

Marin/Sonoma
Mosquito & Vector Control District
595 Helman Lane
Cotati, California 94931
1-800-231-3236 (toll free) 707-285-2210 (fax)

**BOARD OF TRUSTEES
SPECIAL BOARD MEETING**

DATE: November 29th, 2023
TIME: 6:00 p.m.
LOCATION: **Teleconference – See Below**

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

The Board Meeting Teleconference:

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

Public Communication:

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

The public may submit comments by:

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

[Zoom Meeting Link](#)

The Webinar ID is 852 7701 7044

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

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

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

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

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

*Items marked * are enclosed attachments.*

Items marked # will be handed out at the meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

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

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

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

Open Seats:

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

4. PUBLIC TIME

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

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

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

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

5. **CONSENT CALENDAR**

A. **APPROVAL OF AGENDA**

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

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

C.* **MINUTES** – Minutes of Board Meeting held on November 8th, 2023.

D. **FINANCIAL REPORTS** – Will be included in the December 13th Board Meeting agenda packet.

ACTION NEEDED

INFORMATION ENCLOSED

6. **NEW BUSINESS**

No new business.

7. **COMMITTEE & STAFF REPORTS**

No committee reports.

8. **MANAGER'S REPORTS**

No reports at this meeting. They will be included in the December 13th Board Meeting agenda packet.

9. **WRITTEN COMMUNICATIONS**

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

10. **OPEN TIME FOR BOARD OR STAFF COMMENTS**

11. **ADJOURNMENT**

RESOLUTION NO. 2023/24-XX

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

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

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

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

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

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

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

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

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

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

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

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

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

Passed and adopted at a special meeting of the Board of Trustees held November 29, 2023, by the following roll call vote:

	<i>Yes</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
Bruce Ackerman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cathy Benediktsson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gail Bloom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tamara Davis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Art Deicke	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Laurie Gallian	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pamela Harlem	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Harvey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Hootkins	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Evan Kubota	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alison Marquiss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shaun McCaffery	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vicki Nichols	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carol Pigoni	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diana Rich	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Herb Rowland	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Schulze	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Witt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aarón Zavala	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richard Snyder	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:				

ATTEST:

APPROVED:

Diana Rich
Secretary, Board of Trustees

Richard Snyder
President, Board of Trustees

Marin/Sonoma Mosquito & Vector Control District

Board of Trustees
595 Helman Lane
Cotati, CA 94931

Meeting Held via Videoconference
November 8, 2023

SPECIAL & REGULAR BOARD MEETING MINUTES

1. **CALL TO ORDER**

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

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Members present:

Benediktsson, Cathy
Bloom, Gail
Davis, Tamara
Deicke, Art
Gallian, Laurie
Harlem, Pamela
Harvey, Susan
Hootkins, Susan
Kubota, Evan

Marquiss, Alison
McCaffery, Shaun
Nichols, Vicki
Pigoni, Carol
Rich, Diana
Rowland Jr., Herb
Schulze, Ed
Witt, David
Snyder, Richard

Members absent:

Ackerman, Bruce
Zavala, Aarón

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

Others present:

Philip Smith, District Manager
Erik Hawk, Assistant Manager
Liz Garcia, Administrative Services Manager
Dawn Williams, Administrative Technician (Confidential)
Janet Coleson, General Counsel

A quorum was present and due notice had been published.

4. **PUBLIC TIME**

No public comment.

5. **CONSENT CALENDAR**

A. **CHANGES TO AGENDA/APPROVAL OF AGENDA**

B. **Resolution 2023/24-07: Authorizing Remote Teleconference/Virtual Meetings of the District Pursuant to Government Code Section 54953(e)(3)**

C. **MINUTES** – Minutes of the Board Meetings held on October 5 and 11, 2023.

D. **FINANCIAL REPORTS** – Accept Financial Reports for October 2023.

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

Motion passed with a roll call vote:

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

No: (none)

Abstain: (none)

Absent: Trustee Ackerman and Trustee Zavala

6. **NEW BUSINESS**

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

It was M/S Trustee Gallian/Trustee Schulze to approve Proclamation 2023/24-01, recognizing Ms. Shigley and expressing gratitude for her dedicated service and valuable contributions to the District in recent years.

Motion passed with a roll call vote:

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

No: (none)

Abstain: (none)

Absent: Trustee Ackerman and Trustee Zavala

B. **Update by Public Information Officer, Nizza Sequeira**

PIO Nizza Sequeira delivered a presentation summarizing and illustrating the District's community outreach efforts during the preceding 12 months. She explained that many resources are used to inform and educate the public about the District's services, for example, outdoor advertising on billboards, news inserts in local newspapers, digital advertising with video ads on websites or

apps, and more recently via streaming video content. Additionally, the District has received significant “earned media” coverage, which is free publicity from word of mouth, social media shares, or news stories. This year, the District team also participated in many indoor and outdoor events as well as providing in-person presentations to many community groups. Newsletters were another tool used to provide educational content in a timely manner throughout the year. For the third consecutive year, the District collaborated with Conservation Corps North Bay by providing a tire recycling event, which succeeded by being fully booked and removing hundreds of waste tires that provide mosquito breeding places. Lastly, the District plans to hold an Open House event in May 2024. These events have always attracted a great turnout, approximately 600 for the most recent Open House.

C. Recent changes to the Brown Act and the Future of Remote Meetings.

General Counsel Janet Coleson provided a memo and presentation explaining the changes to the Brown Act that will take effect starting January 1, 2024. After considering the various options, the Board decided to meet in a hybrid format, with in-person and remote components.

Direction was given to staff regarding how to comply with the new Brown Act provisions starting January 1, 2024. After this date, the Board and its standing committees will meet in a hybrid format, with both in-person and remote meeting components. Board meetings will revert to the regular meeting time of 7 p.m.

D. Proposed Fifth Amendment to District Manager Employment Agreement

It was M/S Trustee Schulze/Trustee Pigoni to approve the Fifth Amendment to the District Manager’s Amended and Restated Employment Agreement, extending the present agreement that expires on December 31, 2023, to the new expiration date of March 31, 2024.

Motion passed with a roll call vote:

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

No: (none)

Abstain: (none)

Absent: Trustee Ackerman, Trustee Harlem and Trustee Zavala

7. COMMITTEE & STAFF REPORTS

A. Executive Committee

President Richard Snyder recapitulated the items discussed at the committee’s October 19th, 2023 meeting, noting that most of them were also addressed at tonight’s Board meeting. He also advised that the Board will meet on its regular meeting date of December 13th, 2023.

B. Manager Recruitment Committee

Chair Carol Pigoni reported that the committee had interviewed two firms specializing in executive recruitment (out of four respondents to the RFP) and decided to move forward with Koff & Associates. Unfortunately, District staff subsequently encountered significant delays in executing the agreement for services due to a protracted legal review period by Koff's parent company.

8. MANAGER'S REPORTS

Manager Smith and Assistant Manager Hawk offered to answer questions about their written reports, which were included in the packet. *(Manager's and Assistant Manager's reports were included in the November board packet)*

9. WRITTEN COMMUNICATIONS

No written communications.

10. OPEN TIME FOR BOARD OR STAFF COMMENTS

Trustee Ed Schulze voiced concern about the wording of the District's legal notices in the newspaper providing official notice of the Board's meetings. General Counsel Janet Coleson and Manager Smith responded.

Trustee Laurie Gallian wished everyone a Happy Thanksgiving holiday. She also asked Assistant Manager Hawk to pass on her best wishes to the Vector Control Technicians who were about to take the state certification examinations.

Trustee Gail Bloom requested a future agenda item to go over the space planning and facilities expansion project that is currently in its early stages. After Board discussion, President Snyder directed staff to bring this item to the January 10, 2024 meeting.

11. ADJOURNMENT

There being no further business to come before the Board, it was M/S Trustee Schulze/Trustee Benediktsson to adjourn the meeting at 8:12 p.m.

District Representative
MSMVCD

Date of Approval

Trustee
MSMVCD Board of Trustees

Date of Approval