record the minutes.
- 4. Approval of minutes of the 1067<sup>th</sup> meeting held April 10<sup>th</sup>, 2019.

**Motion:** Trustee Marquez moved to approve the minutes

Second: Trustee Bhat

Vote: motion carries: unanimous.

5. Presentation and approval of the final budget for fiscal year 2019-20.

Discussion:

The General Manager presented the final budget for fiscal year 2019-20.

Motion: Trustee Washburn moved to approve the final budget for fiscal year 2019-20.

Second: Trustee Doggett

Vote: motion carries: unanimous.

6. Presentation of the preliminary Engineers Report for the fiscal year 2019-2020 by Melanie Guillory-Lee of SCI Consulting Group.

#### Discussion:

Melanie Guillory-Lee of SCI Consulting Group presented the preliminary Engineers Report for the fiscal year 2019-2020 by Melanie Guillory-Lee of SCI Consulting Group and fielded the following discussion. Trustee Marquez asked if any updated budget numbers will be included in the final version at the public hearing (yes), if this report was mandatory (yes, justification is needed for the funds that are being requested), and if the report aligned with the budget (yes).

7. Resolution 1068-1 intending to continue assessments for fiscal year 2019-20, preliminarily approving the Engineers Report, and providing for notice of hearing.

#### Discussion:

President Hentschke asked if there were any further questions or discussion regarding Resolution 1068-1 before moving to vote (none).

**Motion:** Trustee Aguilar moved to approve Resolution 1068-1 intending to continue assessments for fiscal year 2019-20, preliminarily approving the engineers report and providing for notice of hearing

Second: Trustee Beatty

Vote: motion carries: unanimous

8. Presentation by Lab Director, Eric Haas-Stapleton, on the district's current research into UAS and AI technology to monitor for larval mosquitoes.

#### Discussion:

Laboratory Director, Eric Haas-Stapleton, presented on the district's current research into UAS and AI technology to monitor for larval mosquitoes and fielded the following discussion. Trustee Beatty asked how the mosquito magnet trap differentiates from usual traps placed (mosquito magnet traps are much more effective at collecting/suppressing mosquitoes). Trustee Roache asked if staff needed a pilot's license to fly drones (yes, an FAA license specifically for UAS). Trustee Washburn asked if the quantity measurement of water related to depth or area (has to do with how much water is in that area compared to other areas; staff is currently evaluating the algorithm). Trustee Hentschke asked if drone flights occur during high tide (approximately five days after a high tide event, in order to give the best possible chance of detecting early larval development and water accumulation). Trustee Beatty asked for clarification on evaluating how tides move through marsh habitat (explained). Trustee Washburn asked if lasers on drones could be used to improve water detection (possible and will be looked at). Trustee Beatty asked about how the camera angle affected imagery (several approaches are being looked at) and is it was difficult for drones to detect water, wouldn't it be difficult to see larvae (yes, but knowing if there was water or not would still greatly benefit the decision process in determining to inspect a water source or not). Trustee Washburn asked if staff were using a thermal camera (they are expensive but will be looked at). Trustee Beatty asked since larvae stay at the water's surface, would it be difficult for a drone to detect them if they dived deeper (most larvae stay at the surface and occasionally dive down to feed, there would not be a moment where all larvae would not be present on the top of the water for a drone to detect). Trustee Washburn commented on *Anopheline* feeding habits on the surface of the water. Trustee Beatty asked for clarification of which PLOS Haas-Stapleton had mentioned (the PLOS Biology). Trustee Marguez asked what PLOS was (it is a premiere scientific journal with open access). Trustee Washburn asked what the goals of the Biohub project was (to identify new diseases and show microbes in CA associated with mosquitoes) and asked if this research could possibly fingerprint to where mosquitoes develop (yes). Trustee Beatty mentioned the Wolbachia project and if Biohub was the same thing (different institution/project). The General Manager gave credit to Dr. Haas-Stapleton and his staff for such impactful work. Dr. Haas-Stapleton finished off by mentioning that the lab is also working on pesticide resistance research and will possibly have an assay ready by this summer. The General Manager

mentioned the political, regulatory, and economical justification behind much of the District's research.

9. Presentation of the Financial Reports as of April 30<sup>th</sup>, 2019.

### Discussion:

The General Manager presented the Financial Reports as of April 30<sup>th</sup>, 2019 and fielded the following discussion. Trustee Beatty asked about GASB (General Accounting Standard Board—in this context, related to pension and OPEB reporting). Trustee Aguilar asked why the AP credit card was listed as only 10 cents (need to check with Michelle to confirm this amount).

10. Presentation of the Monthly Staff Report for April 2019.

#### Discussion:

The General Manager presented the Monthly Staff Report for February 2019 and fielded the following discussion. Trustee Washburn asked if Erika had been contacted by the UC Berkeley Botanical Garden regarding Bug Day on June 16<sup>th</sup> (will confirm). Trustee Marquez asked if there was any further communication regarding the increase in midges near the new Newark housing developments with city staff (no but will follow-up). President Hentschke mentioned another new development in Newark in progress.

11. Presentation of the Manager's Report for April 2019.

#### Discussion:

The General Manager presented the Manager's Report for February 2019 and fielded the following discussion. The General Manager acknowledged Jeremey Sette on his 4 years of service and his forthcoming promotion to Vector Biologist. President Hentschke asked the General Manager to meet with him to discuss the General Manager evaluation process (yes, after the meeting).

- 12. Board President Hentschke asked for reports on conferences and seminars attended by Trustees. Trustee Washburn mentioned his attendance with the General Manager at the recent Oakland City Council meeting where the District's presentation was well-received. The General Manager mentioned that Trustee Bhat and himself will be attending the upcoming CSDA Legislative Day and mentioned that he and Trustee Roache attended the Alameda County Board of Supervisors committee meeting where IPM was addressed. Trustee Roache gave further background to the definition and importance of IPM.
- 13. Board President Hentschke asked for announcements from the Board. Trustee Hentschke attended the LAFCO election and reported on the unopposed winner, Ayn Wieskamp. Trustee Bhat proclaimed that he had recently been elected as a new Alameda County Health Commissioner representing District 2.
- 14. Board President Hentschke asked trustees for items to be added to the agenda for the next Board meeting. The General Manager emphasized the importance of needing a quorum next meeting for budget approval.
- 15. The meeting adjourned at 6:10 P.M.

| Respectfull | y submitted, |
|-------------|--------------|
|-------------|--------------|

P. Robert Beatty, Secretary BOARD OF TRUSTEES

Approved as written and/or corrected at the 1069<sup>nd</sup> meeting of the Board of

Trustees held June 12th, 2019

Eric Hentschke, President BOARD OF TRUSTEES

### **RESOLUTION NO. 1069-1**

# A RESOLUTION APPROVING THE ENGINEERING'S REPORT, AND ORDERING THE LEVY OF CONTINUED ASSESSMENTS FOR FISCAL YEAR 2019-20 FOR THE ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT MOSQUITO AND DISEASE CONTROL ASSESSMENT

WHEREAS, the Alameda County Mosquito Abatement District ("District") is authorized, pursuant to the authority provided in Health and Safety Code Section 2082 and Article XIIID of the California Constitution, to levy assessments for mosquito and disease control projects and services; and

**WHEREAS**, such mosquito surveillance and control projects and services provide tangible public health benefits, reduced nuisance benefits and other special benefits to the public and properties with the areas of service; and

**WHEREAS**, an assessment for mosquito and disease control projects and services has been given the distinctive designation of the "Mosquito and Disease Control Assessment" ("Assessment"), and is primarily described as encompassing the boundaries of Alameda County (excluding the City of Albany); and

**WHEREAS**, the Assessment was authorized by an assessment ballot proceeding conducted in 2008 and approved by 70.19% of the weighted ballots returned by property owners, and such Assessments were levied by the Board of Trustees of the Alameda County Mosquito Abatement District by Resolution No. 937-1 passed on May 14, 2008;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Alameda County Mosquito Abatement District that:

**SECTION 1.** SCI Consulting Group, the Engineer of Work, prepared an engineer's report in accordance with Article XIIID of the California Constitution and Section 2082, et. seq., of the Health and Safety Code for the Assessment (the "Report"). The Report have been made, filed with the District and duly considered by the Board and is hereby deemed sufficient and approved. The Report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to the foregoing resolution.

**SECTION 2**. On May 8, 2019, this Board adopted Resolution No. 1068-1 to continue to levy and collect the Assessments for fiscal year 2019-20, preliminarily approving the Engineer's Report, and providing for notice of hearing on June 12, 2019, at the hour of 5 o'clock p.m. at the Alameda County Mosquito Abatement District Office located at 23187 Connecticut Street, Hayward, California.

**SECTION 3**. At the appointed time and place the hearing was duly and regularly held, and all persons interested and desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the levy of Assessment were fully heard and considered by this Board, an all oral statements and all written protests or communications were duly heard, considered and

overruled, and this Board there by acquired jurisdiction to order the levy of Assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof.

## NOW, THEREFORE, IT IS FOUND, DETERMINED, RESOLVED AND ORDERED, that:

- **SECTION 4.** The above recitals are true and correct
- **SECTION 5**. The public interest, convenience and necessity require that the levy be made.
- **SECTION 6.** The assessment is levied without regard to property valuation.
- **SECTION 7**. The Engineer's Report for the Assessment together with the proposed Assessment roll for fiscal year 2019-20 is hereby confirmed and approved.
- **SECTION 8**. That based on the oral and documentary evidence, including the Engineer's Report offered and received at the public hearing, the Board expressly finds and determines that: (a) each of the several lots and parcels of land subject to the Assessment will be specially benefited by the services to be financed by the Assessment proceeds in at least the amount of the Assessment apportioned against such lots and parcels of land, respectively; and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, said finding and determination as to special benefit to property from the mosquito and disease control services to be financed with Assessment proceeds.
- **SECTION 9.** That Assessments for fiscal year 2019-20 shall be levied at the rate of two dollars and fifty cents (\$2.50) per single family equivalent benefit unit as specified in the Engineer's Report for fiscal year 2019-20 with estimated total annual Assessment revenues as set forth in the Engineer's Report; and
- **SECTION 10**. That the mosquito and disease control project and services to be financed with Assessment proceeds described in the Engineer's Report are hereby ordered.
- **SECTION 11**. No later than August 10<sup>th</sup> following such adoption, the Board shall file a certified copy of the Assessment and a certified copy of this resolution with the Auditor of the County of Alameda ("County Auditor"). Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of Assessment. The Assessments shall be collected at the same time and in the same manner as County taxes are collected and all the laws providing for collection and enforcement shall apply to the collection and enforcement of the Assessments. After collection by the County, the net amount of the Assessments, after deduction of any compensation due the County for collection, shall be paid to the Mosquito and Disease Control Assessment.
- **SECTION 12**. All revenues from Assessments shall be deposited in a separate fund established under the distinctive designation of the Alameda County Mosquito Abatement District Mosquito, and Disease Control Assessment.

**SECTION 13**. The Assessment, as it applies to any parcel, may be corrected, cancelled or a refund granted as appropriate, by order of the Board of Trustees of the District. Any such corrections, cancellations or refunds shall be limited to the current fiscal year.

**SECTION 14.** The Board of Directors of the Alameda County Mosquito Abatement District hereby certifies that the assessments to be placed on the fiscal year 2019-20 property tax bills meet the requirements of Proposition 218 that added Articles XIIIC and XIIID to the California Constitution.

**PASSED and ADOPTED** by the Alameda County Board of Trustees for the Alameda County Mosquito Abatement Program at a regular meeting thereof held on June 12, 2019, at 23187 Connecticut Street, Hayward, California, by the following vote:

| AYES:  |  |
|--|--|
| NOES:  |  |
| ABSTAINED:   |  |
| ABSENT:  |  |
|  |  |
|  |  |
|  | President, Board of Trustees, Alameda County Mosquito Abatement District |
| ATTEST:  |  |
|  |  |
| Secretary of the Board of Trustees, Alameda County Mosquito Abatement District |  |



## ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT MISCELLANEOUS PLAN

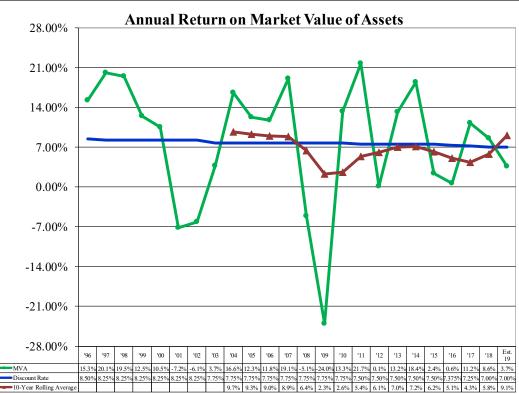


## CalPERS Actuarial Issues – 6/30/17 Valuation

## Doug Pryor, Vice President Bianca Lin, Assistant Vice President Wai Man Yam, Actuarial Analyst Bartel Associates, LLC

June 12, 2019

## HOW WE GOT HERE - INVESTMENT RETURN







## HOW WE GOT HERE - CONTRIBUTION POLICY

- Effective with 2003 valuations:
  - Slow (15 year) recognition of investment losses into funded status
  - Rolling 30 year amortization of all (primarily investment) losses
  - First smooth rates and second pay off UAL
- Effective with 2013 valuations:
  - No asset smoothing
  - No rolling amortization
  - 5-year ramp up
  - First impact 15/16 rates; full impact 19/20



June 12, 2019

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## **HOW WE GOT HERE - CONTRIBUTION POLICY**

■ Discount rate changes:

|              |                   | <u>Rate</u> | <u>initiai impact</u> | Full Impact |
|--------------|-------------------|-------------|-----------------------|-------------|
| lacktriangle | 6/30/16 valuation | 7.375%      | 18/19                 | 22/23       |
| lacktriangle | 6/30/17 valuation | 7.25%       | 19/20                 | 23/24       |
| •            | 6/30/18 valuation | 7.00%       | 20/21                 | 24/25       |

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## **FUTURE CHANGES**

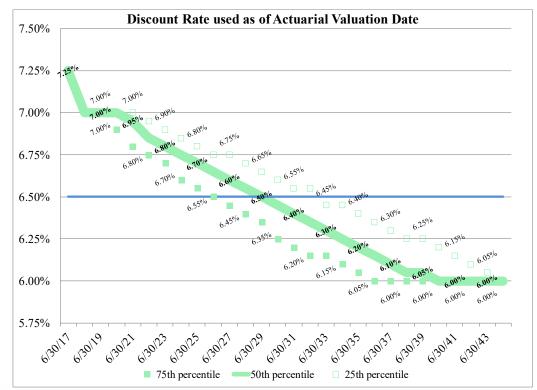
- Risk Mitigation Strategy
  - Move to more conservative investments over time to reduce volatility
  - Only when investment return is better than expected
  - Lower discount rate in concert
  - Essentially use  $\approx 50\%$  of investment gains to pay for cost increases
  - Likely get to 6.0% over 20+ years
  - Risk mitigation suspended until 6/30/18 valuation



June 12, 2019



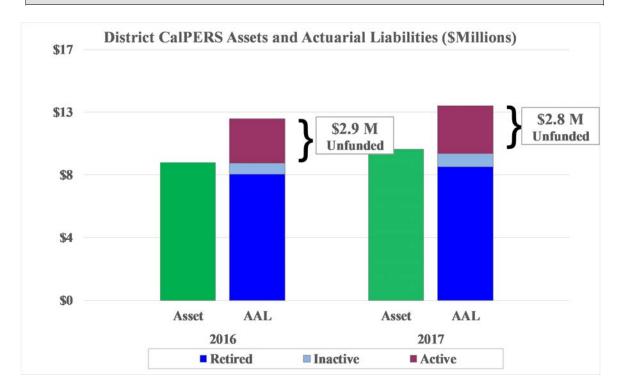
## **FUTURE CHANGES**



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## PLAN FUNDED STATUS





June 12, 2019

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## PLAN FUNDED STATUS

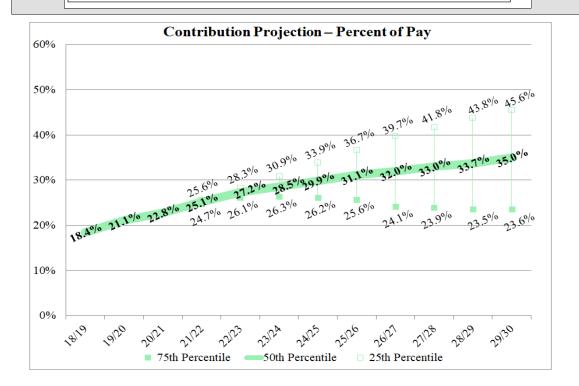
## **Discount Rate Sensitivity June 30, 2017**

|                           |              | Discount Rate |              |
|---------------------------|--------------|---------------|--------------|
|                           | <u>7.25%</u> | <u>7.00%</u>  | <u>6.00%</u> |
| AAL                       | \$13,000,000 | \$13,400,000  | \$15,100,000 |
| Assets                    | 10,200,000   | 10,200,000    | 10,200,000   |
| <b>Unfunded Liability</b> | 2,800,000    | 3,200,000     | 4,900,000    |
| <b>Funded Ratio</b>       | 77.8%        | 76.1%         | 67.5%        |





## **CONTRIBUTION PROJECTIONS**



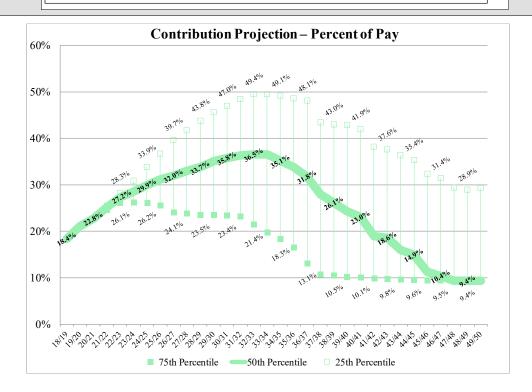


June 12, 2019

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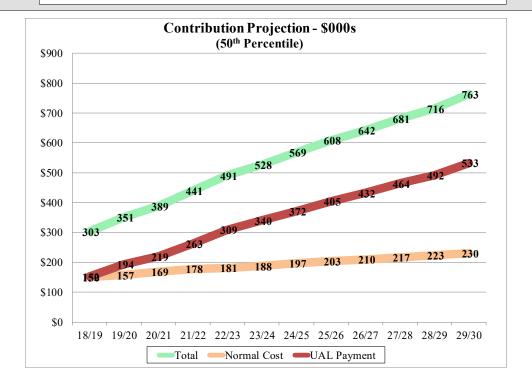
## **CONTRIBUTION PROJECTIONS**







## **CONTRIBUTION PROJECTIONS**





June 12, 2019

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## IRREVOCABLE SUPPLEMENTAL (§115) PENSION TRUST

- Can only be used to:
  - Reimburse District for CalPERS contributions
  - Make payments directly to CalPERS
- Investments significantly less restricted than District investment funds
- Assets don't count for GASB accounting
- More flexibility than paying CalPERS directly
- District's Pension Rate Stabilization Fund (115 Trust)
  - 3/31/19 Balance: \$1,033,727
  - PARS Moderate Conservative portfolio
  - 2019/20 Budgeted Contribution: \$500,000





## IRREVOCABLE SUPPLEMENTAL (§115) PENSION TRUST

## **Projections**

- \$1.034 million balance June 30, 2019 plus \$0.5 million 2019/20 contribution
- Basic options
  - "Immediate" transfer of funds to CalPERS
    - Long Base
    - Short Base
  - Keep funds in 115 Trust, transferring funds to CalPERS:
    - Scenario 1: Determine the lowest expected peak contribution rate that can be achieved by using the 115 Trust
    - Scenario 2: Keep all funds in 115 Trust through 24/25, with annual transfers thereafter to CalPERS to get the lowest expected peak contribution rate.



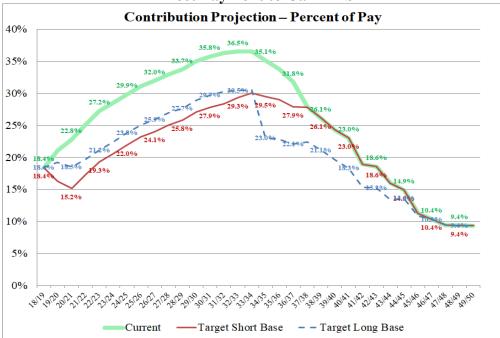
June 12, 2019

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## IRREVOCABLE SUPPLEMENTAL (§115) PENSION TRUST

## **Direct Payment to CalPERS**

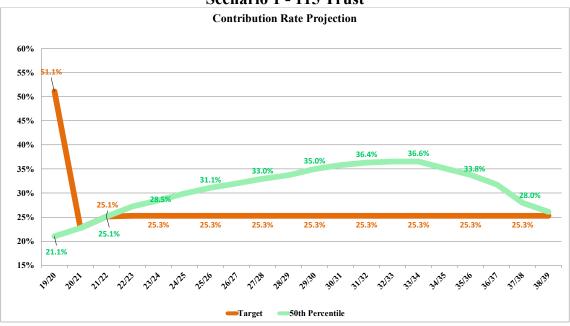






## IRREVOCABLE SUPPLEMENTAL (§115) PENSION TRUST

## Scenario 1 - 115 Trust





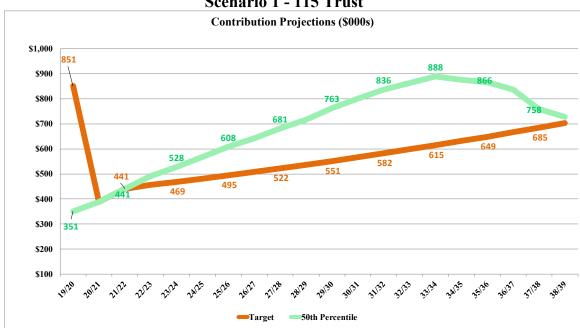
June 12, 2019





## IRREVOCABLE SUPPLEMENTAL (§115) PENSION TRUST

## Scenario 1 - 115 Trust



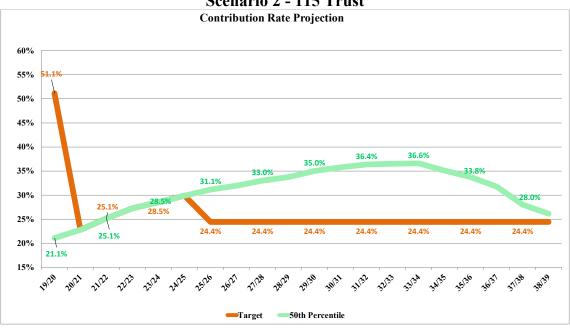
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## IRREVOCABLE SUPPLEMENTAL (§115) PENSION TRUST

## Scenario 2 - 115 Trust





June 12, 2019

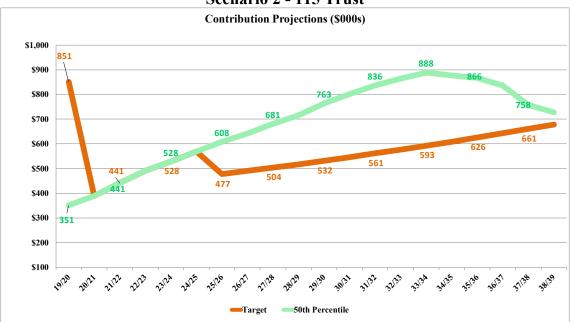




## IRREVOCABLE SUPPLEMENTAL (§115) PENSION TRUST

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## Scenario 2 - 115 Trust



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#### COASTAL REGION VECTOR CONTROL MUTUAL AID AGREEMENT

- **1. Definitions.** The following definitions apply to words and phrases used in this Agreement:
- a. "Agreement" means this Coastal Region Vector Control Mutual Aid Agreement, as it may be amended from time to time.
- b. "Coastal Region" means the Coastal Region of the Mosquito and Vector Control Association of California.
- c. "Emergency" means the existence or threat of a mosquito-borne virus outbreak or other public health situation or a natural or manmade event, incident or condition that causes an increased demand for vector control services, which is or is likely to be beyond the capability of a Party to respond to and manage with its existing personnel, equipment, and supplies.
  - d. "Loaned Employee" has the meaning as set forth at section 6.
- e. "Parties" mean the initial parties to this Agreement as set forth in the first paragraph plus any additional parties added to the Agreement through an addendum approved pursuant to section 3. "Party" means any one of the Parties.
  - f. "Request" means a request for mutual aid assistance made pursuant to section 5.
- g. "Requesting Party" means a Party that requests mutual aid assistance under this Agreement.
- h. "Responding Party" means a Party that agrees to provide mutual aid assistance in response to a Request.
- 2. Recitals. This Agreement is made with reference to the following background recitals:
- a. Each Party provides mosquito or vector control services to its service area within the Coastal Region. Each Party employs certain personnel and owns certain equipment and supplies for use with its mosquito and vector control services.
- b. Each Party has limited personnel, equipment, and supplies to serve its service areas and needs. It therefore would be advantageous to, and in the mutual best interests of, the Parties and their residents and taxpayers to develop and implement a mutual aid program to allow for the sharing of personnel, equipment, and supplies when needed. The Parties therefore desire and intend to develop and implement a mutual aid program pursuant to the terms of this Agreement.

- c. This Agreement is entered into pursuant to Health and Safety Code section 2045 and other applicable law.
- **3. Parties.** The initial parties to this Agreement are ACMAD and XMVCD. Additional mosquito or vector control districts or agencies within the Coastal Region may become Parties to this Agreement pursuant to an addendum approved and signed by the joining new Party and by all then-existing Parties. The addendum also shall set forth the new Party's contact information for purposes of section 9(g).
- 4. Term. This Agreement shall commence on its effective date and continue in effect until terminated as provided in this section. While there are two Parties, this Agreement may be terminated at any time by either Party upon 30-days advance written notice to the other Party. After a third or more Parties have been added to the Agreement pursuant to section 3, then (a) any Party may withdraw from the Agreement at any time upon 30-days advance written notice to the other Parties, (b) the Agreement may be terminated by the mutual written approval of all Parties, and (c) if all Parties except one Party withdraw from the Agreement, the Agreement will be deemed terminated. In the event of such a termination or withdrawal, a Responding Party shall be compensated for all use of its personnel, equipment, or supplies provided to a Requesting Party up to the date of termination or withdrawal.

## 5. Request for Assistance

- a. In the event of an Emergency (as reasonably determined by a Party), any Party (the Requesting Party) may request assistance from any other Party or Parties. The Request for assistance shall be in writing (e.g., email) and directed to the manager or chief executive officer of the other Party or Parties. The Request shall specify the nature of the Emergency, desired and requested personnel, equipment (e.g., vehicles, tools, sprayers), or supplies (e.g., pesticides), and the expected duration of the requested mutual aid assistance.
- b. Upon receipt of a Request under subsection (a), the other Party(ies) will evaluate the Request, ability to accommodate the Request, and workload, schedule, service, planning, and other effects and concerns associated with providing the requested assistance. A Party will decide in its sole discretion whether to provide the requested assistance. Assistance ordinarily will be provided only when a Party determines that its own needs can continue to be met while rendering assistance. If a Party decides to provide the requested assistance (in which case it becomes a Responding Party), then Responding Party will so notify the Requesting Party about its available resources and the approximate time of such assistance. This Agreement does not create any duty to respond on the part of any Party receiving a Request and a Party shall not be held liable for declining to provide assistance in response to a Request.
- c. If any Responding Party agrees to provide the requested assistance, then it shall provide the requested personnel, equipment, or supplies to and in coordination with Requesting Party. Responding Party's response and assistance will be subject to the extent, type, and timing of its available resources. Requesting Party and Responding Party shall coordinate regarding the time and manner of delivery of the requested assistance.

- d. Any Party also may submit a Request to borrow equipment or supplies from any other Party or Parties in a non-Emergency situation. In any such non-Emergency Request, the Requesting Party and any interested Responding Party shall first confirm in writing the scope and type of equipment or supplies to be provided, time and manner of delivery of the requested assistance, duration of the requested assistance, cost reimbursement arrangement, and other terms of the transaction. The cost reimbursement shall be consistent with section 8, unless the Requesting Party and Responding Party agree in writing otherwise. Upon approval of any non-Emergency request, the Responding Party shall provide the equipment or supplies in accordance with the approved Request.
- e. Requesting Party or Responding Party may terminate the mutual aid response at any time by giving 48-hour advance written notice to the other Party. In the event of any such termination, Requesting Party promptly shall return any equipment or unused supplies to Responding Party and any Responding Party personnel shall cease working for Requesting Party.
- **6. Sharing of Personnel.** This section applies when a Responding Party provides its personnel (a "Loaned Employee") to aid a Requesting Party in response to a Request.
- a. General and Special Employer. The parties acknowledge that Responding Party will be the general employer of any Loaned Employee and Requesting Party will be the special employer of the Loaned Employee. The Loaned Employee will work for Requesting Party during the period of the mutual aid assistance, but will remain an employee of Responding Party during that period. The parties recognize that workload requirements involving either Responding Party or Requesting Party may require temporary adjustments to the Loaned Employee's work schedule and the involved Parties agree to mutually cooperate to accommodate such requirements in coordination with the affected Loaned Employee(s).

## b. Special Employer Role

- (1) When working for the Requesting Party, a Loaned Employee will be under the supervision and direction of the Requesting Party and the Requesting Party and its management and supervisory employees will determine the particular tasks, services, and assignments to be performed by the Loaned Employee. Requesting Party shall be responsible for providing the Loaned Employee with office space, support services, materials, supplies, tools, and equipment appropriate to perform the work (unless otherwise provided pursuant to section 7).
- (2) If a Loaned Employee undertakes any business-related travel or incurs other business-related expenses at the request and direction of the Requesting Party, then Requesting Party will be responsible for payment or reimbursement of the Loaned Employee's reasonable business-related expenses in accordance with Requesting Party's expense reimbursement policy and procedures. A Requesting Party shall not direct a Loaned Employee to undertake any business-related travel unless authorized by the Responding Party.
- (3) Requesting Party will remain responsible for reporting any reportable injuries and illnesses on its OSHA 300 log and for other employer workplace incident reporting

obligations involving Requesting Party's workplace, even if a Loaned Employee is the subject of the injury, illness or incident.

c. General Employer Role. Any Loaned Employee will remain a regular employee of Responding Party, will remain on Responding Party's payroll, will remain subject to Responding Party's general personnel administration, will continue to receive compensation and benefits solely from Responding Party, and will remain subject to Responding Party's personnel policies, rules and regulations and, if applicable, collective bargaining or union contract. Responding Party will be responsible for payment of all Loaned Employee salary or wages and related benefits, pension, insurance, taxes and withholdings required under Responding Party's personnel rules, policies and contracts and applicable federal and state law. Responding Party will be responsible for keeping and maintaining the personnel file and payroll and other records of the Loaned Employee.

### d. Workers' Compensation Insurance

- (1) Neither Requesting Party nor Responding Party will be responsible to provide workers' compensation insurance to or for the other Party's employees. Each Party waives any right of subrogation to the other Party.
- (2) Responding Party will procure and maintain for the duration of any mutual aid assistance workers' compensation insurance or self-insurance covering any Loaned Employee in accordance with the requirements of California law. In accordance with Labor Code section 3602(d), the Parties intend that this obligation constitute a valid and enforceable agreement by which Responding Party agrees to obtain, and shall obtain, workers' compensation coverage for the Loaned Employee provided to Requesting Party. Requesting Party therefore will not be subject to civil, criminal or other penalties for failure to provide workers' compensation coverage or tort liability in the event of an injury to or illness of a Loaned Employee suffered in the course of providing mutual aid assistance pursuant to a Request.
- (3) In accordance with Insurance Code section 11663, and because any Loaned Employee will remain on Responding Party's payroll, Responding Party acknowledges that its workers' compensation insurer or self-insurer will be liable for the entire cost of workers' compensation benefits payable on account of an illness or injury occurring in the course of and arising out of the general and special employment of a Loaned Employee pursuant to a Request. The Parties acknowledge that a fair share of the workers' compensation premium costs attributable to the Loaned Employee will be included in the costs to be paid by Requesting Party to Responding Party under section 8.
- (4) If a Loaned Employee suffers a work-related injury or illness when working for Requesting Party, then Requesting Party must immediately inform Responding Party in order for Responding Party to be able to timely provide the workers' compensation claim form (DWC 1) to the Loaned Employee. Responding Party will be responsible for providing the claim form, receiving and processing any claim from the Loaned Employee, arranging for medical treatment and the provision of other workers' compensation benefits, and instructing the Loaned Employee that under this Agreement the Responding Party and its insurer remain liable for any workers' compensation benefits even though the injury or illness occurred when working for the Requesting Party.

- e. Indemnification. In accordance with Government Code section 895.4, the following indemnity provisions apply when a Responding Party provides any Loaned Employee to a Requesting Party.
- (1) Requesting Party shall indemnify, defend, protect, and hold harmless Responding Party, and its officers, employees and agents, from and against any and all liability, losses, claims, damages, expenses, demands, and costs (including, but not limited to, attorney, expert witness and consultant fees, and litigation costs) of every nature arising out of (i) a breach of Requesting Party's obligations under this Agreement, or (ii) an act or omission of the Loaned Employee in performing work for Requesting Party pursuant to a Request, except for the following: (i) an injury to or illness of the Loaned Employee suffered in the course of providing work pursuant to a Request that is covered by Responding Party's workers' compensation insurance; or (ii) as otherwise provided or limited by law.
- (2) Responding Party shall indemnify, defend, protect, and hold harmless Requesting Party, and its officers, employees and agents, from and against any and all liability, losses, claims, damages, expenses, demands, and costs (including, but not limited to, attorney, expert witness and consultant fees, and litigation costs) of every nature arising out of a breach of Responding Party's obligations under section 6, subsections (c) and (d), except as otherwise provided or limited by law.
- **7. Sharing of Equipment and Supplies.** This section applies when a Responding Party provides its equipment or supplies to aid a Requesting Party in response to a Request.
- a. General. Responding Party will provide the equipment or supplies to the Requesting Party at such time and under such circumstances as agreed to by the Responding Party and Requesting Party. Requesting Party will use the equipment or supplies as appropriate for the reasons described in the Request. Requesting Party will be responsible for the proper use, operation, storage, and care of the equipment or supplies while in its custody or control. Requesting Party will supply all fuel, lubrication, power, other consumables, or services as needed for its use of any equipment. Requesting Party will pay all costs related to the transportation, handling, loading and unloading of the equipment or supplies. At the option of Responding Party, the equipment may be provided together with a Responding Party employee to operate the equipment, in which case the Responding Party employee will be considered a Loaned Employee under section 6.
- b. Indemnification. In accordance with Government Code section 895.4, the following indemnity provision applies when a Responding Party provides equipment or supplies to a Requesting Party pursuant to a Request: Requesting Party shall indemnify, defend, protect and hold harmless Responding Party, and its officers, employees and agents, from and against any and all liability, losses, claims, damages, expenses, demands, and costs (including, but not limited to, attorney, expert witness and consultant fees, and litigation costs) of every nature arising out of (i) a breach of Requesting Party's obligations under this Agreement, or (ii) the use, operation, storage, or care of the equipment or supplies, except as otherwise provided or limited by law. If the equipment or supplies are damaged, destroyed, or lost while in the custody or control of Requesting Party, Requesting Party will pay or reimburse Responding Party for the cost of repairing or replacing the damaged, destroyed, or lost equipment or supplies.

#### 8. Cost Reimbursement

- a. General; Billing and Payment. When a Responding Party provides aid in response to a Request, Requesting Party shall pay to Responding Party the costs and other amounts as described in this section or as otherwise agreed to in writing between Responding Party and Requesting Party. At the end of the period of mutual aid assistance, Responding Party shall prepare and submit to Requesting Party an itemized statement showing the payment due based on the cost principles set forth below. Requesting Party shall pay requested sum to Responding Party within 45 days after receipt of the statement.
- b. Loaned Employee. For a Loaned Employee, the cost will be based on Responding Party's fully-burdened labor cost for the employee, including salary or wages, fringe benefits, overhead, and direct and indirect costs associated with the employee's share of the workers' compensation insurance. The fully burdened labor costs shall be determined as an hourly rate and that rate will be applied to the number of hours actually worked by the Loaned Employee in providing aid to the Requesting Party. Requesting Party shall keep and maintain a daily time report showing the hours worked per Loaned Employee.
- c. Equipment. For equipment, the cost will be based on the then-current Federal Emergency Management Agency schedule of equipment rates (if the particular equipment is listed in that rate schedule), or, if the equipment is not listed on the FEMA rate schedule, a commercially reasonable equipment rental rate applied to the number of hours or days during which the equipment was in Requesting Party's custody and control. Responding Party also shall pay or reimburse any costs relating to the transportation, handling, and loading/unloading of the equipment.
- d. Supplies. For supplies used or consumed by Requesting Party, the cost will be based on the actual replacement price for the supplies plus any handling or delivery charges. Requesting Party shall return any unused supplies to Responding Party in a clean, damage-free condition.
- e. Non-Emergency. If the Request involves a non-Emergency situation and if Requesting Party and Responding Party established cost reimbursement terms pursuant to section 5(d), then those cost reimbursement terms shall govern the costs and payment arrangement.

#### 9. General Provisions

- a. Non-liability of Nonparticipant Party. In the event of any liability, loss, claim, demand or lawsuit arising out of the rendering of assistance under this Agreement, the Responding Party and Requesting Party(ies) agree to indemnify and hold harmless any non-participating Party whose only involvement in the transaction or occurrence that is the subject of the liability, loss, claim, demand or lawsuit is the fact that it is a Party to this Agreement.
- b. State Audit. In accordance with Government Code section 8546.7, the parties acknowledge that this Agreement, and performance and payments under it, may be subject to examination and audit by the State Auditor General for three years following final payment under the Agreement.

- c. Entire Agreement. This writing represents the sole, final, complete, exclusive and integrated expression and statement of the terms of this contract among the parties concerning requests for assistance, and supersedes all prior oral or written negotiations, representations or contracts. This Agreement may be amended only by a subsequent writing approved and executed by both parties.
- d. No Waiver of Rights. Any waiver at any time by a Party of its rights as to a breach or default of this Agreement shall not be deemed to be a waiver as to any other breach or default. No payment by Requesting Party to Responding Party shall be considered or construed to be a waiver of any breach or default.
- e. Severability. If any part of this Agreement is held to be void, invalid, illegal or unenforceable, then the remaining parts will continue in full force and effect and be fully binding, provided that each party still receives the benefits of this Agreement.
- f. No Third Party Beneficiaries. This Agreement shall not be construed to create any third party beneficiaries. This Agreement is for the sole benefit of the Parties and no other person or entity shall be entitled to rely upon or receive any benefit from this Agreement or any of its terms.
- g. Notice. Any notice, demand, invoice, or other communication required or permitted to be given under this Agreement must be in writing and delivered either (a) in person, (b) by prepaid, first class U.S. mail, (c) by a nationally-recognized commercial overnight courier service that guarantees next day delivery and provides a receipt, or (d) by email with confirmed receipt. Such notices, etc. shall be addressed as follows:

| ACMAD:                   | XMVCD:          |
|--------------------------|-----------------|
|                          |                 |
| General Manager          | General Manager |
| Alameda County Mosquito  | XMVCD           |
| Abatement District       |                 |
| 23187 Connecticut Street | , CA 9          |
| Hayward, CA 94545        |                 |
| ryan@mosquitoes.org      |                 |

or, for other Parties, at such contact information provided by the addendum approved pursuant to section 3

Notice given as above will be deemed given (a) when delivered in person, (b) three days after deposited in prepaid, first class U.S. mail, (c) on the date of delivery as shown on the overnight courier service receipt, or (d) upon the sender's receipt of an email from the other Party confirming the delivery of the notice, etc. Any Party may change its contact information by notifying the other Party of the change in the manner provided above. Requests for assistance and responses under section 5 may be provided and sent via e-mail to the above e-mail addresses.

ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT XMVCD

| Date: | <del></del>      | Date: |                 |
|-------|------------------|-------|-----------------|
| By:   |                  | By:   |                 |
| ·     | Ryan Clausnitzer | _     | xxx             |
|       | General Manager  |       | General Manager |

## Alameda County Mosquito Abatement Dist. Check Register For the Period From May 1, 2019 to May 15, 2019

Filter Criteria includes: Report order is by Date.

| Check # | Date    | Payee                                 | Amount    |
|---------|---------|---------------------------------------|-----------|
| 1586    | 5/14/19 | Payroll                               | 71,866.51 |
| 1587    | 5/15/19 | James N Doggett                       | 100.00    |
| 1588    | 5/15/19 | Eric Armin Hentschke                  | 100.00    |
| 1589    | 5/15/19 | Wendi Lynn Poulson                    | 100.00    |
| 1590    | 5/15/19 | George Young                          | 100.00    |
| 1591    | 5/15/19 | Airgas                                | 329.91    |
| 1592    | 5/15/19 | Adapco                                | 3,203.48  |
| 1593    | 5/15/19 | Argo Adventure                        | 112.78    |
| 1594    | 5/15/19 | All-Ways Green Services               | 410.00    |
| 1595    | 5/15/19 | BARTKIEWICZ, KRONICK & SHANAHAN       | 1,120.00  |
| 1596    | 5/15/19 | CalPERS 457                           | 1,870.00  |
| 1597    | 5/15/19 | Cintas                                | 641.70    |
| 1598    | 5/15/19 | Castillo, Erika                       | 104.98    |
| 1599    | 5/15/19 | CarQuest                              | 122.88    |
| 1600    | 5/15/19 | Grainger                              | 77.35     |
| 1601    | 5/15/19 | Industrial Park Landscape Maintenance | 490.00    |
| 1602    |         | Kimball Midwest                       | 229.16    |
| 1603    | 5/15/19 | Leading Edge Associate, Inc.          | 14,580.00 |
| 1604    | 5/15/19 | Mar-Len Supply, Inc.                  | 508.68    |
| 1605    | 5/15/19 | Naylor Steel, Inc.                    | 138.02    |
| 1606    | 5/15/19 | PG&E                                  | 220.50    |
| 1607    | 5/15/19 | Techniclean                           | 108.06    |
| 1608    | 5/15/19 | Voya Institutional Trust Company      | 150.00    |
| 1609    | 5/15/19 | VCJPA                                 | 295.58    |
| 1610    | 5/15/19 | U.S Bank Corporate Payment System     | 25,602.18 |
| ACH     | 5/15/19 | CalPERS Retirement                    | 12,068.10 |
| ACH     | 5/15/19 | Victor Aguilar                        | 100.00    |
| ACH     | 5/15/19 | P. Robert Beatty                      | 100.00    |
| ACH     | 5/15/19 | Subrahmanya Y Bhat                    | 100.00    |
| ACH     | 5/15/19 | Elizabeth Cooley                      | 100.00    |
| ACH     | 5/15/19 | Elisa Marquez                         | 100.00    |
| ACH     | 5/15/19 | Cathy J Pinkerton. Roache             | 100.00    |
| ACH     | 5/15/19 | Jan Washburn                          | 100.00    |
|         |         |                                       |           |

**Total Expenditures 05/15/2019** 

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135,349.87

## Alameda County Mosquito Abatement Dist. Check Register

For the Period From May 16, 2019 to May 31, 2019

Filter Criteria includes: Report order is by Date.

| Check # | Date    | Payee                                | Amount     |
|---------|---------|--------------------------------------|------------|
| 1611    | 5/30/19 | Payroll                              | 74,354.43  |
| 1612    | 5/30/19 | Airgas                               | 619.06     |
| 1613    | 5/31/19 | Argo Adventure                       | 312.42     |
| 1614    | 5/31/19 | Bay Central Printing                 | 1,070.06   |
| 1615    | 5/31/19 | Beck's Shoes                         | 190.00     |
| 1616    | 5/31/19 | CalPERS 457                          | 1,870.00   |
| 1617    | 5/31/19 | Clarke                               | 15,218.35  |
| 1618    | 5/31/19 | Cardenas, Miguel                     | 190.00     |
| 1619    | 5/29/19 | CarQuest                             | 677.40     |
| 1620    | 5/31/19 | Delta Dental                         | 4,505.91   |
| 1621    | 5/31/19 | Hayward Water System                 | 609.90     |
| 1622    | 5/31/19 | House, Starla                        | 2,632.00   |
| 1623    | 5/31/19 | JCR Custom/ Paul Builders            | 36,510.20  |
| 1624    | 5/31/19 | National CineMedia, LLC              | 4,313.33   |
| 1625    | 5/31/19 | NBC Supply Corp                      | 513.19     |
| 1626    | 5/31/19 | PFM Asset Management                 | 3,403.93   |
| 1627    | 5/31/19 | PG&E                                 | 1,756.48   |
| 1628    | 5/31/19 | UC Regents                           | 300.00     |
| 1629    | 5/31/19 | VSP                                  | 667.19     |
| 1630    | 5/31/19 | Verizon                              | 1,479.71   |
| 1631    | 5/31/19 | Waste Management of Alameda County   | 272.16     |
| 1632    | 5/31/19 | WEX Bank                             | 5,454.60   |
| 1633    | 5/31/19 | Voya Institutional Trust Company     | 150.00     |
| ACH     | 5/31/19 | CalPERS Health                       | 32,146.70  |
| ACH     | 5/31/19 | CalPERS Retirement                   | 12,077.38  |
| ACH     | 5/31/19 | Subrahmanya Y Bhat                   | 879.72     |
|         |         | <b>Total Expenditures 05/31/2019</b> | 202,174.12 |

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#### Alameda County Mosquito Abatement District Income Statement Consolidated May 31, 2019. (11 of 12 mth, 92%)

|               |    |                |    |                            |    |              | Year to Date       |    |                | Actual vs |   |
|---------------|----|----------------|----|----------------------------|----|--------------|--------------------|----|----------------|-----------|---|
| REVENUES      | Ad | tual 2015/16 1 | A  | ctual 2016/17 <sup>1</sup> | С  | urrent Month | 2018/2019          | Bu | dget 2018/2019 | Budget    |   |
| Total Revenue | \$ | 4,180,831.00   | \$ | 4,366,903.00               | \$ | 1,736,666.83 | \$<br>4,057,268.46 | \$ | 4,476,728.00   | 91%       | ó |

| 1  | I               |                |    |                           | Year to Date       |                | Actual vs |
|--|-----------------|----------------|----|---------------------------|--------------------|----------------|-----------|
| EXPENDITURES                               | Actual 2015/16  | Actual 2016/17 | Cu | irrent Month <sup>2</sup> | 2018/2019          | Budget 2018/19 | Budget    |
| Salaries                                   | \$1,661,234     | \$1,677,469    | \$ | 158,511.06                | \$<br>1,710,100.81 | \$1,933,182    | 88%       |
| CalPERS Retirement                         | \$205,340       | \$219,892      | \$ | 13,772.25                 | \$<br>296,994.22   | \$301,812      | 98%       |
| Medicare                                   | \$21,160        | \$21,368       | \$ | 2,123.11                  | \$<br>22,925.35    | \$28,031       | 82%       |
| Fringe Benefits                            | \$554,630       | \$453,877      | \$ | 37,319.80                 | \$<br>419,699.92   | \$508,680      | 83%       |
| Total Salaries, Retirement, & Benefits     | \$2,442,364     | \$2,372,606    |    | \$211,726                 | \$2,449,720        | \$2,771,705    | 88%       |
| Clothing and personal supplies (purchased) | \$7,169         | \$8,955        | \$ | 1,264.02                  | \$<br>6,079.96     | \$6,000        | 101%      |
| Laundry service and supplies (rented)      | \$7,162         | \$8,840        | \$ | 641.70                    | \$<br>10,462.04    | \$9,500        | 110%      |
| Utilities                                  | \$22,214        | \$27,084       | \$ | 2,859.04                  | \$<br>27,660.86    | \$36,500       | 76%       |
| Communications-IT                          | \$32,756        | \$54,128       | \$ | 17,059.67                 | \$<br>84,077.83    | \$122,200      | 69%       |
| Maintenance: structures & improvements     | \$6,739         | \$19,503       | \$ | 998.68                    | \$<br>8,401.55     | \$25,000       | 34%       |
| Maintenance of equipment                   | \$24,175        | \$27,051       | \$ | 3,508.53                  | \$<br>33,295.36    | \$35,000       | 95%       |
| Transportation, travel, training, & board  | \$75,326        | \$124,827      | \$ | 10,965.63                 | \$<br>90,330.32    | \$134,210      | 67%       |
| Professional services                      | \$159,499       | \$82,082       | \$ | 4,378.09                  | \$<br>96,531.96    | \$190,620      | 51%       |
| Memberships, dues, & subscriptions         | \$14,540        | \$20,191       | \$ | -                         | \$<br>20,773.00    | \$21,402       | 97%       |
| Insurance - (VCJPA, UAS)                   | \$106,268       | \$113,867      | \$ | -                         | \$<br>125,189.76   | \$127,851      | 98%       |
| Community education                        | \$12,450        | \$40,222       | \$ | 5,447.18                  | \$<br>26,183.59    | \$33,000       | 79%       |
| Operations                                 | \$187,490       | \$176,758      | \$ | 19,321.37                 | \$<br>153,239.92   | \$234,000      | 65%       |
| Household expenses                         | \$13,790        | \$17,373       | \$ | 600.33                    | \$<br>18,152.55    | \$19,350       | 94%       |
| Office expenses                            | \$14,195        | \$18,590       | \$ | 33.99                     | \$<br>8,027.56     | \$15,100       | 53%       |
| Laboratory supplies                        | \$76,130        | \$80,008       | \$ | 8,417.87                  | \$<br>63,447.05    | \$118,148      | 54%       |
| Small tools and instruments                | \$1,155         | \$2,513        | \$ | -                         | \$<br>2,001.12     | \$2,500        | 80%       |
| Total Staff Budget                         | \$ 780,944.00   | \$833,192      | \$ | 75,496.10                 | \$<br>773,854.43   | \$1,130,381    | 68%       |
| Total Operating Expenditures               | \$ 3,032,263.00 | \$3,479,710    | \$ | 287,222.32                | \$<br>3,223,574.73 | \$3,902,086    | 83%       |

<sup>1 -</sup> Subcategories in Fiscal years 2015/16 and 2016/17 do not add up due to accruals not being posted

<sup>2 -</sup> Total Operating Expenditures in current month do not match the check register due to Accounts receivable, capital purchases, and petty cash transfer.

## Alameda County Mosquito Abatement District Investment, Reserves, and Cash Balance Report May 31, 2019. (11 of 12 mth, 92%)

|                          |                                    | Beginning I         |    |              | Withdrawls         | Interest |              | New Balance |               |
|--------------------------|------------------------------------|---------------------|----|--------------|--------------------|----------|--------------|-------------|---------------|
| Account #                | Investment Accounts                | Balance             |    |              |                    |          | Activity     |             |               |
| 101109 LAIF <sup>1</sup> |                                    | \$<br>1,755,235.90  | \$ | 1,882,603.65 | \$<br>(300,000.00) | \$       | -            | \$          | 3,337,839.55  |
| 800006 OPEB F            | und                                | \$<br>4,321,073.43  |    |              |                    | \$       | (93,404.45)  | \$          | 4,227,668.98  |
| 101106 VCJPA N           | Member Contingency                 | \$<br>348,346.00    | \$ | -            | \$<br>-            | \$       | <del>-</del> | \$          | 348,346.00    |
| 101106.1 VCJPA F         | Property Contingency               | \$<br>52,025.00     | \$ | -            | \$<br>-            | \$       | -            | \$          | 52,025.00     |
| 800007.1 CAMP: F         | Repair and Replace <sup>2</sup>    | \$<br>462,093.48    | \$ | -            | \$<br>(42,190.10)  | \$       | 897.31       | \$          | 420,800.69    |
| 800007.2 CAMP: F         | Public Health Emergency            | \$<br>514,618.54    | \$ | -            | \$<br>-            | \$       | 1,099.71     | \$          | 515,718.25    |
| 800007.3 CAMP: 0         | Operating Reserve                  | \$<br>1,901,461.47  | \$ | -            | \$<br>-            | \$       | 4,063.32     | \$          | 1,905,524.79  |
| 800007.4 CAMP: 0         | Capital Reserve Fund               | \$<br>230,365.26    | \$ | -            | \$<br>-            | \$       | 492.28       | \$          | 230,857.54    |
| 800008 PARS: P           | Pension Stabilization <sup>3</sup> | \$<br>1,033,726.98  |    |              |                    | \$       | 13,192.44    | \$          | 1,046,919.42  |
| Total                    |                                    | \$<br>10,618,946.06 | \$ | 1,882,603.65 |                    |          |              | \$          | 12,085,700.22 |
|                          |                                    | Beginning           |    |              |                    |          |              |             |               |
|                          | Cash Accounts                      | Balance             |    |              | Withdrawls         |          | Activity     | N           | lew Balance   |
| 101110 Bank of A         | America (Payroll Account)          | \$<br>117,488.75    |    |              |                    |          |              | \$          | 119,619.03    |
| 101111 Bank of           | The West (Transfer Account)        | \$<br>410,208.82    |    |              |                    |          |              | \$          | 257,716.05    |
| 100001 County A          | Account                            | \$<br>1,932,603.65  |    |              |                    |          |              | \$          | 198,772.77    |
| Total                    |                                    | \$<br>2,460,301.22  |    |              | \$<br>-            | \$       | -            | \$          | 576,107.85    |

<sup>1 - \$1,882,603.65</sup> transferred from County fund to LAIF.
2 - \$42,190.10 was transferred from CAMP- Repair and Replace to cover remodel project.
3- PARS - Pension Stabilization balance is as of April 30, 2019.

## Alameda County Mosquito Abatement Dist. Balance Sheet May 31, 2019

## ASSETS

| Current Assets Pooled cash and investment VCJPA- Member Contingency VCJPA - Property Contigency Cash with LAIF Bank of America payroll Bank of the West Petty cash CAMP - Repair and Replace CAMP - Public Health Emergency CAMP - Operating Reserve CAMP - Capital Reserve Fund PARS                                     | \$ 198,772.77<br>348,346.00<br>52,025.00<br>3,337,839.55<br>116,869.03<br>308,708.51<br>365.88<br>420,800.69<br>515,718.25<br>1,905,524.79<br>230,857.54<br>1,046,919.42 |    |                               |
|---|--|----|-------------------------------|
| Total Current Assets  |  |    | 8,482,747.43                  |
| Property and Equipment Acc Dep - stru & improv Acc Dep - equipment Land Structure/improvement Construction in progress Equipment  | (2,316,874.89)<br>(1,306,030.50)<br>61,406.00<br>4,565,532.87<br>260,539.80<br>1,619,670.10  |    |                               |
| Total Property and Equipment  |  |    | 2,884,243.38                  |
| Other Assets<br>Net OPEB Asset  | 716,666.00   | •  |                               |
| Total Other Assets  |  |    |                               |
| Total Other Assets  |  |    | 716,666.00                    |
| Total Assets  |  | \$ | 716,666.00<br>12,083,656.81   |
|   |  | \$ | _                             |
| Total Assets  | \$ 99,437.29<br>167,855.50<br>(818,392.00)<br>2,642,666.00<br>809,861.00<br>41,760.00  |    | _                             |
| Total Assets  LIABILITIES AND CAPITAL  Current Liabilities Accounts payable Acc payroll/vacation Defer outflow pen cont GASB 68 Net pension liability GASB 68 Def inflow pen defer GASB 68 Def inflow - 75  | 167,855.50<br>(818,392.00)<br>2,642,666.00<br>809,861.00   |    | 12,083,656.81                 |
| Total Assets  LIABILITIES AND CAPITAL  Current Liabilities Accounts payable Acc payroll/vacation Defer outflow pen cont GASB 68 Net pension liability GASB 68 Def inflow pen defer GASB 68 Def inflow - 75  Total Current Liabilities   | 167,855.50<br>(818,392.00)<br>2,642,666.00<br>809,861.00   |    | 12,083,656.81<br>2,943,187.79 |
| Total Assets  LIABILITIES AND CAPITAL  Current Liabilities Accounts payable Acc payroll/vacation Defer outflow pen cont GASB 68 Net pension liability GASB 68 Def inflow pen defer GASB 68 Def inflow - 75  Total Current Liabilities  Total Liabilities  Capital Investment in general fixed as Designated fund balances | 167,855.50<br>(818,392.00)<br>2,642,666.00<br>809,861.00<br>41,760.00  |    | 12,083,656.81<br>2,943,187.79 |





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MONTHLY STAFF REPORT - June 2019

#### 1. **OPERATIONS REPORT**

Nearly every year, typically during the second quarter, there is a high tide event that hatches an inordinate amount of Aedes dorsalis eggs. High tide events from March or April, often until well into October or November, are closely monitored by operations for the potentiality of Aedes dorsalis eggs hatching in areas that are inundated by the tides and that the water does not draw out via ditches. This species can travel long distances and is a very aggressive day-biting mosquito. For some yet to be understood reason, not necessarily related to the height of the tide or other obvious cue, there are one or two high tide cycles each year that trigger abnormally high hatches of A. dorsalis eggs. In sources that on average produce one to two larvae of A. dorsalis per dip on a normal high tide operations staff can collect upwards of fifty larvae per dip during these anomalous tide cycles! One of these events occurred about mid-way through May. Operations staff collected well above 5-10 times the average number of A. dorsalis larvae per dip in several tidal marsh sources after a relatively "low' high tide event. Operations staff teamed up to be sure sources were treated to address these high numbers. Based on post-treatment inspections, trap data and service requests the following weeks, the treatments were timely and successful. Aside from their aggressive nature and potential for long distance dispersal, A. dorsalis complete their cycle from hatching to adult more rapidly (possibly in less than a week, depending on temperature and water chemistry) than any other species of mosquito we have in Alameda county. Thus, when it comes to this species, monitoring, timing, action, and teamwork are essential to achieving successful control.

An aberrant, heavy late rainfall event also occurred during the month of May that turned out to be a benefit for operations staff. There was enough rain to flush larval Culex pipiens out of catch basins county-wide. Significant flows also washed through channels, canals, and creeks flushing out larvae of Culex tarsalis. The tradeoff was that several sources that had been drying down were recharged with water. Operations staff put efforts confirmed that no new hatches of our winter Aedes sp. occurred as a result of the additional late rains. Operations continued to focus on *Culex sp.* throughout May. This will continue to be a priority until at least October or November depending on the weather. Control of Culex sp. larvae will be the primary goal until the weather pattern shifts in fall or winter to prevent the emergence of as many adults as possible to keep West Nile virus in check.

Service requests for May were dominated by requests for mosquito fish. Close to half of the 176 requests received by ACMAD were for fish. This is a common occurrence as we start getting into warmer days and people notice larvae in back yard ponds, troughs, and unmaintained swimming pools. Requests reporting standing water were still received consistently as were requests to report mosquitoes or "mosquito-like" insects. Dead birds are also being reported with more frequency. Operations staff watch these reports closely and are prepared to respond to any West Nile virus positive bird or mosquito pool as soon as results are received via ACMAD's lab.

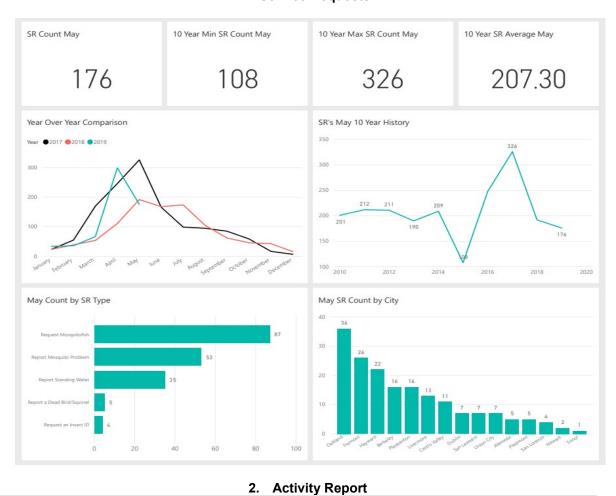
Joseph Huston Field Operations Supervisor

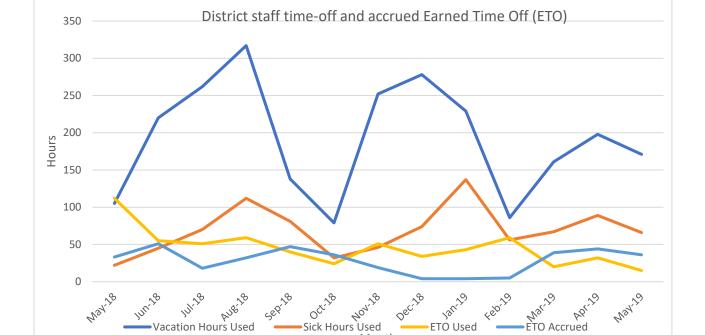




## A. District Data

## 1. Service Requests



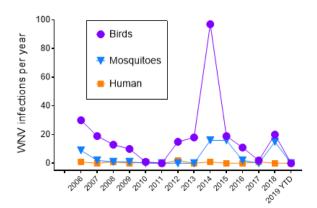


Sick Hours Used

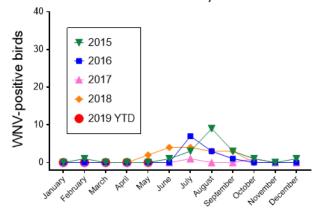
Month

## 3. WNV Activity

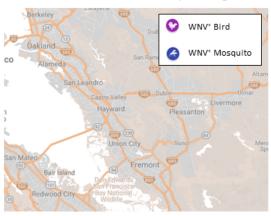
WNV infections detected in Alameda County 2005 – 2018 YTD



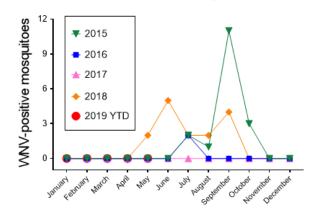
WNV-infected birds collected in Alameda County



Locations of WNV-infected mosquitoes and birds collected in Alameda County during 2019



WNV-infected mosquitoes collected in Alameda County



### 2. LAB

### **Summary**

- West Nile virus (WNV) was not detected in birds or mosquitoes during May.
- Adult mosquito abundance during April 2019 was lower than the prior year because of increased lateseason rainfall and lower outdoor temperatures.
- A total of 181,308 adult mosquitoes were captured and killed by lab traps during May.

## **Arbovirus Monitoring**

- West Nile virus (WNV) was not detected in birds or mosquitoes during the month of May 2019.
- None of the mosquitoes or birds that were collected during 2019 were found to contain Saint Louis encephalitis virus (SLEV) or Western equine encephalitis virus (WEEV).

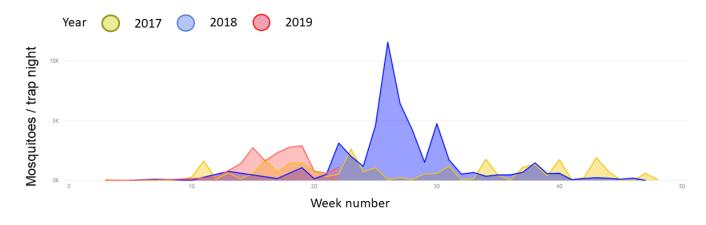
## **Native Mosquito Abundance**

- May was unseasonably cooler and had nearly four times more rainfall relative to the prior month. For May, there was 1.77 inches of rainfall and the average maximum temperature was 62 °F (Hayward, CA). The prior two months had average maximum temperatures of 69 °F and 63 °F.
- Cooler and wetter weather during May limited opportunities for placing EVS CO<sub>2</sub> traps. Over the course of the month, 380 EVS CO<sub>2</sub> traps were placed; 6,082 mosquitoes were collected and identified to species (Figure 1). There was an average of 16.0 mosquitoes per trap night, a 1.5-fold decrease in the number of mosquitoes per trap night relative to the prior month (n = 10,200 mosquitoes collected during March 2019). Culex tarsalis was the most abundant species collected in EVS CO<sub>2</sub> traps, followed by Culex erythrothorax, and Aedes washioni (Figure 2). The geospatial distribution of mosquito species collected in EVS CO<sub>2</sub> traps at each trap site is displayed in Figure 3. Overall, mosquito abundance during May 2019 as measured by EVS CO<sub>2</sub> traps was lower than the prior year, but similar to the same period in 2017.
- Mosquito abundance, as measured using NJLT, was slightly higher than the prior month (Figure 4; 1.23 and 1.09 mosquitoes / trap night, respectively; total of 1,047 mosquitoes over 854 trap nights).
   Culiseta incidens was the most prevalent species collected in NJLT during May 2019, followed by Ae. washioni, and Cx. tarsalis (Figure 5).
- The lab placed 8 Mosquito Magnet Traps (MMT) in and around Coyote Hills Regional Park. During May, these traps captured a total of 174,177 adult mosquitoes (4,248 mosquitoes per trap night), a 2.8-fold increase over the prior month. The majority of the mosquitoes that were collected in the MMT during May were Ae. washioni (94%). When combined with the number of mosquitoes captured in EVS CO<sub>2</sub> traps and NJLT, a total of 181,308 adult mosquitoes were captured and killed by lab traps during May.

### Invasive Aedes Monitoring

 Invasive Aedes mosquitoes have not been detected in any mosquito trap placed in Alameda County during 2019.

## **FIGURES**



**Figure 1. Mosquitoes captured in EVS CO₂ traps from 2017 – 2019.** A total of 6,082 mosquitoes were captured in EVS CO₂ traps during May 2019 and identified to species.

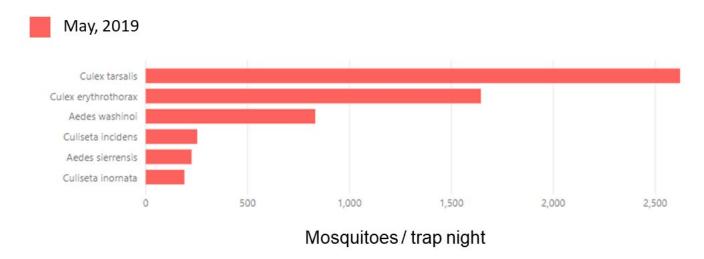
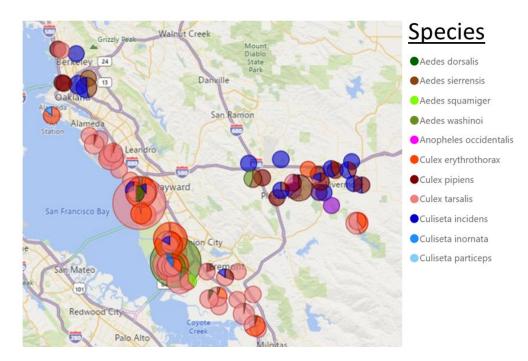
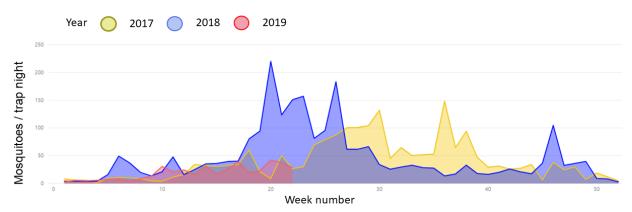


Figure 2. The six-most abundant species of mosquito captured during May 2019 using EVS CO<sub>2</sub> traps.



**Figure 3. Mosquito abundance by trap site evaluated using EVS CO<sub>2</sub> traps.** Pie charts over trap sites indicate the distribution of mosquito species collected at the trap site. The size of the pie charts indicates the relative number of mosquitoes at each site during May 2019. Sites with five or fewer mosquitoes collected in the traps are not shown on the map.



**Figure 4. Mosquitoes captured in NJLT from 2017 – 2019.** A total of 1,047 mosquitoes were captured in NJLT during May 2019 and identified to species.

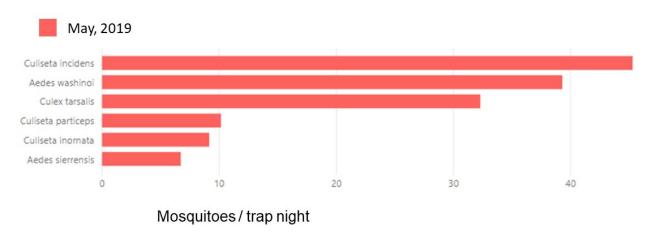


Figure 5. The six-most abundant species of mosquito captured during May 2019 in NJLT.

#### **PUBLIC EDUCATION**

#### A. Events

- i. Upcoming
  - Alameda County Fair Friday, June 14<sup>th</sup>-Sunday, July 7<sup>th</sup> (Alameda County Fairgrounds, Pleasanton)
  - **Family Bug Day** Sunday, June 16<sup>th</sup> (UC Berkeley Botanical Garden)
  - **Downtown Hayward Street Party –** Thursday, June 20<sup>th</sup> (Hayward)

#### ii. Past

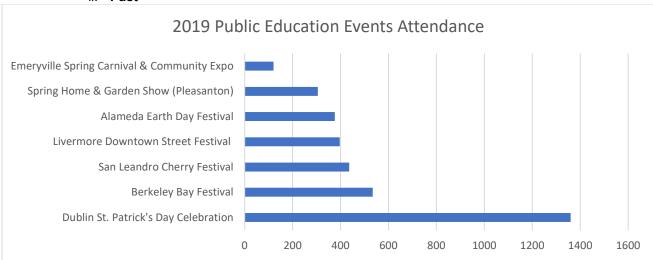


Figure 1. Number of visitors that attended each event

#### **B.** Advertisement Campaigns

- i. Movie Theater Ads
  - Started April 25<sup>th</sup> and run through July 7<sup>th</sup>
  - Theaters locations: Century 25 Union Landing 25 (Union City), Century Pacific Commons 16 (Fremont), Hacienda Crossings 21 (Dublin), NewPark 12 (Newark)

### ii. Internet Ads

Started June 1<sup>st</sup> and run through September 30<sup>th</sup>

### C. Google Analytics

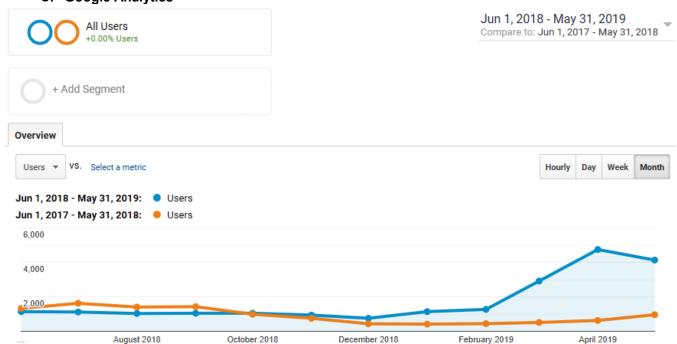
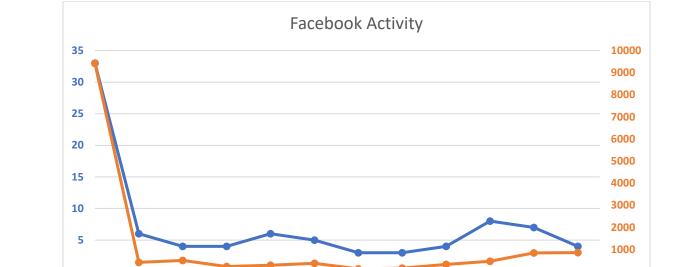


Figure 2. Comparison of website users over the past two years



Figure 3. Comparison of website users over the past two years for the month of May.

D. Facebook



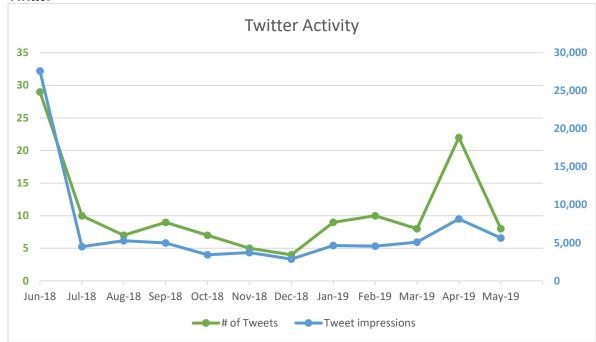
Jun-18 Jul-18 Aug-18 Sep-18 Oct-18 Nov-18 Dec-18 Jan-19 Feb-19 Mar-19 Apr-19 May-19

Total Number of Followers: 191 (up from 186 in April)

**May's Most Popular Post:** Are you getting rain? Check your yard afterwards to make sure none of these sources have any water in them to create breeding. (photo)

→ # of Posts 
→ Number Reached

### E. Twitter

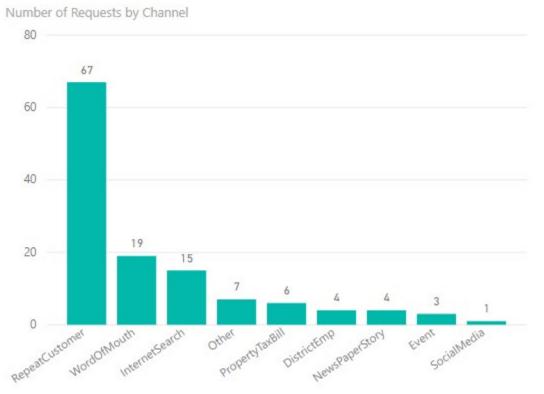


Number of Profile Visits in May: 32

Total Number of Followers (New This Month): 659 (up from 652 in April)

Top May Tweet: Got rain? Make sure to check your yard for containers that are holding rainwater. If you find any be sure to dump them out to prevent breeding!

### F. Service Request Referral Summary



**Note:** Internet Ad, Billboard Ad, Movie Theater Ads, and Phone Book are also options for this question, but were not included on this chart, because they were not selected in the month of April. Those who chose Other indicated they heard about us from the City of Fremont, a pest control company, the East Bay Express ad, Nextdoor, and the swimming pool flyover. One person did not indicate a reason.

### 4. **LEGISLATIVE UPDATE:**

|            | Bill Name and description  | Status  | ACMAD<br>Position | ACMAD Action                                   |
|------------|--|---|-------------------|--|
| California |  |   |                   |  |
| MVCAC      | AB 320: This bill would create the California Mosquito Surveillance and Research Program, to be administered by the University of California, and would require the University to maintain an interactive internet website for management and dissemination of data on mosquito-borne virus and surveillance control and coordinate with the department, among other functions. The bill would make related findings and declarations. | Passed in the Assembly. Currently in the Senate and referred to the Committee on Rules. | Support           | Letter of support<br>and legislative<br>visits |

# **June 2019**

It's crunch time for the State Budget, with a June 15 Constitutional deadline for the State Legislature to send Governor Gavin Newsom a balanced budget in time for the July 1 fiscal new year. Also, in June, policy committees will reconvene for legislation that made it to the second house. Therefore, Senate policy committees will begin hearing Assembly Bills and vice-versa.

CSDA currently has three active Calls-to-Action. Sample letters, background information, and more can be found on each one at csda.net/take-action. Make sure your district has submitted your letter on all three:

- Surplus Land Restrictions (AB 1486) OPPOSE
- Development Impact Fee Prohibitions (SB 13) OPPOSE
- Local Infrastructure and Housing Funding (ACA 1) SUPPORT



### Inside this edition of the Take Action Brief:

| CSDA Supported Local Infrastructure and Housing Funding Action Needed | 2 |
|---|---|
| Email Retention Mandate Passes the Assembly                           | 3 |
| Surplus Land and Impact Fee Legislation Reaches the Second House      | 4 |
| Sexual Harassment Prevention Training Requirements Being Updated      | 5 |
| 2019 Student Video Contest Open                                       | 6 |
| Learn More, Utilize Resources, Join Today, and Stay Informed          | 7 |

# Contact a local CSDA representative near you!

| Dane Wadlé        | Northern & Sierra Networks | danew@csda.net    |
|-------------------|----------------------------|-------------------|
| Colleen Haley     | Bay Area Network           | colleenh@csda.net |
| Cole Karr         | Central Network            | colek@csda.net    |
| Steven Nascimento | Coastal Network            | stevenn@csda.net  |
| Chris Palmer      | Southern Network           | chrisp@csda.net   |



# REVENUE, FINANCES, AND TAXATION

CSDA's long range policy priority on revenue, finances, and taxation is to ensure adequate funding for special districts' safe and reliable core local service delivery. Protect special districts' resources from the shift or diversion of revenues without the consent of the affected districts. Promote the financial independence of special districts and afford them access to revenue opportunities equal to that of other types of local agencies.

# **CSDA Supported Local Infrastructure and Hosing Funding Action Needed!**

Assembly Constitutional Amendments (ACA) 1 (Aguiar-Curry) will create a new constitutional vote threshold of 55 percent for both General Obligation (G.O.) bonds and special taxes, when proposed specifically for the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing. The bill also specifies requirements for voter protection, public notice, and financial accountability.

CSDA strongly supports the measure and encourages special districts to voice their support by sending in a letter of support. Additional information and a sample letter are available on the CSDA Take Action page

ACA 1 defines "public infrastructure" to include, but not be limited to, projects that provide the following:

- Water or protect water quality, sanitary sewer, treatment of wastewater, or reduction of pollution from storm water runoff
- Protection of property from impacts of sea level rise
- Open space, parks and recreation facilities
- Improvements to transit and streets and highways
- Flood control
- Broadband internet access service expansion in underserved areas
- Local hospital construction
- Public safety buildings or facilities and equipment
- Public library facilities

Currently, the California Constitution requires a two-thirds vote at the local level for both G.O. bonds and special taxes, regardless of how the city, county, or special district proposes to use the funds.

Under current law, local officials propose a local bond or special tax and then the voters in that community decide whether or not they support the idea. Under ACA 1, voters would still need to overwhelmingly (with 55 percent of the vote) support a bond or special tax in order for it to be approved. ACA 1 will level the playing field and create parity between school districts and special districts, cities, and counties, so that all local governments have a viable financing tool to address community needs.

Cities, counties, and special districts face numerous challenges in securing funding for important local public infrastructure projects. ACA 1 would provide viable financing options while providing robust public accountability. If ACA 1 passes both houses of the Legislature with two-thirds of the vote, it would then be placed on a statewide ballot in 2020 for voter approval.

After securing amendments to include special districts in the new vote threshold for G.O. bonds, CSDA moved to full support of this measure and all special districts are encouraged to submit letters of support. You can find a sample letter on the Take Action page at csda.net/take-action.

Should you have any questions about the bill, please contact CSDA Legislative Representative Anthony Tannehill at anthonyt@csda.net.



# CSDA Advocates to Protect Property-Related Rates and Fees in CA Supreme Court

On May 29, CSDA joined the Association of California Water Agencies, California Association of Sanitation Agencies, California State Association of Counties, and League of California Cities in a brief to the California Supreme Court in the Wilde v. City of Dunsmuir case. The case involves a city's water rate plan resolution that was adopted for an extensive water upgrade project, and whether the resolution is subject to a referendum by voters, or if it can only be changed through the initiative process.

California voters adopted Proposition 218 to add article XIII C to the California Constitution by which they expressly reserved their right to challenge local taxes, assessments, fees, and charges by initiative. At issue in this case is whether the electorate (i.e. voters) can use the referendum power (Cal. Const., art. II, § 9) to challenge a city's resolution increasing water fees or is such a challenge expressly limited to the power of initiative (Cal. Const., arts. XIII C & XIII D, § 6).

## Appeals Court Rules Prop 218 Rate Plan Subject to Referendum

Last year, the Third District Court of Appeal held that voters' adoption of Proposition 218 did not repeal the right to challenge local resolutions and ordinances by referendum, and that a public agency's adoption of a water rate plan is a legislative decision subject to referendum. The court's decision would allow referenda against property-related fees and may serve to destabilize the finances of districts that provide water. sewer, and solid waste services, among others.

The Court of Appeal decision reverses previous precedent that exempted local taxes, fees, and other property-related revenue measures from referendum (but not an initiative, as permitted by Article XIII C, section 3 of the California Constitution). The distinction between a referendum and an initiative is important for special districts to consider. A referendum is a challenge by voters to an enactment already made by the legislative body, whereas an initiative is a legislative proposal by the people placed on the ballot by voters to be decided by voters. Both qualify for the ballot through submission of a petition signed by a designated percentage of the electorate. Most importantly, an initiative operates prospectively and is less disruptive to municipal finances than a referendum, which automatically suspends the resolution the moment signatures are certified until and unless the voters reject the referendum when it is later taken up at the ballot.

### **CSDA Action**

The brief recently filed with the California Supreme Court on behalf of special districts and other local governments argues four main points:

- 1) The article II, section 9 prohibition on the use of referenda to challenge certain tax levies or appropriations applies here;
- 2) Property-related rates and fees are subject to initiative, but exempt from referendum:
- 3) Nothing in the text of article II, section 9 or article XIII A, XIII C, or XIII D suggests assessments. charges, or fees are subject to referendum; and
- 4) Public policy supports allowing majority protests and initiatives, but not referenda, on water rates.

CSDA will continue to monitor this case and provide updates as the case proceeds in the California Supreme Court.

If you have any questions about this case or how it impacts your district, contact Legislative Analyst – Attorney Mustafa Hessabi at mustafah@csda.net.



# GOVERNANCE AND ACCOUNTABILITY

CSDA's long range policy priority on governance and accountability is to enhance special districts' ability to govern as independent, local government bodies in an open and accessible manner. Encourage best practices that avoid burdensome, costly, redundant, or one-size-fits all approaches. Protect meaningful public participation in local agency formations, dissolutions, and reorganizations, and ensure local services meet the unique needs, priorities, and preference of each community

# **Email Retention Mandate Passes the Assembly**

In the final week of May, the California State Assembly passed AB 1184 (Gloria) on a vote of 59-8. The bill places a new requirement in the California Public Records Act (CPRA) that requires all public agencies to retain ALL emails related to the business of the agency for two-years.

While this bill is being promoted by the author as a transparency measure, it simply isn't; it is, however, a data retention measure. This bill creates no new record disclosure requirements, nor does it provide any new exemptions. AB 1184 does not provide the public with any greater access to records than is already available to them, yet public agencies will be on the hook for the costs of storing the emails because the author is purposefully trying to avoid having the State reimburse public agencies for this new mandate by placing it in the CPRA. The retention requirements of AB 1184 would be the only retention requirements in the CPRA; all other record retention requirements are in other areas of the Government Code.

CSDA, along with a growing coalition of public agencies are opposing AB 1184, but we need your help. We are looking for examples of email and record retention policies from districts that we can use as an example of why this bill isn't needed. If your district has a written email and or records retention policy, please email it to CSDA Senior Legislative Representative, Dillon Gibbons at dillong@csda.net. Any examples you provide CSDA will not be shared with your district's name without your express permission.



# > INFRASTRUCTURE, INNOVATION, AND INVESTMENT

CSDA's long range policy principal regarding infrastructure, innovation, and investment is to encourage prudent planning for investment and maintenance of innovative long-term infrastructure. CSDA supports the development of fiscal tools and incentives to assist special districts in their efforts to meet California's changing demands, ensuring the efficient and effective delivery of core local services.

## Surplus Land and Impact Fee Legislation Reaches the Second House

CSDA is asking members to take action by submitting or updating letters in opposition to AB 1486, which places costly restrictions on surplus land, and SB 13, which imposes prohibitions on certain special district fees. To download a template please visit the <u>Take Action Page</u> on CSDA's website. If your district previously submitted a letter in opposition to <u>AB 1486</u>, please submit an updated version, as the bill has been significantly amended.

### **Surplus Land Restrictions (AB 1486)**

Prior to the first house deadline, the Assembly took up <u>AB 1486 (Ting)</u>, which would expand the Surplus Land Act (SLA) to cover all land owned by public agencies. AB 1486 passed the Assembly Floor on a mostly party line vote and now advances to the Senate for consideration in policy committees.

Previously, AB 1486 generated intense opposition from a coalition of public agencies, including CSDA. Over 40 CSDA members submitted letters of opposition to the bill and called members of the Committee. Thanks largely to this grassroots effort, the author was compelled to accept amendments in order to keep AB 1486 moving through the Legislature as other concerns are addressed. Unfortunately, CSDA has been unable to resolve remaining concerns, and we must now call upon our membership to renew opposition as we continue our attempts to work with the author in good faith.

Items remaining to be addressed include:

- Allowing agencies discretion to determine what land is actually surplus to their mission/purpose.
- Allowing agencies to conduct informal and formal negotiations to determine the market value of their land without triggering the requirements of the SLA.
- Removing provisions that would invalidate land transfers where an agency did not follow the SLA when required.

### **Development Impact Fee Prohibitions (SB 13)**

The Senate passed <u>SB 13 (Wieckowski)</u> on a 34-2 vote prior to the first house deadline. The bill now awaits referral to a policy committee and will likely be heard some time in June.

SB 13 prohibits impact fees for ADUs smaller than 750 square feet and limits impact fees for ADUs larger than 750 or more square feet to 25 percent of the impact fees otherwise charged for a new single-family dwelling on the same lot. The legislation does not define the term "impact fee", so this prohibition applies to developer fees charged by recreation and park districts, fire protection districts, flood control districts, and other non-enterprise services, as well as potentially applying to capacity and connection fees charged by sewer, water, and utility districts.

Given that revenue for local governments is tightly restricted by the California Constitution, fees are one of the few ways that special districts can fund the infrastructure needs of those moving into a community. Impact fees are critical for park and fire protection districts trying to recoup their costs for serving the residents of new accessory dwelling unit developments.

If you have any questions about AB 1486 or SB 13, please contact CSDA Legislative Representative Rylan Gervase at <a href="mailto:rylang@csda.net">rylang@csda.net</a>.



# HUMAN RESOURCES AND PERSONNEL

CSDA's long range policy priority on human resources and personnel is to promote policies related to hiring, management, and benefits and retirement that afford flexibility, contain costs, and enhance the ability to recruit and retain highly qualified, career-minded employees to public service. As public agency employers, support policies that foster productive relationships between management and employees, both represented and non-represented.

# Sexual Harassment Prevention Training Requirements Being Updated

In 2018 the Legislature passed SB 1343 (Mitchell), which requires employers with 50 or more employees to provide all employees with sexual harassment prevention training. Unfortunately, the bill that was signed had some drafting errors, SB 778 (Committee on Labor, Public Employment and Retirement) fixes those errors. Under AB 1343, as interpreted by the Department of Fair Employment and Housing, employees that receive sexual harassment prevention training in 2019, would be required to also receive the training in 2020. However, the intent of the legislation was to allow employees to receive the training every two years. SB 778 corrects the drafting error to allow employees receiving training in 2019 to not be required to receive the training again until 2021. This bill includes an urgency clause and will become effective as soon as it is signed by the Governor.

## Human Resources Bills Amended, Died, and Held-Over During House of Origin Deadline

The California State Legislature is a deadline driven Legislature. May 31 was one of those deadlines; the House of Origin deadline. By May 31, all bill must pass the house that they are introduced in (Senate or Assembly) or they are held over in their current location until the following year and referred to as "two-year bills." Below are a few of the bills that were acted on just prior to the House of Origin deadline:

### AB 555 (Gonzalez) - Paid Sick Leave - Oppose

Status: 2-Year Bill on the Assembly Floor

This bill, which would extend the current 3-day minimum sick leave allowance for employees to 5-days, was placed on the Assembly Inactive File. No further action can be taken on AB 555 until January 2020.

### AB 628 (Bonta) – Sexual Harassment Leave – Oppose

**Status:** Failed passage on the Assembly Floor (36-15)

Current law allows employees that are victims of domestic violence, sexual assault, or stalking to take time off to access related services or counseling, without fear of retaliation from their employers (25 or more employees). This bill, similar to AB 2366 (Bonta, 2018), would have allowed this time off for victims of sexual harassment and immediate family members of victims of sexual harassment.

# AB 639 (Carillo) - Penalties for Failure to Pay Wages - Oppose

Status: Passed Assembly Floor as amended and is now in Senate Rules Committee This bill which would have created a new civil liability for employers by allowing an employee to directly bring a civil suit against an employer for failure to pay wages, rather than go through the Office of the Labor Commissioner, has been significantly amended and removed the new civil action provision from the bill. With the amendment CSDA anticipates joining the California Chamber of commerce in removing our opposition to the bill.

Should you have any questions or comments about these bills, please contact CSDA Senior Legislative Representative Dillon Gibbons at dillong@csda.net.



# DISTRICTS MAKE THE DIFFERENCE

Districts Make the Difference was created to increase public awareness and understanding of special districts across California. The campaign website, www.districtsmakethedifference.org provides a public place to learn more about special districts and the positive effect they have on their communities, while also serving as a resource for districts to download useful materials, collateral, and information.

#### 2019 Student Video Contest Launches

Districts Make the Difference has launched the 2019 Student Video Contest! The new submission period is open now until **September 30** to allow more students to participate.

Students are encouraged to be as creative as possible when making their 60-90 second videos. That's correct, the length of the videos has also been extended! Students can now create videos up to 90 seconds long.

Do you know a student who may be interested? Do you know a teacher, principal, superintendent, or school board member that can help promote the contest? Resources are available on the Districts Make the Difference website to help you promote the student video contest on your website, social media, or in your office.

Start spreading the word using these resources available at <u>DistrictsMaketheDifference.org/video-contest</u>:

- Flyer/Poster
- Contest Scholarships Graphic •
- Contest Scholarships Banner
- Steps to Enter Graphic
- Statewide Voting Graphic
- Sample Newsletter/Website Content

Chapters are also encouraged to hold a local contest in conjunction with the statewide competition. A toolkit detailing how to facilitate a local contest is now available. Last year, the Alameda County Special Districts Association, Contra Costa Special Districts Association, and Santa Clara County Special Districts Association all held local contests and selected a local student winner from their communities. Contact your public affairs field coordinator for more information.

Hosting a local contest is a wonderful way for students to learn about your special district and potentially win a scholarship! Promotional materials including a flyer and the social media graphics are also available on the Districts Make the Difference website at www.DistrictsMakeTheDifference.org/video-contest.

For more information about the contest and to watch last year's winning videos, visit the Districts Make the Difference website.



# > OTHER WAYS TO TAKE ACTION

#### **Learn More**

2019 CSDA Award Nominations are now open! Deadline July 17, 2019

Each year, CSDA presents various awards during the CSDA Annual Conference & Exhibitor Showcase. There are several different categories to enter your district, chapter, and/or an individual. All nominations must be received by July 17, 2019. Nominate your candidate and learn more here: https://www.csda.net/about-csda/get-involved/awards.

### **Utilize Resources**

CSDA has partnered with the government surplus auction, GovDeals, to provide special districts and other government agencies with an easy-to-use, transparent web-based platform for buying and selling surplus items online. Visit the Surplus Marketplace to check out items listed by government agencies across the USA. Browse through a wide selection of pre-owned vehicles, office furniture, tools and equipment, storage sheds, and much more. Contact Jason Weber at <a href="mailto:iweber@govdeals.com">iweber@govdeals.com</a> or 310.600.3651 for more information.

## **Join Today**

Join an Expert Feedback Teams to provide CSDA staff with invaluable insights on policy issues. Email marcusd@csda.net to inquire about joining one of the following teams:

- Budget, Finance and Taxation
- Environment
- Formation and Reorganization
- Human Resources and Personnel
- Governance
- Public Works and Contracting

## **Stay Informed**

In addition to the many ways you can **TAKE ACTION** with CSDA's advocacy efforts, CSDA offers a variety of tools to keep you up-to-date and assist you in your district's legislative and public outreach. Make sure you're reading these resources:

- CSDA's weekly e-Newsletter
- · Districts in the News
- CSDA's CA Special District Magazine

Email advocacy@csda.net for help accessing these additional member resources.



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# **Staff Anniversary Recognitions:**

# **Background:**

ACMAD is pleased to recognize and thank the following employee on their anniversaries in the month of June

| Employee         | Title            | Years of Service | Anniversary<br>Date |
|------------------|------------------|------------------|---------------------|
| Dereje Alemayehu | Vector Scientist | 20               | June 21st           |

\* Per District Policy §107.1, Trustee Dickinson is awarded a pewter belt buckle engraved with the District logo from his May 5-year anniversary.





ABOUT US COMMISSIONERS MEETINGS POLICIES & PROCEDURES APPLICATION SOIS/MSRS RESOURCES

#### To Encourage The Orderly Formation Of Local Governmental Agencies

LAFCOs review proposals for the formation of new local governmental agencies and changes of organization in existing agencies. In California, there are 58 LAFCOs working with nearly 4,000 governmental agencies in 58 counties, approximately 500 cities, and over 3,000 special districts. Agency boundaries are often unrelated to one another and sometimes overlap at random. This overlapping often leads to higher service costs to the taxpayer and general confusion regarding service area boundaries. LAFCOs' decisions strive to balance the competing needs in California for affordable housing, economic opportunity and conservation of natural resources.

#### To Preserve Agricultural Land Resources

LAFCOs must consider the effect that any proposal will produce on existing agricultural lands. By guiding development toward vacant urban land and away from agricultural preserves, LAFCOs assist with the preservation of our valuable agricultural resources.

#### To Discourage Urban Sprawl

Urban sprawl can best be described as irregular and disorganized growth occurring without apparent design or plan. This pattern of development is characterized by the inefficient delivery of urban services (police, fire, water and sanitation) and the unnecessary loss of agricultural land. By discouraging sprawl, LAFCOs limit the misuse of land resources and promotes a more efficient system of local government.

#### **LAFCO'S Responsibilities**

LAFCOs are responsible for coordinating logical and timely changes in local governmental boundaries, conducting special studies that review ways to reorganize, simplify and streamline governmental structure and preparing a Sphere of Influence for each city and special district within each county. The Commission's efforts are directed to seeing that services are provided efficiently and economically while agricultural and open-space lands are protected.

#### **Boundary Changes**

LAFCOs regulate, through approval or denial, the boundary changes proposed by other public agencies or individuals. LAFCOs do not have the power to initiate boundary changes on their own, except for proposals involving the dissolution, merging or consolidation of special districts.

Typical applicants might include:

- Individual home owners requesting annexation to a sewer district due to a failing septic tank.
- Developers seeking annexation to cities in order to obtain urban densities and urban service extended to the new housing.
- Cities wishing to annex pockets or "islands" of unincorporated land located within their borders in order to avoid duplication of services with the county.
- Special Districts or cities seeking to consolidate two or more governmental agencies into one, thereby streamlining their services and reducing the cost to the local taxpayer.

#### **Sphere Of Influence Studies**

One of the most important charges given to LAFCOs was the adoption of "Spheres of Influence" for local governments (1972).

A "Sphere of Influence" is the physical boundary and service area that a local governmental agency is expected to serve in the future. Establishment of this boundary is necessary to determine which governmental agencies can provide services in the most efficient way to the people and property in any given area. The Sphere of Influence requirement also works to discourage urban sprawl by preventing overlapping jurisdictions and duplication of services. Commissions cannot tell counties or cities what their planning goals should be. Rather, LAFCOs coordinate the orderly development of a community through reconciling differences between city and county plans so the most efficient urban service arrangements are created for the benefit of area residents and property owners.

#### **Special Studies**

Through special studies, LAFCOs encourage governments to evaluate their current operations and options for reorganization. Local agencies often overlap and have the potential of duplicating services. LAFCOs conduct service studies and consolidation feasibility studies. These studies provide general information about local governments and present alternatives for improving services and reducing operational cost.

#### **Initiation Of Special District Consolidations**

As of July 1, 1994, LAFCOs have the authority to initiate proposals that include the dissolution or consolidation of special districts, the merging of an existing district or establishment of subsidiary districts. Prior to initiating such an action, LAFCO must determine that the district's customers would benefit from the proposal through adoption of a Sphere of Influence or other special study.

#### **Out Of Agency Service Agreements**

Cities and districts are required to obtain LAFCO's approval prior to entering into contracts with private individuals or organizations to provide services outside of the agencies boundaries.