

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

**BOARD OF TRUSTEES
SPECIAL & REGULAR BOARD MEETING**

DATE: May 10, 2023
TIME: 6:00 p.m. (Special Board Meeting will continue into Regular Board Meeting at 7:00 p.m.)
LOCATION: **Teleconference – See Below**

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

The Board Meeting Teleconference:

Click the link on the District's website, <https://www.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 875 4615 0731

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

Shaun McCaffery, Healdsburg
Vicki Nichols, Sausalito
Morgan Patton, Marin Co. at Large
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:

Corte Madera, Ross, 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 2022/23-13: 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 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 May 3, 2023.

D.* FINANCIAL REPORTS – Review Financial Reports for March and April 2023.

ACTION NEEDED

INFORMATION ENCLOSED

6. **NEW BUSINESS**

A.* Resolution No. 2022/23-14

A Resolution of Intention to Levy Assessments for FY 2023-24, Preliminarily Approving Engineer's Report for the Marin/Sonoma Mosquito and Vector Control District, Vector Control Assessment District (Assessment No. 1).

ACTION NEEDED

RECOMMENDATION: Consider a motion to approve Resolution No. 2022/23-14

INFORMATION ENCLOSED

B.* Resolution No. 2022/23-15

A Resolution of Intention to Levy Assessments for FY 2023-24, Preliminarily Approving Engineer's Report for the Marin/Sonoma Mosquito and Vector Control District, Northwest Mosquito, Vector Disease Control Assessment District (Assessment No. 2).

ACTION NEEDED

RECOMMENDATION: Consider a motion to approve Resolution No. 2022/23-15

INFORMATION ENCLOSED

C.* Public Hearing June 14, 2023

A notice of hearing for the Marin/Sonoma Mosquito & Vector Control District, Vector Control Assessment District (Assessment No. 1), and for the Northwest Mosquito, Vector and Disease Control Assessment (Assessment No. 2).

ACTION NEEDED

RECOMMENDATION: Schedule a Hearing for June 14, 2023

INFORMATION ENCLOSED

D.* Proposed Fiscal Year 2023-24 Budget (Initial Presentation)

Presentation by Dana Shigley, Management Aide, with assistance from Philip Smith, Manager, and Erik Hawk, Assistant Manager. Please refer to the enclosed draft “Fiscal Year 2023/24 Operating and Capital Budget.”
Recommendations from the Budget Committee, Executive Committee, and staff:

ACTION NEEDED

RECOMMENDATION:

1. Receive the presentation by staff.
2. Review and discuss the initial draft of the annual budget for fiscal year 2023-24.
3. Provide direction to staff.
4. Consider a motion directing staff to return to the June 14th, 2023, meeting with a proposed final version of the annual budget for fiscal year 2023-24.

INFORMATION ENCLOSED

E.* Proposed Updated Employment Resolution for Unrepresented Employees.

Please see the attached staff report.

ACTION NEEDED

RECOMMENDATION:

1. Review and discuss the proposed changes to the Resolution Establishing Compensation and Benefits for Unrepresented Employees.
2. Consider a motion to adopt Resolution 2022/23-16, “A Resolution Establishing Compensation and Benefits for Unrepresented Employees.”

INFORMATION ENCLOSED

7. COMMITTEE & STAFF REPORTS

- A. Executive Committee**
Report by President Richard Snyder
- B. Budget Committee**
Report by Chair Shaun McCaffery

8.* MANAGER’S REPORTS

INFORMATION ENCLOSED

9. WRITTEN COMMUNICATIONS

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

10. OPEN TIME FOR BOARD OR STAFF COMMENTS

11. ADJOURNMENT

RESOLUTION NO. 2022/23-13

**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 under 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 May 10, 2023, by the following roll call vote:

| | Yes | No | Abstain | Absent |
|--------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 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"/> |
| 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"/> |
| Morgan Patton | <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
May 3, 2023

SPECIAL BOARD MEETING MINUTES

1. **CALL TO ORDER**

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

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Members present:

Benediktsson, Cathy
Bloom, Gail
Davis, Tamara
Deicke, Art
Gallian, Laurie
Hootkins, Susan
Kubota, Evan
McCaffery, Shaun

Nichols, Vicki
Pigoni, Carol
Rich, Diana
Rowland Jr., Herb
Schulze, Ed
Witt, David
Zavala, Aarón
Snyder, Richard

Members absent:

Ackerman, Bruce
Harlem, Pamela
Harvey, Susan
Patton, Morgan

Open seats: Corte Madera, Ross, San Anselmo and one Sonoma County at Large.

Others present:

Philip Smith, District 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 2022/23-12: Authorizing Remote Teleconference/Virtual Meetings of the District Pursuant to Government Code Section 54953(e)(3)**

C. **MINUTES** – Minutes for Special Board Meeting held on April 4, 2023.

It was M/S Trustee McCaffery/Trustee Gallian to accept the Consent Calendar:

Motion passed with a roll call vote:

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

No: (none)

Abstain: (none)

Absent: Trustee Ackerman, Trustee Harlem, Trustee Harvey and Trustee Patton

6. **NEW BUSINESS**

No new business was discussed.

7. **COMMITTEE & STAFF REPORTS**

No committee or staff reports were provided.

8. **MANAGER'S REPORTS**

No reports for this meeting. The next report will be provided at the May 10, 2023, meeting.

9. **WRITTEN COMMUNICATIONS**

No written communications.

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

Trustee Schulze remarked that the California state legislature had recently taken further action on Assembly Bill 557, which pertains to open meetings and local government agencies. President Snyder explained that General Counsel would advise the District on this matter.

Trustee McCaffery reported that on April 18, 2023, the Budget Committee met with the Executive Committee to review and make recommendations about the proposed FY 23/24 annual budget, which will be presented to the Board at the May 10, 2023 meeting. Trustee McCaffery also noted that the District unexpectedly received a payment in the amount of \$52, 833 from the California Department of Fish & Wildlife for mosquito control work on their lands.

11. ADJOURNMENT

There being no further business to come before the Board, President Snyder adjourned the meeting at 6:08 pm.

District Representative
MSMVCD

Date of Approval

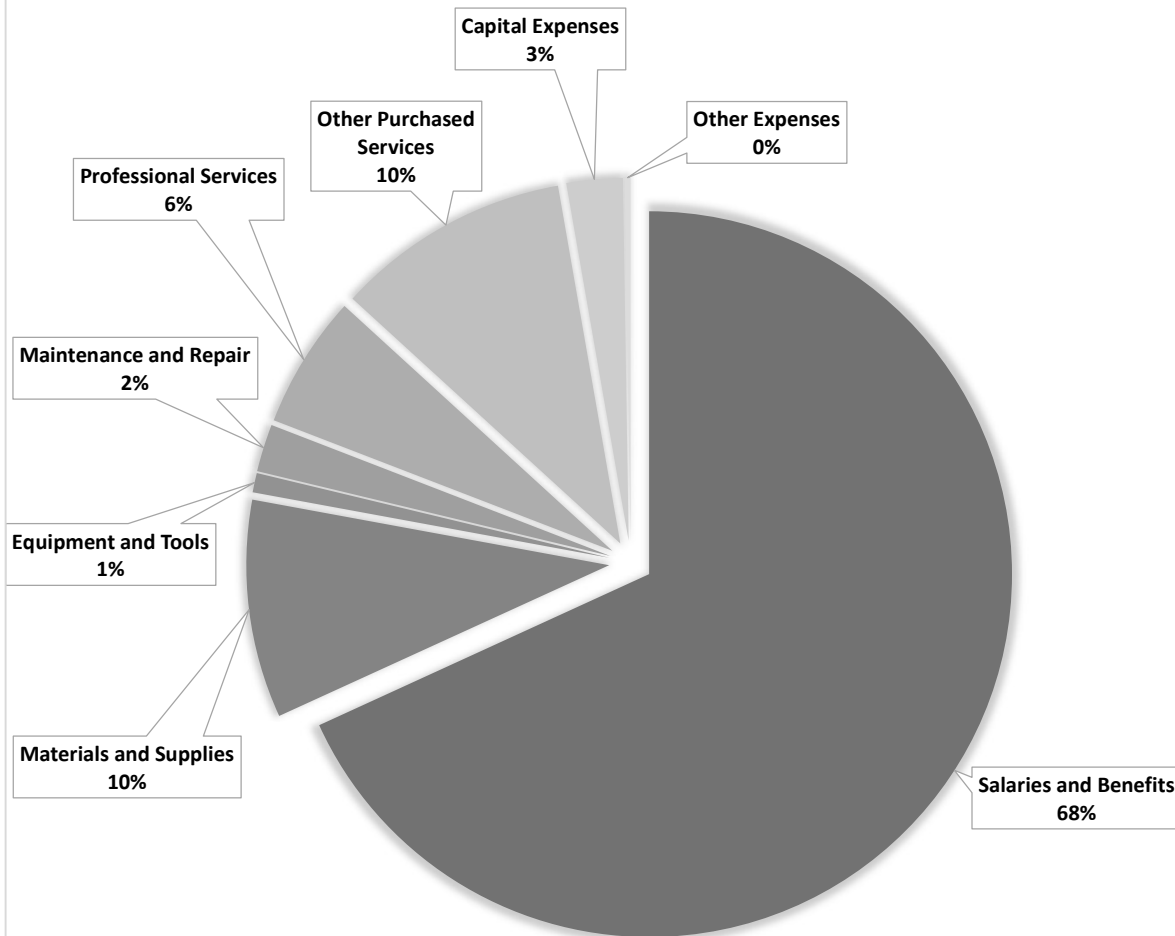
Trustee
MSMVCD Board of Trustees

Date of Approval

Monthly Budget Summary Report
Through April 2023

| | Current Month Expenditures | YTD Expenditures | % of Total Expenditures | Current Budget | Available Budget | % of Budget Spent YTD |
|--------------------------|-------------------------------|---------------------|----------------------------|----------------|---------------------|--------------------------|
| Salaries and Benefits | 492,319 | 5,066,692 | 68% | 6,447,317 | 1,380,625 | 79% |
| Materials and Supplies | 67,190 | 722,025 | 10% | 924,447 | 202,422 | 78% |
| Equipment and Tools | 12,024 | 64,365 | 1% | 124,280 | 59,915 | 52% |
| Maintenance and Repair | 14,959 | 156,956 | 2% | 245,350 | 88,394 | 64% |
| Professional Services | 60,653 | 439,659 | 6% | 808,297 | 368,638 | 54% |
| Other Purchased Services | 95,190 | 777,240 | 10% | 961,332 | 184,092 | 81% |
| Capital Expenses | - | 185,341 | 2% | 404,505 | 219,164 | 46% |
| Other Expenses | 1,648 | 19,678 | 0% | 583,017 | 563,339 | 3% |
| | 743,983 | 7,431,956 | 100% | 10,498,545 | 3,066,589 | 71% |

YTD EXPENDITURES BY TYPE
SHOWN AS A PERCENT OF TOTAL EXPENDITURES



For pay dates from 03/29/23 to 03/31/23

| Vendor | Amount | Description | Fund |
|---|------------|--------------------------------------|------------------|
| ADAPCO, INC. | 6,221.47 | Pyrocide | GENERAL |
| ADAPCO, INC. | 8,800.52 | Bti Liquid | GENERAL |
| ADAPCO, INC. | 13,718.16 | Bti Granules | GENERAL |
| ADAPCO, INC. | 16,468.80 | BACILLUS SPHAERICUS/Bti GRANULES | GENERAL |
| ADAPCO, INC. | 3,398.88 | Bacillus Sphaericus/Bti WSP | GENERAL |
| AFLAC | 1,582.90 | | GENERAL |
| AIRGAS USA, LLC | 137.31 | Eye Wear, Wash and Eye Glass Wipes | GENERAL |
| AIRGAS USA, LLC | 1,536.07 | Respirators | GENERAL |
| ALDRICH NETWORK CONSULTING | 7,002.79 | Computers and Laptops | GENERAL |
| ALDRICH NETWORK CONSULTING | 5,000.00 | Network and IT Consulting Services | GENERAL |
| ARGO ADVENTURE/LIEWER | 13,328.36 | ARGO Repair | GENERAL |
| AT & T | 279.66 | AT&T | GENERAL |
| CALPERS | 3,495.00 | | GENERAL |
| CASEY RICHTER | 500.00 | Employee Wellness Benefit | GENERAL |
| CINTAS CORPORATION | 898.75 | Uniforms | GENERAL |
| CINTAS CORPORATION | 759.00 | COVID-19 Expenses | GENERAL |
| COUNTY OF MARIN | 23,130.14 | Retiree Medical Benefit | GENERAL |
| COUNTY OF SONOMA | 1,116.00 | Hazmat Permit | GENERAL |
| Connect Your Care | 13.69 | Other Professional Services - Human | GENERAL |
| DAN LESLIE | 1,231.04 | | GENERAL |
| ES OPCO USA LLC | 1,746.53 | Backpack Applicators | GENERAL |
| ES OPCO USA LLC | 1,122.88 | Can Applicators | GENERAL |
| ES OPCO USA LLC | 1,511.10 | Backpack Granulator | GENERAL |
| ES OPCO USA LLC | 333.76 | YJ Field Equipment | GENERAL |
| ES OPCO USA LLC | 210.06 | Power Application Equipment | GENERAL |
| HOME DEPOT CREDIT SERVICES | 9.11 | Vehicle Maintenance | GENERAL |
| HOME DEPOT CREDIT SERVICES | 11.42 | Shop | GENERAL |
| INTERSTATE BATTERY SYSTEM | 211.66 | Other Field Equipment | GENERAL |
| KAISER FOUNDATION HEALTH PLAN | 6,987.50 | | GENERAL |
| KAISER FOUNDATION HEALTH PLAN | 45,957.78 | Kaiser - Active Employees | GENERAL |
| LIFE TECHNOLOGIES CORPORATION | 5,327.73 | RT PCR Supplies | GENERAL |
| LOWE'S BUSINESS ACCOUNT | 24.90 | Other Field Equipment | GENERAL |
| LOWE'S BUSINESS ACCOUNT | 28.02 | Power Application Equipment | GENERAL |
| MARIN COUNTY EMPLOYEES RETIREMENT ASSOC | 35,775.10 | | GENERAL |
| MARIN COUNTY EMPLOYEES RETIREMENT ASSOC | 54,236.44 | Retirement - Employer Classic | GENERAL |
| MARIN COUNTY EMPLOYEES RETIREMENT ASSOC | 24,831.58 | Retirement - Employer PEPR | GENERAL |
| METTLER-TOLEDO RAININ, LLC | 868.66 | RT PCR Supplies | GENERAL |
| MISSION SQUARE RETIREMENT | 3,321.24 | Retiree Health Savings Account | GENERAL |
| NATIONWIDE TRUST COMPANY, FSB | 1,425.00 | | GENERAL |
| NEARMAP US, INC. | 12,000.00 | Aerial Surveillance - Swimming Pools | GENERAL |
| NICK BARBIERI TRUCKING,LLC | 4,719.32 | Fuel and Oil | GENERAL |
| OFFICE DEPOT BUSINESS CREDIT | 66.18 | Office Supplies | GENERAL |
| P.G.& E. | 493.20 | Gas and Electricity | GENERAL |
| PATRICK VON ELM | 1,300.00 | | GENERAL |
| REGIONAL GOVERNMENT SERVICES | 6,098.60 | Communication/Notification System | GENERAL |
| SAFETY KLEEN CORP | 239.65 | Other Maintenance and Repair | GENERAL |
| SANTA ROSA AUTO PARTS | 531.83 | Vehicle Maintenance | GENERAL |
| SILVERIA, BUICK, GMC TRUCK | 100,251.92 | Vehicles | CAPITAL PROJECTS |
| SONOMA MEDIA INVESTMENTS, LLC | 103.00 | Newspaper and Legal Notices | GENERAL |
| SPARK CREATIVE DESIGN | 585.38 | Printing Services | GENERAL |
| TASC | 532.80 | | GENERAL |
| THE PRESS DEMOCRAT | 484.00 | Other Memberships and Subscriptions | GENERAL |
| US BANK | 54.74 | Uniforms | GENERAL |

05/02/23
12:34:34

MARIN SONOMA MOSQUITO & VECTOR CONTROL DIST
Claim Recap by Vendor
For the Accounting Period: 3/23

Page: 2 of 2
Report ID: AP100C

For pay dates from 03/29/23 to 03/31/23

| Vendor | Amount | Description | Fund |
|------------------------------|-------------------|--|---------|
| US BANK | 240.89 | Coats, Rain Gear and Boots | GENERAL |
| US BANK | 57.45 | Eye Wear, Wash and Eye Glass Wipes | GENERAL |
| US BANK | 1,736.30 | Other Clothing and Safety Supplies | GENERAL |
| US BANK | 255.25 | Food for Staff or Business Meetings | GENERAL |
| US BANK | 408.11 | Other Food and Household Supplies | GENERAL |
| US BANK | 231.67 | Office Supplies | GENERAL |
| US BANK | 51.68 | Copier Supplies | GENERAL |
| US BANK | 293.86 | Presentation Supplies | GENERAL |
| US BANK | 463.14 | Other Lab Supplies | GENERAL |
| US BANK | 80.46 | Field Tools | GENERAL |
| US BANK | 59.99 | YJ Field Equipment | GENERAL |
| US BANK | 89.77 | Other Field Equipment | GENERAL |
| US BANK | -199.62 | Furniture | GENERAL |
| US BANK | 2,228.38 | Computer Software | GENERAL |
| US BANK | 734.50 | Power Application Equipment | GENERAL |
| US BANK | 73.37 | Lab Equipment | GENERAL |
| US BANK | 29.00 | Printing Services | GENERAL |
| US BANK | 123.00 | Other Memberships and Subscriptions | GENERAL |
| US BANK | 80.44 | Contingency | GENERAL |
| VECTOR-BORNE DISEASE ACCOUNT | 195.00 | Employee Training | GENERAL |
| VISION SERVICE PLAN (CA) | 772.88 | Vision Service Plan - Active Employees | GENERAL |
| WINE COUNTRY RADIO | 1,512.00 | Radio Advertising | GENERAL |
| Total: | 429,537.15 | | |

| Vendor | Amount | Description | Fund |
|---|-----------|---------------------------------------|---------|
| ADAPCO, INC. | 23,468.67 | Bti Liquid | GENERAL |
| ADAPCO, INC. | 12,299.04 | Bacillus Sphaericus FG | GENERAL |
| ADAPCO, INC. | 1,677.98 | BACILLUS SPHAERICUS WDG | GENERAL |
| AFLAC | 1,582.90 | | GENERAL |
| AG-AIR, INC. | 31,560.50 | Aerial Application- Helicopter | GENERAL |
| AIRGAS USA, LLC | 62.42 | Eye Wear, Wash and Eye Glass Wipes | GENERAL |
| ALDRICH NETWORK CONSULTING | 7,254.17 | Computers and Laptops | GENERAL |
| ALDRICH NETWORK CONSULTING | 44.00 | Computer Software | GENERAL |
| ALDRICH NETWORK CONSULTING | 10,000.00 | Network and IT Consulting Services | GENERAL |
| AT & T | 134.96 | AT&T | GENERAL |
| BEST BEST & KRIEGER, LLC. | 3,331.80 | Legal Counsel | GENERAL |
| BRODIE'S TIRE & BRAKE INC. | 1,892.02 | Vehicle Maintenance | GENERAL |
| BRODIE'S TIRE & BRAKE INC. | 362.36 | Trailer Repair | GENERAL |
| CAGWIN & DORWARD | 599.00 | Landscape Services | GENERAL |
| CALPERS | 3,495.00 | | GENERAL |
| CALPERS 457 PLAN | 3,595.00 | | GENERAL |
| CINTAS CORPORATION | 1,805.18 | Uniforms | GENERAL |
| CINTAS CORPORATION | 288.84 | First Aid Supplies and Kits | GENERAL |
| CINTAS CORPORATION | 759.00 | COVID-19 Expenses | GENERAL |
| COMCAST BUSINESS | 1,037.89 | Phone System | GENERAL |
| COMCAST BUSINESS | 260.70 | Comcast | GENERAL |
| COUNTY OF MARIN | 25,780.44 | Retiree Medical Benefit | GENERAL |
| Connect Your Care | 12.95 | Other Professional Services - Human | GENERAL |
| DELTA DENTAL OF CALIFORNIA | 3,295.18 | Dental - Active Employees | GENERAL |
| DMV RENEWAL | 324.00 | Other Fees, Permits and Taxes | GENERAL |
| Danielle Wheeler | 193.80 | Employee Boot Allowance | GENERAL |
| ECONOMY PLUMBING | 260.00 | Admin Building | GENERAL |
| ES OPCO USA LLC | 11,143.80 | Methoprene Liquid | GENERAL |
| ES OPCO USA LLC | 3,777.77 | Backpack Granulator | GENERAL |
| EVERBRIDGE INC. | 21,000.00 | Communication/Notification System | GENERAL |
| FASTRAK INVOICE PROCESSING DEPARTMENT | 17.00 | Staff Travel | GENERAL |
| GRAINGER | 260.45 | Vehicle Maintenance | GENERAL |
| GREAT AMERICA FINANCIAL SERVICES | 699.08 | Copier Supplies | GENERAL |
| GREAT AMERICA FINANCIAL SERVICES | 664.18 | Copy Machine Lease | GENERAL |
| INTERSTATE BATTERY SYSTEM | 211.66 | Vehicle Maintenance | GENERAL |
| INTERSTATE BATTERY SYSTEM | 314.74 | Boats and Forklifts | GENERAL |
| KAISER FOUNDATION HEALTH PLAN | 6,987.50 | | GENERAL |
| KAISER FOUNDATION HEALTH PLAN | 48,361.90 | Kaiser - Active Employees | GENERAL |
| KAISER PERMANENTE - OHSS | 356.00 | Occupational Health Testing | GENERAL |
| KELLY LIEBMAN | 134.39 | Employee Boot Allowance | GENERAL |
| LIEBERT CASSIDY WHITMORE | 1,083.50 | Human Resources Legal Services | GENERAL |
| LOWE'S BUSINESS ACCOUNT | 15.28 | Other Safety Equipment | GENERAL |
| MARIN COUNTY EMPLOYEES RETIREMENT ASSOC | 36,224.20 | | GENERAL |
| MARIN COUNTY EMPLOYEES RETIREMENT ASSOC | 54,250.84 | Retirement - Employer Classic | GENERAL |
| MARIN COUNTY EMPLOYEES RETIREMENT ASSOC | 25,636.86 | Retirement - Employer PEPPA | GENERAL |
| MARIN COUNTY FAIR | 800.00 | Booth Rental | GENERAL |
| MARIN INDEPENDENT JOURNAL | 100.00 | Newspaper and Legal Notices | GENERAL |
| MICHAEL WELLS | 200.00 | Employee Boot Allowance | GENERAL |
| MISSION SQUARE RETIREMENT | 3,044.47 | Retiree Health Savings Account | GENERAL |
| NAJTECH, LLC | 1,125.00 | Other Professional Services - Finance | GENERAL |
| NATIONWIDE TRUST COMPANY, FSB | 2,850.00 | | GENERAL |
| NICK BARBIERI TRUCKING,LLC | 8,839.34 | Fuel and Oil | GENERAL |
| NORTH MARIN WATER DISTRICT | 418.98 | Hydrant Water | GENERAL |

| Vendor | Amount | Description | Fund |
|--|-----------|---|---------|
| National Ice Delivery, Inc. | 2,849.50 | Dry Ice | GENERAL |
| OFFICE DEPOT BUSINESS CREDIT | 67.34 | Office Supplies | GENERAL |
| OUTFRONT MEDIA | 21,500.00 | Outdoor Advertising | GENERAL |
| P.G. & E. | 4,063.01 | Gas and Electricity | GENERAL |
| PAM BUTTERFIELD PT | 1,012.50 | Ergonomic Evaluation | GENERAL |
| PATRICK VON ELM | 1,300.00 | | GENERAL |
| PREFERRED ALLIANCE, INC. | 53.00 | Other Professional Services - Human | GENERAL |
| RECOLOGY SONOMA MARIN | 395.98 | Solid Waste Collection and Disposal | GENERAL |
| REGIONAL GOVERNMENT SERVICES | 4,919.55 | Other Professional Services - Human | GENERAL |
| RICHARD A. SANCHEZ | 1,642.50 | Janitorial Services | GENERAL |
| SANTA ROSA AUTO PARTS | 107.90 | Other Food and Household Supplies | GENERAL |
| SANTA ROSA AUTO PARTS | 850.97 | Vehicle Maintenance | GENERAL |
| SANTA ROSA AUTO PARTS | 443.23 | Boats and Forklifts | GENERAL |
| SANTA ROSA AUTO PARTS | 20.64 | Large Field Equipment | GENERAL |
| SANTA ROSA FIRE EQUIPMENT, INC. | 945.00 | Admin Building | GENERAL |
| SEBASTOPOL BEARING & HYDRAULIC | 56.60 | Garage Equipment | GENERAL |
| SIMPSON GUMPERTZ & HEGER INC. | 1,100.00 | Other Building and Grounds Maintenance | GENERAL |
| SONOMA FILM WORKS INC. | 1,750.00 | Video Services | GENERAL |
| SONOMA MEDIA GROUP | 1,955.00 | Radio Advertising | GENERAL |
| SONOMA MEDIA INVESTMENTS, LLC | 206.00 | Newspaper and Legal Notices | GENERAL |
| TASC | 1,065.60 | | GENERAL |
| TEAMSTERS LOCAL UNION NO. 856 HEALTH AND | 337.50 | | GENERAL |
| TEAMSTERS LOCAL UNION NO. 856 HEALTH AND | 1,467.01 | Teamsters Anthem | GENERAL |
| TENDER CORPORATION | 2,044.80 | Presentation Supplies | GENERAL |
| THE HARTFORD | 260.40 | Sentry Life and Hartford Life | GENERAL |
| TRIP HAZARD | 7,256.00 | Other Building and Grounds Maintenance | GENERAL |
| UPS | 65.27 | Disease Surveillance and Testing (DART) | GENERAL |
| US BANK | 617.36 | Personnel Truck Equipment | GENERAL |
| US BANK | -240.89 | Coats, Rain Gear and Boots | GENERAL |
| US BANK | 104.64 | Admin Clothing and Hats | GENERAL |
| US BANK | 390.32 | Other Clothing and Safety Supplies | GENERAL |
| US BANK | 196.91 | Other Food and Household Supplies | GENERAL |
| US BANK | 26.46 | Office Supplies | GENERAL |
| US BANK | 563.12 | Presentation Supplies | GENERAL |
| US BANK | 100.79 | Other Office Expense | GENERAL |
| US BANK | 77.55 | Other Lab Supplies | GENERAL |
| US BANK | 28.46 | Other Safety Equipment | GENERAL |
| US BANK | 489.19 | Field Tools | GENERAL |
| US BANK | 19.66 | Hand Tools | GENERAL |
| US BANK | 28.32 | Appliances and Office Tools | GENERAL |
| US BANK | 310.35 | Computer Software | GENERAL |
| US BANK | 42.00 | Vehicle Maintenance | GENERAL |
| US BANK | 1,000.00 | Equipment Trailers | GENERAL |
| US BANK | 94.70 | Printing Services | GENERAL |
| US BANK | 477.41 | Other Professional Services | GENERAL |
| US BANK | 152.21 | Other Memberships and Subscriptions | GENERAL |
| US BANK | 14.00 | Newspaper and Legal Notices | GENERAL |
| US BANK | 431.80 | Staff Travel | GENERAL |
| US BANK | 275.00 | Booth Rental | GENERAL |
| US BANK | 889.25 | COVID-19 Expenses | GENERAL |
| VECTOR CONTROL JPA | 444.92 | Employee Assistance Program | GENERAL |
| VECTOR-BORNE DISEASE ACCOUNT | 78.00 | Employee Training | GENERAL |
| VERIZON WIRELESS | 10,269.67 | Cell Phone Services | GENERAL |

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MARIN SONOMA MOSQUITO & VECTOR CONTROL DIST
Claim Recap by Vendor
For the Accounting Period: 4/23

Page: 3 of 3
Report ID: AP100C

| Vendor | Amount | Description | Fund |
|---------------------------------|-------------------|--|------------------|
| VISION SERVICE PLAN (CA) | 808.48 | Vision Service Plan - Active Employees | GENERAL |
| WORTHINGTON ARCHITECTURE DESIGN | 1,531.25 | Other Professional Services | CAPITAL PROJECTS |
| Total: | 440,850.97 | | |

Objects 6000-6065

| Object | Committed Current Month | Committed YTD | Original Appropriation | Current Appropriation | Available Appropriation | % Committed |
|---|----------------------------|---------------------|---------------------------|--------------------------|----------------------------|----------------|
| 6010 Salaries and Wages | 305,577.20 | 3,170,363.07 | 4,070,819.00 | 3,893,419.00 | 723,055.93 | 81 % |
| 6012 MCERA Credit | 3,149.24 | 24,725.96 | 30,080.00 | 30,080.00 | 5,354.04 | 82 % |
| 6014 Overtime | 1,969.12 | 14,095.44 | 30,600.00 | 30,600.00 | 16,504.56 | 46 % |
| 6015 Seasonal Wages | 12,192.00 | 133,466.20 | 316,000.00 | 358,000.00 | 224,533.80 | 37 % |
| 6016 Trustee Wages | 0.00 | 10,100.00 | 16,000.00 | 16,000.00 | 5,900.00 | 63 % |
| 6022 Medicare Employer portion | 4,547.85 | 47,324.95 | 64,976.00 | 64,976.00 | 17,651.05 | 73 % |
| 6023 FICA (Social Security) | 755.90 | 8,903.53 | 20,584.00 | 20,584.00 | 11,680.47 | 43 % |
| 6030 Retirement - Employer Classic | 54,250.84 | 575,879.17 | 711,776.00 | 711,776.00 | 135,896.83 | 81 % |
| 6032 Retirement - Employer PEPRA | 25,636.86 | 250,096.27 | 349,858.00 | 299,758.00 | 49,661.73 | 83 % |
| 6041 Kaiser - Active Employees | 48,361.90 | 487,357.98 | 632,865.00 | 574,115.00 | 86,757.02 | 85 % |
| 6043 Dental - Active Employees | 3,295.18 | 35,532.16 | 46,395.00 | 46,395.00 | 10,862.84 | 77 % |
| 6045 Vision Service Plan - Active Employees | 808.48 | 9,284.88 | 11,676.00 | 11,676.00 | 2,391.12 | 80 % |
| 6047 Teamsters Anthem | 1,467.01 | 14,203.84 | 17,192.00 | 17,192.00 | 2,988.16 | 83 % |
| 6051 Sentry Life and Hartford Life | 260.40 | 3,871.54 | 4,855.00 | 4,855.00 | 983.46 | 80 % |
| 6053 Employee Assistance Program | 444.92 | 1,480.04 | 2,455.00 | 2,455.00 | 974.96 | 60 % |
| 6055 Employee Boot Allowance | 528.19 | 2,862.13 | 7,600.00 | 7,600.00 | 4,737.87 | 38 % |
| 6057 Employee Wellness Benefit | 0.00 | 6,971.93 | 18,250.00 | 18,250.00 | 11,278.07 | 38 % |
| 6059 State Unemployment (5.0% x 44 emp) | 249.00 | 8,859.00 | 19,375.00 | 19,375.00 | 10,516.00 | 46 % |
| 6061 Retiree Spousal - Teamsters, WHA or UH | 0.00 | 0.00 | 36,200.00 | 0.00 | 0.00 | 0 % |
| 6063 Retiree Spousal - Kaiser | 0.00 | 0.00 | 71,200.00 | 0.00 | 0.00 | 0 % |
| 6065 Retiree Medical Benefit | 25,780.44 | 233,704.60 | 171,126.00 | 278,526.00 | 44,821.40 | 84 % |
| 6XXX Object Group Total | 489,274.53 | 5,039,082.69 | 6,649,882.00 | 6,405,632.00 | 1,366,549.31 | 79 % |
| Grand Total: | 489,274.53 | 5,039,082.69 | 6,649,882.00 | 6,405,632.00 | 1,366,549.31 | 79 % |

MARIN SONOMA MOSQUITO & VECTOR CONTROL DIST
Quarterly Income Statement
For the Accounting Period: 13 / 23

101 GENERAL

| | 1st Quarter | 2nd Quarter | 3rd Quarter | 4th Quarter | Current YTD | Budget | Variance |
|-----------------------------------|-------------|-------------|-------------|-------------|-------------|------------|------------|
| REVENUES | | | | | | | |
| TAXES MARIN COUNTY | | | | | | | |
| 4110 Current Secured | | 1,491,916 | 12,036 | | 1,503,951 | 2,680,193 | -1,176,242 |
| 4115 Current Unsecured | | 41,380 | 7,465 | | 48,845 | 47,835 | 1,010 |
| 4125 Prior Unsecured | | 2,387 | 323 | | 2,709 | 1,719 | 990 |
| 4130 Benefit Assessment Marin | | 629,072 | 4 | | 629,077 | 1,141,800 | -512,723 |
| 4135 Benefit Assessment Marin | | 92,527 | | | 92,527 | 169,318 | -76,792 |
| 4150 Supplemental Taxes | 1,407 | 21,203 | 39,982 | | 62,592 | 69,009 | -6,417 |
| 4160 RDA Residual | | 10,590 | | | 10,590 | 11,516 | -926 |
| Total TAXES MARIN COUNTY | 1,407 | 2,289,075 | 59,810 | | 2,350,291 | 4,121,390 | -1,771,100 |
| TAXES SONOMA COUNTY | | | | | | | |
| 4210 Current Secured | | 1,759,819 | | 1,444,557 | 3,204,376 | 3,285,769 | -81,393 |
| 4215 Current Unsecured | | 97,469 | | | 97,469 | 97,500 | -31 |
| 4220 Secured Delinquent | | | | | | 15,000 | -15,000 |
| 4230 Benefit Assessment Sonoma | | 1,112,971 | | 838,030 | 1,951,001 | 2,046,000 | -94,999 |
| 4235 Benefit Assessment Sonoma | | 470,012 | 2,612 | 338,546 | 811,170 | 901,282 | -90,112 |
| 4239 Delinquent Special | | 19,839 | | 10,910 | 30,748 | 15,073 | 15,675 |
| 4250 Sonoma Supplemental Taxes | | 25,135 | | 21,449 | 46,584 | 50,000 | -3,416 |
| 4260 Sonoma RDA | | -44,085 | | -161,591 | -205,676 | -92,325 | -113,351 |
| Total TAXES SONOMA COUNTY | | 3,441,160 | 2,612 | 2,491,901 | 5,935,672 | 6,318,299 | -382,627 |
| USE OF MONEY & PROPERTY | | | | | | | |
| 4310 Investment Earnings | 7,168 | 24,297 | | 963 | 32,427 | 29,377 | 3,050 |
| Total USE OF MONEY & PROP | 7,168 | 24,297 | | 963 | 32,427 | 29,377 | 3,050 |
| STATE & FEDERAL | | | | | | | |
| 4410 Homeowners Property Tax | | 3,957 | 3,574 | 5,659 | 13,189 | 26,188 | -12,999 |
| 4420 In-Lieu Tax | | 170 | | | 170 | 300 | -130 |
| 4490 Other State Aid | | 42 | | | 42 | 200 | -158 |
| Total STATE & FEDERAL | | 4,169 | 3,574 | 5,659 | 13,401 | 26,688 | -13,287 |
| CHARGES FOR SERVICES | | | | | | | |
| 4510 Miscellaneous Services | 81,322 | 91,063 | 5,324 | 53,789 | 231,498 | 190,050 | 41,448 |
| Total CHARGES FOR SERVICE | 81,322 | 91,063 | 5,324 | 53,789 | 231,498 | 190,050 | 41,448 |
| OTHER REVENUE | | | | | | | |
| 4910 Refunds and | 394 | 4,734 | 29,928 | | 35,056 | 20,000 | 15,056 |
| 4920 Insurance Refunds and | 4,423 | 19,598 | 21,578 | | 45,599 | 69,750 | -24,151 |
| 4930 Sales of District | 90 | 210 | 374 | 120 | 794 | | 794 |
| Total OTHER REVENUE | 4,907 | 24,542 | 51,880 | 120 | 81,449 | 89,750 | -8,301 |
| Total REVENUES | 94,804 | 5,874,306 | 123,200 | 2,552,432 | 8,644,738 | 10,775,554 | -2,130,817 |
| Net Income (Loss) from Operations | 94,804 | 5,874,306 | 123,200 | 2,552,432 | 8,644,738 | | |
| Net Income (Loss) | 94,804 | 5,874,306 | 123,200 | 2,552,432 | 8,644,738 | | |

STAFF REPORT



DATE: May 10, 2023

TO: The Board of Trustees

FROM: Philip D. Smith, District Manager

SUBJECT: Resolution Nos. 2022/23-14 and 2022/23-15, declaring the Intention to Continue to Levy Assessments for Fiscal Year 2023-24, Preliminarily Approving Engineer's Reports, and Providing for Notice of Hearing on June 14, 2023 for the Vector Control Assessment District (Assessment No. 1) and the Northwest Mosquito, Vector and Disease Control Assessment (Assessment No. 2)

RECOMMENDATION

It is recommended that the Board approve the two Resolutions that would declare the Board's intention to continue to levy assessments for fiscal year 2023-24, preliminarily approve the Engineer's Reports for the Vector Control Assessment District (Assessment No. 1) (Resolution No. 2022/23-14), and the Northwest Mosquito, Vector and Disease Control Assessment (Assessment No. 2) (Resolution No. 2022/23-15), and provide for the notice of a public hearing on June 9, 2021 regarding continuing the levy of the annual assessments for fiscal year 2023-24.

RESULT OF RECOMMENDED ACTION

The Board will declare its intention to levy the assessments for fiscal year 2023-24, and will preliminarily approve the Engineer's Reports, including the proposed rates included in the Engineer's Reports for the Assessment No. 1 and Assessment No. 2. The Engineer will administer and process the current parcel data to establish current assessments for each parcel in the assessment districts boundaries. The District will cause a Notice to be published in a local newspaper in Marin and Sonoma Counties in order to notify the public of the hearing that will be held on June 14, 2023, for the continued levy of the assessments.

BACKGROUND

The Vector Control Assessment District (Assessment No. 1) was formed in October 9, 1996, by Resolution No. 96/97-3, after a public meeting held on September 11, 1996 and a public hearing held on October 9, 1996 to allow for public input. The first assessments were levied in fiscal year 1997-98. The purpose of the Assessment No. 1 is to provide surveillance and control of vectors and mosquitoes within the original boundaries of the District. Since this assessment pre-dates the 1996 approval of Proposition 218, it is considered a "grandfathered assessment" and is not held to the same standards of some of the requirements established by Proposition 218. The Board of Trustees established a maximum assessment rate of \$12.00 per single family equivalent benefit unit (SFE) for the 1996-97 fiscal year.

The Northwest Mosquito, Vector and Disease Control Assessment (Assessment No. 2) was established in 2004, after a LAFCo annexation proceeding and after gaining property owner ballot support for a new benefit assessment. This benefit assessment was established to provide mosquito, vector and disease control to the coastal areas of Marin County and the coastal and northern areas Sonoma County, not previously serviced by the District or any agency.

- Balloting Conducted: October 7 to November 22, 2004
- Ballot Results: 61.22 % of the weighted returned ballots were in support of the proposed assessment
- Board Approval of 1st Year Assessment Levies: November 29, 2004, Resolution No. 04/05-05
- First Year Assessments Levied: 2005-06
- Fiscal Year 2005-06 Approved Rate: \$19.00 per single family equivalent benefit unit (SFE)
- Annual CPI: In each subsequent year, the maximum assessment rate increases by the annual change in the San Francisco Bay Area Consumer Price Index, not to exceed 5% per year
- Fiscal Year 2023-24 Maximum Rate: \$31.52 per single family equivalent benefit unit (SFE) for Zone A and Zone West Marin, and \$30.14 for Zone B

SCI Consulting Group, the District’s assessment engineer and assessment administration firm, has prepared the Engineer’s Reports for the Vector Control Assessment District and for the Northwest Mosquito, Vector and Disease Control Assessment District for fiscal year 2023-24, and these Reports are included with this staff report.

PROPOSED RATE AND CPI HISTORY

Assessment No 1: Assessment No. 1 has a maximum assessment of \$12.00 per SFE. The estimate of cost and budget in the Engineer’s Report proposes assessments for fiscal year 2023-24 at the rate of \$12.00. The total amount of revenues that would be generated by the assessments in fiscal year 2023-24 at the proposed rate of \$12.00 is approximately \$3,200,400.

Assessment No 2: Assessment No. 2 maximum assessment is increased annually based on the Consumer Price Index-U for the San Francisco Bay Area as of December of each succeeding year (CPI), with a maximum annual adjustment not to exceed 5%.

As shown in the following table, the maximum authorized assessment rate for fiscal year 2023-24 is \$31.52 per single family equivalent (SFE) benefit unit in Zone A and Zone West Marin, and \$30.14 in Zone B. The estimate of cost and budget in the Engineer’s Report supports assessments for fiscal year 2023-24 at the authorized maximum rates of \$31.52 for Zone A and Zone West Marin, and \$30.14 (rounded) for Zone B. The total amount of revenues that would be generated by the assessments in fiscal year 2023-24 at the proposed rates is approximately \$1,170,673.

| | | | ASSESSMENT NO. 2 | | | |
|--------------------------------|---------|----------------------|----------------------------|-------------------------|----------------------------|-------------------------|
| | | | ZONES A & West Marin | | ZONE B | |
| CPI change as of each December | FY | Bay Area CPI History | Asmt / SFE Used for the FY | Maximum Authorized Rate | Asmt / SFE Used for the FY | Maximum Authorized Rate |
| DEC 2004 | 2005-06 | 2.15% | \$19.00 | \$19.00 | \$19.00 | \$19.00 |
| DEC 2005 | 2006-07 | 1.95% | \$19.36 | \$19.37 | \$19.36 | \$19.37 |
| DEC 2006 | 2007-08 | 3.44% | \$19.36 | \$20.03 | \$19.36 | \$20.03 |
| DEC 2007 | 2008-09 | 3.84% | \$19.36 | \$20.80 | \$19.36 | \$20.80 |
| DEC 2008 | 2009-10 | 0.01% | \$19.36 | \$20.80 | \$19.36 | \$20.80 |
| DEC 2009 | 2010-11 | 2.61% | \$19.36 | \$21.35 | \$18.51 | \$20.41 |
| DEC 2010 | 2011-12 | 1.52% | \$19.36 | \$21.67 | \$18.51 | \$20.72 |
| DEC 2011 | 2012-13 | 2.92% | \$19.92 | \$22.30 | \$19.05 | \$21.32 |
| DEC 2012 | 2013-14 | 2.22% | \$20.88 | \$22.80 | \$19.97 | \$21.81 |
| DEC 2013 | 2014-15 | 2.57% | \$21.68 | \$23.39 | \$20.73 | \$22.36 |
| DEC 2014 | 2015-16 | 2.67% | \$22.24 | \$24.01 | \$21.27 | \$22.96 |
| DEC 2015 | 2016-17 | 3.17% | \$24.76 | \$24.77 | \$23.69 | \$23.69 |
| DEC 2016 | 2017-18 | 3.53% | \$25.64 | \$25.64 | \$24.52 | \$24.52 |
| DEC 2017 | 2018-19 | 2.94% | \$26.40 | \$26.40 | \$25.25 | \$25.25 |
| DEC 2018 | 2019-20 | 4.49% | \$27.58 | \$27.59 | \$26.38 | \$26.38 |
| DEC 2019 | 2020-21 | 2.45% | \$28.26 | \$28.27 | \$27.03 | \$27.03 |
| DEC 2020 | 2021-22 | 2.00% | \$28.82 | \$28.83 | \$27.56 | \$27.57 |
| DEC 2021 | 2022-23 | 4.24% | \$28.82 | \$30.06 | \$27.56 | \$28.74 |
| DEC 2022 | 2023-24 | 4.88% | \$31.52 | \$31.52 | \$30.14 | \$30.14 |

The following table list the historical revenues and rates for Assessment No. 1:

| MS-MVCD Assessment No.1 | | Marin County | | | Sonoma County | | |
|----------------------------|------------|--------------|------------------|--------------------------|---------------|------------------|--------------------------|
| Fiscal Year | Asmt / SFE | SFE Units | Total Assessment | Increase from prior year | SFE Units | Total Assessment | Increase from prior year |
| 2000-01 | \$6.00 | 93,498 | \$560,985 | | 155,748 | \$934,488 | |
| 2001-02 | \$6.00 | 93,548 | \$561,288 | \$303 | 157,597 | \$945,582 | \$11,094 |
| 2002-03 | \$9.75 | 93,296 | \$908,863 | \$347,575 | 155,805 | \$1,517,947 | \$572,365 |
| 2003-04 | \$9.75 | 93,725 | \$913,043 | \$4,181 | 157,280 | \$1,532,320 | \$14,373 |
| 2004-05 | \$5.00 | 94,126 | \$470,630 | (\$442,413) | 157,879 | \$789,395 | (\$742,925) |
| 2005-06 | \$9.74 | 94,232 | \$917,792 | \$447,162 | 159,725 | \$1,555,587 | \$766,192 |
| 2006-07 | \$10.72 | 94,356 | \$1,011,491 | \$93,699 | 161,810 | \$1,734,598 | \$179,011 |
| 2007-08 | \$10.72 | 94,419 | \$1,012,166 | \$675 | 163,352 | \$1,751,128 | \$16,530 |
| 2008-09 | \$10.72 | 94,340 | \$1,011,319 | (\$847) | 164,359 | \$1,761,924 | \$10,796 |
| 2009-10 | \$10.72 | 94,455 | \$1,012,558 | \$1,238 | 164,956 | \$1,768,334 | \$6,410 |
| 2010-11 | \$10.72 | 94,955 | \$1,017,918 | \$5,360 | 165,245 | \$1,771,421 | \$3,087 |
| 2011-12 | \$10.72 | 94,888 | \$1,017,194 | (\$724) | 165,592 | \$1,775,146 | \$3,725 |
| 2012-13 | \$11.02 | 94,746 | \$1,044,101 | \$26,907 | 165,758 | \$1,826,653 | \$51,507 |
| 2013-14 | \$11.56 | 94,636 | \$1,093,992 | \$49,891 | 166,164 | \$1,920,850 | \$94,197 |
| 2014-15 | \$12.00 | 94,723 | \$1,136,670 | \$42,678 | 166,454 | \$1,997,448 | \$76,598 |
| 2015-16 | \$12.00 | 94,868 | \$1,138,416 | \$1,746 | 166,729 | \$2,000,742 | \$3,294 |
| 2016-17 | \$12.00 | 95,076 | \$1,140,912 | \$2,496 | 167,053 | \$2,004,636 | \$3,894 |
| 2017-18 | \$12.00 | 95,059 | \$1,140,702 | (\$210) | 167,643 | \$2,011,710 | \$7,074 |
| 2018-19 | \$12.00 | 95,104 | \$1,141,248 | \$546 | 168,415 | \$2,020,977 | \$9,267 |
| 2019-20 | \$12.00 | 95,192 | \$1,142,298 | \$1,050 | 168,881 | \$2,026,572 | \$5,595 |
| 2020-21 | \$12.00 | 95,218 | \$1,142,616 | \$318 | 168,945 | \$2,027,340 | \$768 |
| 2021-22 | \$12.00 | 95,157 | \$1,141,884 | (\$414) | 169,522 | \$2,034,264 | \$7,692 |
| 2022-23 | \$12.00 | 95,150 | \$1,141,800 | (\$816) | 170,500 | \$2,046,000 | \$18,660 |
| 2023-24 | \$12.00 | 95,300 | \$1,143,600 | \$1,716 | 171,400 | \$2,056,800 | \$22,536 |

The following table list the historical revenues and rates for Assessment No. 2:

| MS-MVCD Assessment No.2 | | Marin County | | | Sonoma County | | |
|----------------------------|---------------|--------------|---------------------|--------------------------------|---------------|---------------------|--------------------------------|
| Fiscal Year | Asmt / SFE | SFE Units | Total Assessment | Increase from prior year | SFE Units | Total Assessment | Increase from prior year |
| 2005-06 | \$19.00 | 5,559 | \$105,627 | \$105,627 | 29,412 | \$558,736 | \$558,736 |
| 2006-07 | \$19.36 | 5,602 | \$108,448 | \$2,821 | 29,588 | \$572,826 | \$14,091 |
| 2007-08 | \$19.36 | 5,596 | \$108,341 | (\$108) | 29,631 | \$573,660 | \$834 |
| 2008-09 | \$19.36 | 5,668 | \$109,730 | \$1,389 | 29,808 | \$577,087 | \$3,427 |
| 2009-10 | \$19.36 | 5,701 | \$110,370 | \$640 | 29,992 | \$580,644 | \$3,557 |
| 2010-11 | \$19.36 | 5,781 | \$111,917 | \$1,547 | 30,018 | \$580,959 | \$315 |
| 2011-12 | \$19.36 | 5,758 | \$111,473 | (\$444) | 29,954 | \$579,709 | (\$1,250) |
| 2012-13 | \$19.92 | 5,759 | \$114,720 | \$3,247 | 29,977 | \$596,957 | \$17,248 |
| 2013-14 | \$20.88 | 5,767 | \$120,424 | \$5,704 | 29,998 | \$626,146 | \$29,189 |
| 2014-15 | \$21.68 | 5,770 | \$125,099 | \$4,675 | 30,078 | \$651,882 | \$25,737 |
| 2015-16 | \$22.24 | 5,792 | \$128,823 | \$3,724 | 30,131 | \$669,885 | \$18,003 |
| 2016-17 | \$24.76 | 5,809 | \$143,836 | \$15,013 | 30,278 | \$749,433 | \$79,548 |
| 2017-18 | \$25.64 | 5,817 | \$149,148 | \$5,312 | 30,314 | \$777,001 | \$27,568 |
| 2018-19 | \$26.40 | 5,840 | \$154,186 | \$5,038 | 30,400 | \$802,297 | \$25,296 |
| 2019-20 | \$27.58 | 5,890 | \$162,459 | \$8,274 | 30,326 | \$836,111 | \$33,814 |
| 2020-21 | \$28.26 | 5,915 | \$167,158 | \$4,698 | 30,374 | \$858,081 | \$21,970 |
| 2021-22 | \$28.82 | 5,918 | \$170,557 | \$3,399 | 30,389 | \$875,516 | \$17,435 |
| 2022-23 | \$28.82 | 5,875 | \$169,318 | (\$1,239) | 31,283 | \$901,282 | \$25,766 |
| 2023-24 | \$28.82 | 5,887 | \$169,660 | \$342 | 31,264 | \$900,734 | (\$549) |

CONCLUSION

It is recommended that the Board approve the two Resolutions of Intention to Levy Assessments for Fiscal Year 2023-24, Preliminarily Approving Engineer’s Report, and Providing for Notice of Hearing on June 14, 2023 for the Vector Control Assessment District (Assessment No. 1) (Resolution No. 2022/23-14) and the Northwest Mosquito, Vector and Disease Control Assessment (Assessment No. 2) (Resolution No. 2022/23-15).

Respectfully submitted,

Philip D. Smith, District Manager

FY 2023-24

ENGINEER'S REPORT

Marin/Sonoma Mosquito & Vector Control District

Vector Control Assessment No. 1 - *AMENDMENT
TO OCTOBER 9, 1996 ENGINEER'S REPORT*

May 2023
Preliminary Report

Engineer of Work:



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Marin/Sonoma Mosquito & Vector Control District

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District Manager

Philip D. Smith

Engineer of Work

SCI Consulting Group
Lead Assessment Engineer, John Bliss, M. Eng., P.E.

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Introduction

Overview

The Marin/Sonoma Mosquito and Vector Control District (“District”) is a public health agency dedicated to providing vector control and disease surveillance services in Marin and Sonoma Counties. The District, which is an independent special district (not part of any county or city), was the first mosquito abatement district in California, created on November 6, 1915, taking advantage of the newly approved 1915 Mosquito Abatement Act, to control the mosquitoes in Marin County. In 1976 the District annexed the central area of Sonoma County, becoming the Marin/Sonoma Mosquito Abatement District. In 1995 the district’s original name, Mosquito Abatement District, was changed to its current name, Marin/Sonoma Mosquito and Vector Control District, to reflect the additional services offered to the public, that also include eradication of in-ground yellowjacket nests, tick surveillance, and provision of rodent control advice. (In 2004 the District expanded its services to cover the entirety of Marin and Sonoma counties. During this process the District formed a second Benefit Assessment District in the annexed areas in order to fund the provision of program services to the newly expanded service area.)

The Marin/Sonoma Mosquito and Vector Control District, Vector Control Assessment (“Assessment No. 1” or “Assessment District”) was formed in 1996 to provide mosquito abatement and vector and disease control services to properties within the boundaries of the Vector Control Assessment No. 1. The boundaries of Assessment No. 1 cover approximately one-third of the total area of Marin and Sonoma Counties, encompassing approximately 960 square miles and servicing over 650,000 residents. This area extends over the eastern, more densely populated areas of Marin and Sonoma Counties, including the cities of Belvedere, Corte Madera, Fairfax, Larkspur, Mill Valley, Novato, Ross, Sausalito, San Anselmo, San Rafael, and Tiburon in Marin County, and Cotati, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, and Windsor in Sonoma County, as well as surrounding unincorporated areas (“Service Area”).

The Service Area projects and services are funded by a benefit assessment (Assessment No. 1), property tax revenues, service contracts, grants, and civil liabilities, pursuant to Health and Safety Code Section 2000 *et seq.* The District maintains service contracts with some large landowners and/or water dischargers, and solicits grants for research and interagency habitat management projects. In some cases, the District accepts civil liability settlements from the Marin or Sonoma County District Attorney or the California Department of Fish and Game when these settlements are directed at habitat management projects consistent with the District’s Mission.

The mosquito abatement, vector control services and environmental improvements proposed to be undertaken by the Assessment No. 1, to be financed by the levy of the annual assessment, provide special benefit to Assessor Parcels within the District as defined in the Method of Apportionment herein. The said services and improvements (collectively "Services") consist of mosquito control services, such as mosquito surveillance, source reduction, larvicide and adulticide applications, disease monitoring, public education, reporting, accountability, research and interagency cooperative activities.

Additional plans and specifications are filed with the District Manager of the Marin/Sonoma Mosquito and Vector Control District.

On October 9, 1996 with Resolution 96/97-3, the District adopted a vector surveillance and control assessment ("Assessment No. 1" or "Assessment District") for fiscal year 1997-98 and every year thereafter for the purpose of funding vector surveillance and control activities and projects within the District. The Assessment No. 1 is an annual assessment imposed for vector control services in effect prior to the effective date for Proposition 218 and, therefore, is not fully subject to the procedures and approval process established for new vector assessments by Proposition 218.

This Engineer's Report ("Report") was prepared to:

- Describe the Services that will be funded by the assessments,
- Establish a budget for the Services that will be funded by the 2023-24 assessments,
- Reiterate the benefits received from the Services by property within the Mosquito and Vector Control District ("Assessment District"), and
- Reiterate the method of assessment apportionment to lots and parcels within the Assessment District.

As used within this Report, the following terms are defined:

"Vector" means any animal capable of transmitting the causative agent of human disease or capable of producing human discomfort or injury, including, but not limited to, mosquitoes, flies, mites, ticks, other arthropods, and small mammals and other vertebrates (Health and Safety Code Section 2002(k)).

"Vector Control" shall mean any system of public improvements or services that is intended to provide for the surveillance, prevention, abatement, and control of vectors as defined in subdivision (k) of Section 2002 of the Health and Safety Code and a pest as defined in Section 5006 of the Food and Agricultural Code (Government Code Section 53750(m)).

The District operates under the authority of the Mosquito Abatement and Vector Control District Law of the State of California. Following are excerpts from the Mosquito Abatement and Vector Control District Law of 2002, codified in the Health and Safety Code, Section 2000, *et seq.* which serve to summarize the State Legislature's findings and intent with regard to mosquito abatement and other vector control services:

2001. (a) The Legislature finds and declares all of the following:

(1) California's climate and topography support a wide diversity of biological organisms.

(2) Most of these organisms are beneficial, but some are vectors of human disease pathogens or directly cause other human diseases such as hypersensitivity, envenomization, and secondary infections.

(3) Some of these diseases, such as mosquitoborne viral encephalitis, can be fatal, especially in children and older individuals.

(4) California's connections to the wider national and international economies increase the transport of vectors and pathogens.

(5) Invasions of the United States by vectors such as the Asian tiger mosquito and by pathogens such as the West Nile virus underscore the vulnerability of humans to uncontrolled vectors and pathogens.

(b) The Legislature further finds and declares:

(1) Individual protection against the vectorborne diseases is only partially effective.

(2) Adequate protection of human health against vectorborne diseases is best achieved by organized public programs.

(3) The protection of Californians and their communities against the discomforts and economic effects of vectorborne diseases is an essential public service that is vital to public health, safety, and welfare.

(4) Since 1915, mosquito abatement and vector control districts have protected Californians and their communities against the threats of vectorborne diseases.

(c) In enacting this chapter, it is the intent of the Legislature to create and continue a broad statutory authority for a class of special districts with the power to conduct effective programs for the surveillance, prevention, abatement, and control of mosquitoes and other vectors.

(d) It is also the intent of the Legislature that mosquito abatement and vector control districts cooperate with other public agencies to protect the public health, safety, and welfare. Further, the Legislature encourages local communities and local officials to adapt the powers and procedures provided by this chapter to meet the diversity of their own local circumstances and responsibilities.

Further the Health and Safety Code, Section 2082 specifically authorizes the creation of benefit assessments for vector control, as follows:

(a) A district may levy special benefit assessments consistent with the requirements of Article XIII D of the California Constitution to finance vector control projects and programs.

This Engineer's Report incorporates and is intended to be consistent with the benefit determinations, assessment apportionment methodology and other provisions established by Resolution 96/97-3 and the other documents and reports that established the Assessment District. Reference is hereby made to Resolution 96/97-3 and other supporting reports and documents for further details.

Engineer's Report and Continuation of Assessments

The Assessment District was formed in 1996 to provide mosquito abatement and vector and disease control services, and to continue providing the Services in future years, funded by the levy of the annual assessments, as long as the Services are needed within the Service Area. In each subsequent year for which the assessments will be continued, the Board must preliminarily approve at a public meeting a budget for the upcoming fiscal year's costs and services, an updated annual Engineer's Report, and an updated assessment roll listing all parcels and their proposed assessments for the upcoming fiscal year. At this meeting, the Board will also call for the publication in a local newspaper of a legal notice of the intent to continue the assessments for the next fiscal year and set the date for the noticed public hearing. At the annual public hearing, members of the public can provide input to the Board prior to the Board's decision on continuing the services and assessments for the next fiscal year.

The fiscal year 2023-24 budget includes outlays for capital replacement, supplies, disease testing programs, vector control programs and contract abatement services, as well as funding for programs to test for, control, monitor and/or abate West Nile virus and other viruses, tick-borne diseases, and mosquitoes that are needed to provide additional vector control and public health protection services. If the Board approves this Engineer's Report for fiscal year 2023-24 and the continuation of the assessments by resolution, a notice of assessment levies will be published in a local paper at least 10 days prior to the date of the public hearing. Following the minimum 10-day time period after publishing the notice, a public hearing will be held for the purpose of allowing public testimony about the proposed continuation of the assessments for fiscal year 2023-24. At this hearing, the Board will consider approval of a resolution confirming the continuation of the assessments for fiscal year 2023-24. If so confirmed and approved, the assessments will be submitted to the Marin and Sonoma County Auditors for inclusion on the property tax rolls for Fiscal Year 2023-24.

Proposition 218

This assessment was formed prior to the implementation of Proposition 218, the Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now Article XIIC and XIID of the California Constitution; and therefore, this assessment is not fully subject to its requirements. Nevertheless, a brief discussion of Proposition 218 is provided to indicate that this proposition effectively strengthens the special benefit justification for this assessment.

Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property. When Proposition 218 was initially approved in 1996, it allowed for certain types of assessments to be “grandfathered” in, and these were exempted from the property-owner balloting requirement.

Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article. Notwithstanding the foregoing, the following assessments existing on the effective date of this article shall be exempt from the procedures and approval process set forth in Section 4:

(a) Any assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control.

Vector control was specifically “grandfathered in,” underscoring the fact that the drafters of Proposition 218 and the voters who approved it were satisfied that funding for vector control is an appropriate use of benefit assessments, and therefore confers special benefit to property.

General Description of the District and Services

About the District

The Marin/Sonoma Mosquito and Vector Control District is an independent special district (not part of any county or city), that protects the usefulness, utility, desirability and livability of property and the inhabitants of property within its jurisdictional area by controlling and monitoring disease-carrying insects such as mosquitoes and ticks, and other harmful pests such as yellow jackets. The District protects the health and comfort of the public through the surveillance and/or control of vertebrate and invertebrate vectors. The District strives for excellence and leadership and embraces transparency and accountability in its service to residents and visitors. In addition, the District regularly tests for diseases carried by insects and small mammals and educates the public about how to protect themselves from vector borne diseases.

Summary of Services

The purpose of the Marin/Sonoma Mosquito and Vector Control District is to reduce the risk of vector-borne disease and mosquito nuisance to the residents and visitors within the District. Besides being nuisances by disrupting human activities and the use and enjoyment of public and private areas, certain insects and animals may transmit a number of diseases.

The Marin/Sonoma Mosquito and Vector Control District utilizes an Integrated Vector Management Program (IVMP) to manage vector populations (e.g., mosquitoes) and minimize the risk of vector-borne disease. For example, the District monitors and manages mosquito populations to minimize the risk of pathogen transmission (e.g., West Nile virus), disruption of human activities and the enjoyment of public and private areas, as well as the injury and discomfort that can occur to residents and livestock due to populations of biting mosquitoes. The pathogens currently of most concern are those that cause Western Equine Encephalitis (WEE), St. Louis Encephalitis (SLE), West Nile virus (WNV), dog Heartworm, Malaria, Chikungunya, Dengue Fever and Yellow Fever, which are transmitted by mosquitoes; Plague and Murine Typhus transmitted by fleas; Leptospirosis and Hantavirus Pulmonary Syndrome associated with rats and other rodents; and Lyme disease, spotted fever group Rickettsia, Babesiosis, Anaplasmosis, *Borrelia miyamotoi*, tularemia and Ehrlichiosis transmitted by ticks.

The spread of these pathogens and the diseases they cause is minimized through ongoing vector surveillance activities, source reduction, source treatment, abatement, and educational outreach. These efforts also minimize the secondary impacts vectors can have on residents, such as pain, allergic reactions, and discomfort from mosquito and yellowjacket bites. To fulfill this purpose, the District may take any and all necessary steps to control mosquitoes, monitor rodents and other vectors, and perform other related vector control services.

The assessment provides an adequate funding source for the continuation of the projects and programs for surveillance, prevention, abatement, and control of vectors within the District's boundaries. Such mosquito abatement and vector control projects and programs include, but are not limited to, public education, surveillance, source reduction, biological control, larvicide and adulticide applications, disease monitoring, reporting, accountability, research and interagency cooperative activities, as well as capital costs, maintenance, and operation expenses (collectively "Services"). The cost of these services also includes capital costs comprised of equipment, capital improvements and facilities necessary and incidental to the vector control program.

The Services are further defined as follows:

- Response to mosquito problems as well as other pestiferous or disease transmitting organisms.
- Control of mosquito larvae in sources such as catch basins, industrial drains, agricultural sources, ditches, drain lines, vaults, wastewater treatment plants, under buildings, residences, horse troughs, freshwater marshes, salt marshes, creeks, septic systems and other sources.
- Control of rodents through public education, exclusionary methods and information dissemination.
- Monitoring of Hantavirus-bearing rodents, and other harmful vectors, such as Wood Rats, Deer Mice, Harvest Mice, and Meadow Voles, through property inspection, recommendations for exclusion, control, and public education.
- Surveying and analyzing mosquito larvae population data to assess public health risks and allocate control efforts.
- Monitoring of mosquito populations using various types of adult mosquito traps.
- Monitoring for pathogens carried and transmitted by mosquitoes and other arthropods, such as Encephalitis and West Nile viruses.
- Testing of mosquito pools, and assisting State and local public health agencies with blood analytical studies.

- Distributing printed material, brochures, social media messaging, media materials that describe what residents, employees and property owners can do to keep their homes and property free of mosquitoes and other vectors.
- Cooperating with the California Department of Public Health Services and State Universities to survey and identify arthropod-borne pathogens such as Lyme disease and Plague found in parks, on trails and other locations frequented by property owners and residents.
- Facilitating testing and monitoring for pathogens carried and transmitted by ticks, such as Lyme disease, Ehrlichiosis, spotted fever group Rickettsia, and Babesiosis.
- Monitoring and/or advising residents on controlling other potentially hazardous organisms and vectors such as ticks, mites, and fleas.
- Educating property owners and residents about the risks of diseases transmitted by insects and small mammals and how to better protect themselves and their pets.
- Assisting government agencies and universities in testing for Hantavirus, Arenavirus, Plague and other pathogens carried by small mammal populations.
- Monitoring of new and emerging vectors such as the Asian Tiger mosquito and Yellow fever mosquito.
- Testing for and control of new and emerging pathogens.

The District protects the public from vector-borne pathogens and injury and discomfort caused by mosquitoes in an environmentally compatible manner, through a coordinated set of activities and methods collectively known as the Integrated Vector Management Program (IVMP) as mentioned earlier. For all vector species, pathogens, and disease, public education is a primary control and prevention strategy. In addition, the District determines the abundance of vectors and the risk of vector-borne pathogen transmission or discomfort through evaluation of public service requests, communication with the public and agencies, and field and laboratory surveillance activities. If mosquito populations, for example, exceed or are anticipated to exceed predetermined guidelines, District staff employs the most efficient, effective, and environmentally sensitive means of control for the situation. Where feasible, water management or other source reduction activities (e.g., physical control) are instituted to reduce vector production. In some circumstances, the District also uses biological control such as the planting of mosquitofish. When these approaches are not effective or are otherwise inappropriate, pesticides are used to treat specific vector producing or vector-harboring areas. In order to access various sites throughout the District for surveillance and for control, District staff utilizes specialized equipment such as light trucks, all-terrain vehicles, boats, Unmanned Aerial Systems (UAS) and helicopters. District policies on use of this equipment are designed to avoid environmental impact.

Estimate of Cost – Fiscal Year 2023-24

Figure 1 – Cost Estimate for Fiscal Year 2023-24

| MARIN/SONOMA MOSQUITO and VECTOR CONTROL DISTRICT Vector Control Assessment District (Assessment No. 1) ESTIMATE OF COST Fiscal Year 2023-24 | | | | | |
|---|---|--------------------|------------------|-------------------------|--------------------|
| Vector Control Services and Related Expenditures | | | | | |
| | Salaries, Wages and Benefits | | | \$6,120,121 | |
| | Services and Supplies (Without Capital) | | | \$2,589,330 | |
| | Capital Replacement | | | \$321,376 | |
| | | | | \$9,030,827 | |
| Less: | | | | | |
| District Contribution for General Benefit & Other Revenue Sources¹ | | | | | |
| | Ad Valorem Taxes | | | (\$5,727,920) | |
| | Interest Earned | | | \$0 | |
| | Misc. Income / Contracts | | | \$0 | |
| | Transfer from Reserves | | | (\$102,507) | |
| | | | | (\$5,830,427) | |
| | | | | \$3,200,400 | |
| | Total Vector Control Services | | | \$3,200,400 | |
| | (Net Amount to be Assessed) | | | | |
| Budget Allocation to Property | | | | | |
| | | Total SFE | Asmt / | Total | |
| | | Units ² | SFE ³ | Assessment ⁴ | |
| | | Total Parcels | | | |
| | Marin County | 89,805 | 95,300 | \$12.00 | \$1,143,600 |
| | Sonoma County | 153,763 | 171,400 | \$12.00 | \$2,056,800 |
| | | 243,568 | 266,700 | | \$3,200,400 |

Notes to Estimate of Cost:

1. The District contribution from other revenue sources, other than Assessment #1, includes revenues from Ad Valorem taxes, interest earned, miscellaneous income and contracts, and transfers from reserves. This funding from other sources more than compensates for any general benefits received by the properties within the assessment district, as described in the next section, Method of Apportionment, General versus Special Benefit.
2. SFE Units means Single Family Equivalent benefit units. See the section "Assessment Apportionment" for further definition.
3. The assessment rate per SFE is the total amount of assessment per Single Family Equivalent benefit unit.
4. The proceeds from the assessments will be deposited into a special fund for the Assessment. Funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the fiscal year, June 30, must be carried over to the next fiscal year. The Total Assessment Budget is the sum of the final property assessments rounded to the lower penny to comply with the County Auditors' levy submission requirements. Therefore, the total assessment amount for all parcels subject to the assessments may vary slightly from the net amount to be assessed.

Method of Apportionment

General versus Special Benefit

Government Code section 53753.5 provides that Assessment No. 1 is exempt from the Proposition 218 requirement to separate general and special benefits. Nevertheless, Assessment No. 1 generally satisfies the special and general benefit requirements under Proposition 218.

The Marin/Sonoma Mosquito and Vector Control District, is a Special District created pursuant to the laws of the State of California. There are many types of Special Districts that provide a variety of urban services. Special Districts, like the Marin/Sonoma Mosquito and Vector Control District, are created to provide a higher level of service within their boundaries than what would be provided in their service area in absence of the Special District.

Assessment No. 1 allows the District to provide its mosquito control services within its Service Area at a much higher level than what otherwise would be provided in absence of the Assessments. Moreover, in absence of the Assessments, no other agency would provide the Services, or the District would be forced to provide a severely reduced level of Services.

All of the Assessment proceeds derived from the Assessment District will be utilized to fund the cost of providing an improved level of tangible “special benefits” in the form of mosquito control and surveillance, source reduction, larvicide and adulticide applications, disease monitoring, public education, reporting, accountability, research and interagency cooperative activities, other services and costs incidental to providing the Services and collecting the Assessments.

The improved services funded by the assessment is a special benefit over and benefit the baseline level of services that would be provided in the absence of the assessment revenue. The baseline level of services constitutes general benefit to property generally and the public at large. The general benefit or baseline services are funded by District property tax and other non-assessment revenue.

Although some services and improvements may be available to the general public at large, the enhanced mosquito control services in the Assessment District were specifically created to provide additional vector control services and environmental improvements for property inside the Assessment District, and not the public at large. Other properties that are either outside the Assessment District or within the Assessment District and not assessed, do not enjoy the reduced mosquito and vector populations and other special benefit factors described previously

These services and improvements are of special benefit to properties located within the Assessment District because they provide a direct advantage to properties in the Assessment District that would not be provided in absence of the Assessments. Without the Assessments the District would not provide an acceptable level of mosquito control services, and mosquito and vector populations would increase. If this happened, it would create a significant and material negative impact on the desirability, utility, usability, and functionality of property in the Assessment District. In fact, it is reasonable to assume that if Assessments were not collected and the mosquito and vector control services and improvements were not provided at the current level, as a result, properties in the Assessment District would decline in desirability, utility and value by significantly more than the amount of the Assessment. We therefore conclude that all the services and improvements funded by this Assessment are of special benefit to certain benefiting properties located within the Assessment District and that the value of the special benefits from the services and improvements to property in the Assessment District reasonably exceeds amount of the Assessments for every assessed parcel in the Assessment District.

Special note regarding General Benefit and the 2008 Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority (“SVTA”) decision:

There is no widely-accepted or statutory formula for calculating general benefit. General benefits are benefits from improvements or services that are not special in nature, are not “particular and distinct” and are not “over and above” benefits received by other properties. The SVTA decision provides some clarification by indicating that general benefits provide “an indirect, derivative advantage.”

Although the analysis used to support these assessments concludes that the benefits are solely special, as described above, consideration is made for the suggestion that a portion of the benefits are general. General benefits cannot be funded by these assessments; the funding must come from other sources.

The services and improvements provided by the District are also partially funded, directly and indirectly from other sources including Marin/Sonoma Mosquito and Vector Control District, the Counties of Marin and Sonoma, and the State of California. This funding comes in the form of property tax revenues, interests, service contracts, grants, civil liabilities, and general funds. This funding from other sources more than compensates for general benefits, if any, received by the properties within the Service Area.

In the 2009 Dahms case (Dahms v. Downtown Pomona Property) the court upheld an assessment that was 100% special benefit on the rationale that the services funded by the assessments were directly provided to property in the assessment district. Similar to the assessments in Pomona that were validated by Dahms, the Assessments described in this Engineer's Report fund mosquito, vector and disease control services directly provided to property in the Assessment District. Moreover, as noted in this Report, the Services directly reduce mosquito and vector populations on all property in the Assessment District. Therefore, Dahms establishes a basis for minimal or zero general benefits from the Assessments. However, in this Report, the general benefit is more conservatively estimated and described, and then budgeted so that it is funded by sources other than the Assessment.

Assessment Methodology

The Assessment No. 1 consists of all the assessor parcels within Marin/Sonoma Mosquito & Vector Control District, Vector Control Assessment No. 1, as defined by the Counties of Marin and Sonoma, tax code areas. The method used for apportioning the assessment is based upon the special benefits to be derived by the properties in the Assessment No. 1 over and above general benefits conferred on real property or to the public at large.

The benefit derived by a parcel or lot is based upon the protection received from mosquitoes and other vectors because of the various projects funded by the Assessment No. 1. Some of the projects that are funded by the Assessment No 1 are:

- Field Operations – controls mosquitoes and vectors
- Laboratory-Disease Surveillance – identifies the types of control needed
- Shop-Facilities – keeps all equipment operational for use
- Education – informs the property owners and residents of the need for and methods of vector control

The total assessment shall be levied against parcels based on special benefit, which is determined by property type. The method of assessment shall be based upon the number of single family equivalent benefit units per parcel, hereafter referred to as “SFE Units”. The “benchmark” property is the single family dwelling on one parcel with one SFE Unit. All parcels or lots are estimated to benefit equally from the improvements to be funded by this Assessment No. 1, with the exception of publicly owned, institutional or zero assessed valuation parcels. Accordingly, the SFE Units for all parcels not excepted from benefit are shown in the following Figure.

Figure 2 – Assessment Methodology

| Land Use | SFE Units |
|--------------------------------------|------------|
| Single Family Res. up to 1 acre | 1.0 |
| Single Family Res. over 1 acre | 1.5 |
| Multi-family Res. up to 4 units | 1.0 / unit |
| Multi-family Res. over 4 units | 5.0 |
| Commercial / Industrial up to 1 acre | 1.0 |
| Commercial / Industrial over 1 acre | 2.0 |
| Agriculture up to 5 acres | 1.0 |
| Agriculture over 5 acres | 2.0 |
| Vacant Properties | 1.0 |

Duration of Assessment

The duration of the Assessment, pursuant to Resolution 96/97-3, is for fiscal year 1997-98 and for every fiscal year thereafter, so long as mosquitoes and vectors remain in existence, and the Marin/Sonoma Mosquito and Vector Control District requires funding from the Assessment No. 1 for its Services in the Assessment District. As noted previously, pursuant to Resolution 96/97-3, the Assessment can continue to be levied annually after the Board of Trustees approves an annually updated Engineer’s Report, budget for the Assessment No. 1, Services to be provided, and other specifics of the Assessment No. 1. In addition, the Board of Trustees must hold an annual public hearing to continue the Assessment.

Appeals and Interpretation

Any property owner, who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the District Manager of the Marin/Sonoma Mosquito & Vector Control District or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the District Manager or his or her designee will promptly review the appeal and any information provided by the property owner. If the District Manager or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the Counties of Marin and Sonoma for collection, the District Manager or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the District Manager or his or her designee shall be referred to the Board of Trustees of the Marin/Sonoma Mosquito & Vector Control District, and the decision of the Board of Trustees of the Marin/Sonoma Mosquito & Vector Control District shall be final.

Historical Summary of Assessments by County – Assessment No. 1

The figure below depicts a historical summary of the Assessment No. 1 annual rates, the number of Single Family Equivalent (SFE) units, total assessment, and the increase on assessment compared to the year before for Marin and Sonoma Counties.

Figure 3 – Assessment No. 1 History

| MS-MVCD Assessment No. 1 | | Marin County | | | Sonoma County | | |
|-----------------------------|------------|--------------|------------------|--------------------------|---------------|------------------|--------------------------|
| Fiscal Year | Asmt / SFE | SFE Units | Total Assessment | Increase from prior year | SFE Units | Total Assessment | Increase from prior year |
| 2000-01 | \$6.00 | 93,498 | \$560,985 | | 155,748 | \$934,488 | |
| 2001-02 | \$6.00 | 93,548 | \$561,288 | \$303 | 157,597 | \$945,582 | \$11,094 |
| 2002-03 | \$9.75 | 93,296 | \$908,863 | \$347,575 | 155,805 | \$1,517,947 | \$572,365 |
| 2003-04 | \$9.75 | 93,725 | \$913,043 | \$4,181 | 157,280 | \$1,532,320 | \$14,373 |
| 2004-05 | \$5.00 | 94,126 | \$470,630 | (\$442,413) | 157,879 | \$789,395 | (\$742,925) |
| 2005-06 | \$9.74 | 94,232 | \$917,792 | \$447,162 | 159,725 | \$1,555,587 | \$766,192 |
| 2006-07 | \$10.72 | 94,356 | \$1,011,491 | \$93,699 | 161,810 | \$1,734,598 | \$179,011 |
| 2007-08 | \$10.72 | 94,419 | \$1,012,166 | \$675 | 163,352 | \$1,751,128 | \$16,530 |
| 2008-09 | \$10.72 | 94,340 | \$1,011,319 | (\$847) | 164,359 | \$1,761,924 | \$10,796 |
| 2009-10 | \$10.72 | 94,455 | \$1,012,558 | \$1,238 | 164,956 | \$1,768,334 | \$6,410 |
| 2010-11 | \$10.72 | 94,955 | \$1,017,918 | \$5,360 | 165,245 | \$1,771,421 | \$3,087 |
| 2011-12 | \$10.72 | 94,888 | \$1,017,194 | (\$724) | 165,592 | \$1,775,146 | \$3,725 |
| 2012-13 | \$11.02 | 94,746 | \$1,044,101 | \$26,907 | 165,758 | \$1,826,653 | \$51,507 |
| 2013-14 | \$11.56 | 94,636 | \$1,093,992 | \$49,891 | 166,164 | \$1,920,850 | \$94,197 |
| 2014-15 | \$12.00 | 94,723 | \$1,136,670 | \$42,678 | 166,454 | \$1,997,448 | \$76,598 |
| 2015-16 | \$12.00 | 94,868 | \$1,138,416 | \$1,746 | 166,729 | \$2,000,742 | \$3,294 |
| 2016-17 | \$12.00 | 95,076 | \$1,140,912 | \$2,496 | 167,053 | \$2,004,636 | \$3,894 |
| 2017-18 | \$12.00 | 95,059 | \$1,140,702 | (\$210) | 167,643 | \$2,011,710 | \$7,074 |
| 2018-19 | \$12.00 | 95,104 | \$1,141,248 | \$546 | 168,415 | \$2,020,977 | \$9,267 |
| 2019-20 | \$12.00 | 95,192 | \$1,142,298 | \$1,050 | 168,881 | \$2,026,572 | \$5,595 |
| 2020-21 | \$12.00 | 95,218 | \$1,142,616 | \$318 | 168,945 | \$2,027,340 | \$768 |
| 2021-22 | \$12.00 | 95,157 | \$1,141,884 | (\$414) | 169,522 | \$2,034,264 | \$7,692 |
| 2022-23 | \$12.00 | 95,150 | \$1,141,800 | (\$816) | 170,500 | \$2,046,000 | \$18,660 |
| 2023-24 | \$12.00 | 95,300 | \$1,143,600 | \$1,716 | 171,400 | \$2,056,800 | \$22,536 |

Summary of Assessments by County for Fiscal Year 2023-24

The figure below reflects summaries for Marin and Sonoma Counties for Assessment No. 1 for fiscal year 2023-24: total number of parcels in each county, number of parcels assessed, SFE unit count, and the total assessment to be placed on assessable parcels in each County for fiscal year 2023-24.

Figure 4 – Assessment Summary – Fiscal Year 2023-24

| Fiscal Year 2023-24 Assessment No. 1 | Parcels in Assessment No.1 | Parcels Assessed | SFE Units | Assessment |
|---|---------------------------------------|-----------------------------|------------------|-------------------|
| Marin County | 89,805 | 83,511 | 95,300 | \$1,143,600 |
| Sonoma County | 153,763 | 144,030 | 171,400 | \$2,056,800 |
| Total SFE | 240,443 | 226,401 | 264,679 | \$3,200,400 |

As required by said Act, an Assessment Diagram is hereto attached showing the exterior boundaries of said Vector Control Assessment No. 1 as the same existed at the time of the passage of said resolution. The distinctive number of each parcel or lot of land in the said Vector Control Assessment No. 1 is its Assessor Parcel Number appearing on the Assessment Roll.

And I do hereby amend the assessments and apportion said net amount of the cost and expenses of said services and improvements, including maintenance and servicing thereof, upon the parcels or lots of land within said Vector Control Assessment No. 1, in accordance with the special benefits to be received by each parcel or lot, from the maintenance of said improvements, and more particularly set forth in the Cost Estimate hereto attached and by reference made a part hereof.

Said amended assessment is made upon the parcels or lots of land within Vector Control Assessment No. 1 in proportion to the special benefits to be received by said parcels or lots of land, from said services and improvements.

Resolution No. 96/97-3, approved in October 9, 1996, established a maximum assessment of \$12.00 per Single Family Equivalent (SFE) unit for the parcels or lots of land within Vector Control Assessment No. 1. The assessment rate for fiscal year 2023-24 is \$12.00, which is also the maximum rate allowed.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the Counties of Marin and Sonoma for the fiscal year 2023-24. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

I hereby place opposite the Assessor Parcel Number for each parcel within the Assessment Roll, the amount of the amended assessment for the fiscal year 2023-23 for each parcel or lot of land within the said Vector Control Assessment No. 1.

Dated: May 10, 2023



Engineer of Work

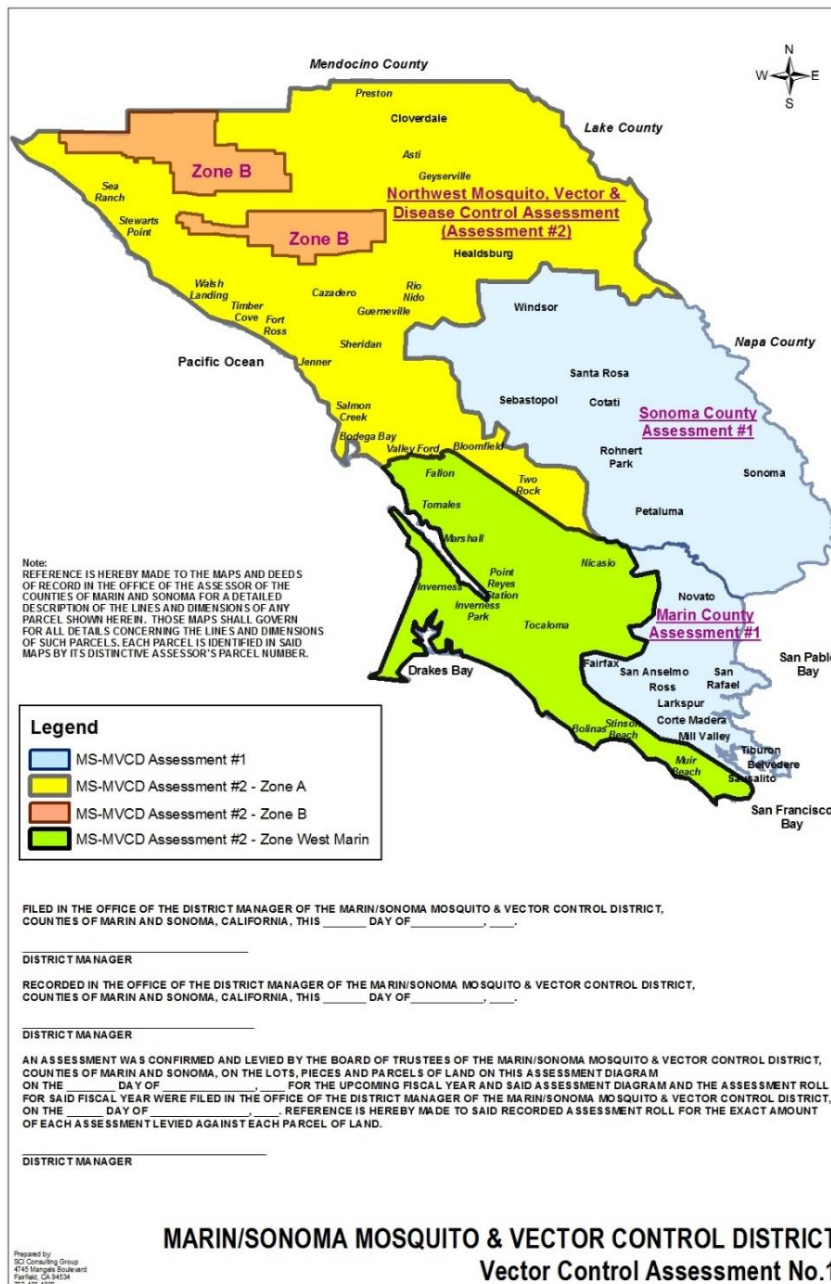
By  _____
John W. Bliss, License No. C052091

Assessment Roll – Fiscal year 2023-24

Reference is hereby made to the Assessment Roll in and for said assessment proceedings on file in the office of the Director of Special Projects of the Marin/Sonoma Mosquito & Vector Control District, as said Assessment Roll is too voluminous to be bound with this Engineer's Report.

Assessment Diagram

The Marin/Sonoma Mosquito and Vector Control District, Vector Control Assessment No. 1 includes all properties within the boundaries of the Assessment No. 1. The boundaries of the Marin/Sonoma Mosquito and Vector Control District, Vector Control Assessment No. 1 are displayed on the following Assessment Diagram.



RESOLUTION 2022/23-14

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE
MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT**

**A RESOLUTION OF INTENTION TO CONTINUE TO LEVY ASSESSMENTS
FOR FISCAL YEAR 2023-24,
PRELIMINARILY APPROVING ENGINEER'S REPORT,
AND PROVIDING FOR NOTICE OF HEARING
FOR THE MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT,
VECTOR CONTROL ASSESSMENT DISTRICT (ASSESSMENT NO.1)**

WHEREAS, the Marin/Sonoma Mosquito and Vector Control District (“District”) is authorized, pursuant to the authority provided in Health and Safety Code Section 2082 and Article XIII D of the California Constitution, to levy assessments for mosquito, vector and disease control projects and services; and

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

WHEREAS, the District formed the “Marin/Sonoma Mosquito and Vector Control District, Vector Control Assessment District,” (“Assessment No. 1”) pursuant to the Law, which is primarily described as encompassing the eastern, more densely populated areas of Marin and Sonoma Counties, including the cities of Belvedere, Corte Madera, Fairfax, Larkspur, Mill Valley, Novato, Ross, Sausalito, San Anselmo, San Rafael, and Tiburon, in Marin County, and Cotati, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, and Windsor in Sonoma County, as well as surrounding unincorporated areas; and

WHEREAS, Assessment No. 1 was authorized by Resolution No. 96/97-3 passed on October 9, 1996 by the Board of Trustees (the “Board”) of the Marin/Sonoma Mosquito and Vector Control District; and

WHEREAS, as ordered by the Board of Trustees, SCI Consulting Group, the Board of Trustees’ assessment engineer (the “Engineer”), has filed with the secretary of the Board of Trustees report (the “Report”) regarding the annual assessments which are proposed to be levied and collected from the owners of assessable property within Assessment No. 1 to pay the costs of the Services, and the Report have been presented to and considered by the Board of Trustees; and

WHEREAS, the Board of Trustees adopt a resolution of intention to, among other things, fix and give notice of the time and place of a public hearing on the Report and the proposed assessments.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Marin/Sonoma Mosquito and Vector Control District that:

SECTION 1. the Engineer has prepared the annual Report in accordance with Section 2082 et seq., of the Health and Safety Code for Assessment No. 1. The Report has been made and filed with the secretary of the Board of Trustees and duly considered by the Board and are hereby deemed sufficient and preliminarily approved. The Report shall stand as the Engineer’s Report for all subsequent proceedings under and pursuant to this resolution.

SECTION 2. It is the intention of this Board to continue to levy and collect assessments on all lots and parcels of assessable property within the boundaries of the MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT, VECTOR CONTROL ASSESSMENT DISTRICT (Assessment No. 1) for fiscal year 2023-24. Within the Marin/Sonoma Mosquito and Vector Control District, the proposed Services are generally described as mosquito, vector and disease control services and projects such as surveillance, source reduction, identification and elimination of removable breeding locations, identification and treatment of breeding and source locations, application of materials to eliminate larvae, disease surveillance and monitoring, public education,

reporting, accountability, research and interagency cooperative activities. The assessments will be collected at the same time and in the same manner as county taxes are collected, and all laws providing for the collection and enforcement of county taxes shall apply to the collection and enforcement of the assessments.

SECTION 3. The estimated fiscal year 2023-24 cost of providing the Services in Assessment No.1, is \$3,200,400. These costs result in a proposed assessment rate for fiscal year 2023-24 of TWELVE DOLLARS AND NO CENTS (\$12.00) per single family equivalent benefit unit. The assessment rate proposed to be levied for Assessment No. 1 for fiscal year 2023-24 is \$12.00.

SECTION 4. Notice is hereby given that on **June 14, 2023, at the hour of six o'clock (6:00) p.m.** at the Marin/Sonoma Mosquito and Vector Control District Office located at 595 Helman Lane, Cotati, California, 94931, the Board will hold a public hearing via teleconference to consider the ordering of the continued Services, and the continuation of the assessments for fiscal year 2023-24.

SECTION 5. The secretary of the board shall cause a notice of the hearing to be given at least ten (10) days prior to the date of the hearing above specified, in the Independent Journal of the Marin County, and the Press Democrat of Sonoma County, which are newspapers circulated in the Marin/Sonoma Mosquito and Vector Control District.

SECTION 6. The Report, which is on file with the Secretary of the Board, and has been presented to the Board of Trustees at the meeting at which this resolution is adopted, is preliminarily approved. Reference is made to the Report for a full and detailed description of the Services, the boundaries of Assessment No. 1 and the assessments which are proposed to be levied on the assessable lots and parcels of property within Assessment No. 1 for fiscal year 2023-24.

The foregoing Resolution was PASSED and ADOPTED by the Board of Trustees of the Marin/Sonoma Mosquito and Vector Control District at a regular meeting thereof held on May 10, 2023, at 595 Helman Lane, Cotati, California, 94931, via teleconference by the following vote on a roll call:

| | <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"/> |
| 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"/> |
| Morgan Patton | <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"/> |
| Vote Totals: | | | | |

APPROVED AND DATED this 10th day of May, 2023 after its passage.

ATTEST:

APPROVED:

 Diana Rich
 Secretary, Board of Trustees

 Richard Snyder
 President, Board of Trustees

 Philip D. Smith
 District Manager

FY 2023-24

ENGINEER'S REPORT

Marin/Sonoma Mosquito & Vector Control District

Northwest Mosquito, Vector and Disease Control Assessment (Assessment No. 2)

May 2023
Preliminary Report

Engineer of Work:



4745 Mangels Boulevard
Fairfield, California 94534
707.430.4300
www.sci-cg.com

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MARIN/SONOMA MOSQUITO & VECTOR CONTROL DISTRICT

Board of Trustees

| | | |
|--------------------|------------------------|-----------------------|
| Richard Snyder | Belvedere | President |
| Carol Pigoni | Cloverdale | First Vice President |
| David Witt | Mill Valley | Second Vice President |
| Diana Rich | Sebastopol | Secretary |
| Bruce Ackerman | Fairfax | |
| Cathy Benediktsson | Tiburon | |
| Gail Bloom | Larkspur | |
| Tamara Davis | Sonoma County at Large | |
| Art Deicke | Santa Rosa | |
| Laurie Gallian | Sonoma | |
| Pamela Harlem | San Rafael | |
| Susan Harvey | Cotati | |
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| Shaun McCaffery | Healdsburg | |
| Vicki Nichols | Sausalito | |
| Morgan Patton | Marin County at Large | |
| Herb Rowland Jr. | Novato | |
| Ed Schulze | Marin County at Large | |
| Aarón Zavala | Rohnert Park | |

District Manager

Philip D. Smith

Engineer of Work

SCI Consulting Group
Lead Assessment Engineer, John Bliss, M. Eng., P.E.

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Introduction

The Marin/Sonoma Mosquito and Vector Control District (“District”) is a special district that up to the year 2005 provided mosquito, vector and disease control services over an area encompassing approximately one-third of the total area of Marin and Sonoma Counties. The District included approximately 960 square miles and served over 650,000 residents.

Up to 2005, the District was responsible for mosquito and vector-borne disease surveillance services in the eastern, more densely populated areas of Marin and Sonoma Counties, including the cities of Belvedere, Corte Madera, Fairfax, Larkspur, Mill Valley, Novato, Ross, Sausalito, San Anselmo, San Rafael, and Tiburon in Marin County, and Cotati, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, and Windsor in Sonoma County, as well as surrounding unincorporated areas. Services in these areas are funded by an existing benefit assessment, property tax revenues, service contracts, grants, and civil liabilities. The District maintains service contracts with some large landowners and/or water dischargers, and solicits grants for research and interagency habitat management projects. In some cases, the District accepts civil liability settlements from the Marin or Sonoma County District Attorney or the California Department of Fish and Game when these settlements are directed at habitat management projects consistent with the District’s mission.

In 2004 the District proposed to expand its service area by annexing the areas in Marin and Sonoma Counties that did not receive its mosquito abatement or insect/rodent disease surveillance and abatement services (“unserved areas,” “Annexation Areas,” “Unprotected Areas” or “Service Area”), and proposed a new assessment on all specially benefiting properties within these Annexation Areas. Neither the District or any other public agency, provided mosquito control and vector-borne disease protection and prevention services in these areas that were outside of the District’s existing jurisdictional boundaries. In other words, the “baseline” level of services in the coastal, western and northern areas of Marin and Sonoma Counties (that was outside the District’s existing boundaries) was essentially zero.

The District is governed by a Board of Trustees, with one board member representing each of the twenty cities located within its service area and two board members selected by each County Board of Supervisors to represent each County at large.

This Engineer’s Report (“Report”) defines the benefit assessment that provides funding for the services in the Annexation areas of Marin and Sonoma Counties. As used within this Report and the benefit assessment ballot proceeding, the following terms are defined:

“Vector” means any animal capable of transmitting the causative agent of human disease or capable of producing human discomfort or injury, including, but not limited to, mosquitoes, flies, mites, ticks, other arthropods, and small mammals and other vertebrates (Health and Safety Code Section 2002(k)).

“Vector Control” shall mean any system of public improvements or services that is intended to provide for the surveillance, prevention, abatement, and control of vectors as defined in subdivision (k) of Section 2002 of the Health and Safety Code (Government Code Section 53750(m)).

In order to best provide comprehensive services to both entire counties for mosquito and vector control services, the District considered the annexation of the unserved remainder areas of both Marin and Sonoma Counties for some time. In 1983 the Marin County Local Agency Formation Commission (LAFCo) adopted a resolution establishing a sphere of influence for the Marin/Sonoma Mosquito and Vector Control District “to encompass the current District territory adding incorporated villages in West Marin which are not currently served and all of Sonoma County.” No further action was taken in 1983 and the District’s boundaries were not changed. The District once again formally commenced the annexation process in calendar year 2004. The Sonoma County LAFCo, as lead county in the annexation process, approved this annexation in late 2004, subject to a LAFCo protest hearing and a successful outcome on a benefit assessment ballot proceeding which would provide ongoing funding for the services in the annexation area.

The area proposed for annexation included all property within Marin and Sonoma Counties that were outside of the District's jurisdictional boundaries ("Annexation Area") in 2004. The Annexation Area was narrowly drawn to include the incorporated cities of Healdsburg and Cloverdale; the unincorporated communities of Fallon, Tomales, Marshall, Inverness, Inverness Park, Drakes Beach, Tocaloma, Point Reyes Station, Olema, Nicasio, Bolinas, Stinson Beach, Muir Beach, Preston, Asti, Skaggs Springs, Cozzens Corner, Geyserville, Geysers Resort, Jimtown, Kellogg, Lytton, Annapolis, Sea Ranch, Stewarts Point, Shingle Mill, Soda Springs, Las Lomas, Plantation, Walsh Landing, Timber Cove, Fort Ross, Cazadero, Rio Nido, Guerneville, Monte Rio, Sheridan, Jenner, Duncans Mills, Bridge Haven, Ocean View, Sereno del Mar, Carmet, Salmon Creek, Bodega Bay, Bodega, Valley Ford, Occidental, Bloomfield, Two Rock, and Freestone; and other lands in both counties. This annexation was to bring over 72,000 additional residents into the District. The proposed annexation area included only properties that, if the assessment was approved, may request and receive direct service, that are located within the scope of the vector surveillance area, that are located within flying or traveling distance of mosquitoes from potential vector sources monitored by the District, and that would benefit from a reduction in the amount of mosquitoes and vectors reaching and impacting the property and its residents as a result of the vector surveillance and control. The Assessment Diagram included in this Report shows the boundaries of the Annexation Areas.¹

Accordingly, the District's Board of Trustees ("Board") determined that additional funding was needed to support services in the Annexation Area and intended to provide the same level of service in the Annexation Area as it did within its current boundaries. Hence, the Northwest Mosquito, Vector and Disease Control Assessment would provide funding for services within the Annexation Area. The cost of these services also included capital costs for equipment, capital improvements and services and facilities necessary and incidental to vector control programs.

The following is an outline of the primary services that are provided within the current boundaries and that were to be also provided in the Annexation Area:

- Mosquito control
- Surveillance for vector-borne diseases
- Mosquito inspections
- Response to service requests
- Mosquitofish for backyard fish ponds and other appropriate habitats
- Identification of mosquitoes, ticks and other arthropods

¹. Note that the assessment area boundaries were drawn narrowly to include lands and property that in 2004 did not receive mosquito control and vector-borne disease prevention services.

The District is controlled by the state Mosquito Abatement and Vector Control District Law. Following are excerpts from the Mosquito Abatement and Vector Control District Law of 2002, codified in the Health and Safety Code, Section 2000, *et seq.* which serve to summarize the State Legislature's findings and intent with regard to mosquito abatement and other vector control services:

2001. (a) The Legislature finds and declares all of the following:

(1) California's climate and topography support a wide diversity of biological organisms.

(2) Most of these organisms are beneficial, but some are vectors of human disease pathogens or directly cause other human diseases such as hypersensitivity, envenomization, and secondary infections.

(3) Some of these diseases, such as mosquito-borne viral encephalitis, can be fatal, especially in children and older individuals.

(4) California's connections to the wider national and international economies increase the transport of vectors and pathogens.

(5) Invasions of the United States by vectors such as the Asian tiger mosquito and by pathogens such as the West Nile virus underscore the vulnerability of humans to uncontrolled vectors and pathogens.

(b) The Legislature further finds and declares:

(1) Individual protection against the vectorborne diseases is only partially effective.

(2) Adequate protection of human health against vectorborne diseases is best achieved by organized public programs.

(3) The protection of Californians and their communities against the discomforts and economic effects of vectorborne diseases is an essential public service that is vital to public health, safety, and welfare.

(4) Since 1915, mosquito abatement and vector control districts have protected Californians and their communities against the threats of vectorborne diseases.

(c) In enacting this chapter, it is the intent of the Legislature to create and continue a broad statutory authority for a class of special districts with the power to conduct effective programs for the surveillance, prevention, abatement, and control of mosquitoes and other vectors.

(d) It is also the intent of the Legislature that mosquito abatement and vector control districts cooperate with other public agencies to protect the public health, safety, and welfare. Further, the Legislature encourages local communities and local officials to adapt the powers and procedures provided by this chapter to meet the diversity of their own local circumstances and responsibilities.

Further the Health and Safety Code, Section 2082 specifically authorizes the creation of benefit assessments for vector control, as follows:

(a) A district may levy special benefit assessments consistent with the requirements of Article XIID of the California Constitution to finance vector control projects and programs.

Legislative Analysis

Proposition 218

This assessment was to be formed consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now Article XIII C and XIII D of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

Proposition 218 describes a number of important requirements, including a property-owner balloting, for the formation and continuation of assessments, and these requirements are satisfied by the process used to establish this proposed assessment. When Proposition 218 was initially approved in 1996, it allowed for certain types of assessments to be “grandfathered” in, and these were exempted from the property-owner balloting requirement.

Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article. Notwithstanding the foregoing, the following assessments existing on the effective date of this article shall be exempt from the procedures and approval process set forth in Section 4:

(a) Any assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control.

Vector control was specifically “grandfathered in,” underscoring the fact that the drafters of Proposition 218 and the voters who approved it were satisfied that funding for vector control is an appropriate use of benefit assessments, and therefore confers special benefit to property.

Silicon Valley Taxpayers Association, Inc. v Santa Clara County Open Space Authority (2008) 44 Cal.4th 431

On July 14, 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority (“Silicon Valley” or “SVTA”). This ruling is the most significant court case in further legally clarifying the substantive assessment requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special benefits to property, not general benefits ²
- The services and/or improvements funded by assessments must be clearly defined
- Special benefits are directly received by and provide a direct advantage to property in the Assessment District
- All public improvements or services provide some level of general benefit
- If a district is narrowly drawn, the fact that a benefit is conferred throughout the district does not make it general

This Engineer's Report, and the process used to establish this proposed assessment are consistent with the SVTA decision.

Dahms v. Downtown Pomona Property (2009) 174 Cal.App.4th 708

On June 8, 2009, the 4th Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona ("Dahms"). On July 22, 2009, the California Supreme Court denied review. On this date, Dahms became good law and binding precedent for assessments. In Dahms the Court upheld an assessment that was 100% special benefit (i.e. 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

Bonander v. Town of Tiburon (2009) 46 Cal.4th 646

On December 31, 2009, the 1st District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon ("Bonander"). The Court invalidated the assessments on the grounds that the assessments had been apportioned to assessed property based in part on relative costs within sub-areas of the assessment district instead of proportional special benefits.

² Article XIII D, § 2, subdivision (d) of the California Constitution states defines "district" as "an area determined by an agency to contain all parcels which would receive a special benefit from the proposed public improvement or property-related service."

Beutz v. County of Riverside (2010) 184 Cal.App.4th 1516

On May 26, 2010, the 4th District Court of Appeal issued a decision on the Steven Beutz v. County of Riverside appeal (“*Beutz*”). This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services were not explicitly calculated, quantified and separated from the special benefits.

Golden Hill Neighborhood Association v. City of San Diego (2011)199 Cal.App.4th 416

On September 22, 2011, the San Diego Court of Appeal issued a decision on the Golden Hill Neighborhood Association v. City of San Diego appeal (“*Greater Golden Hill*”). This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The court described two primary reasons for its decision. First, like in *Beutz*, the court found the general benefits associated with services were not explicitly calculated, quantified and separated from the special benefits. Second, the court found that the City had failed to record the basis for the assessment on its own parcels.

Compliance with Current Law

This Engineer’s Report is consistent with the requirements of Article XIII C and XIII D of the California Constitution and with the *SVTA* decision because the Services to be funded are clearly defined; the Services are available to and will be directly provided to all benefiting property in the Assessment District; and the Services provide a direct advantage to property in the Assessment District that would not be received in absence of the Assessments.

This Engineer’s Report is consistent with *Dahms* because, similar to the Downtown Pomona assessment validated in *Dahms*, the Services will be directly provided to property in the Assessment District. Moreover, while *Dahms* could be used as the basis for a finding of 0% general benefits, this Engineer’s Report establishes a more conservative measure of general benefits.

The Engineer’s Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Services and proportional special benefit to each property. Finally, the Assessments are consistent with *Beutz* and *Greater Golden Hill* because the general benefits have been explicitly calculated and quantified and excluded from the Assessments.

Assessment Process

In order to allow property owners to ultimately decide whether the District should be expanded to cover the previously unserved areas of Marin and Sonoma Counties and whether a local funding source should be created in the annexation area for the services summarized above, the Board authorized the initiation of proceedings for a benefit assessment in 2004. This Engineer's Report ("Report") was prepared by SCI Consulting Group ("SCI") to describe the vector control services to be funded by this assessment, to establish the estimated costs for those services, to determine the special benefits and general benefits received by property from the services and to apportion the assessments to lots and parcels within the District's Annexation Area based on the estimated special benefit each parcel receives from the services funded by the benefit assessment.

Following submittal of this Report to the Board for preliminary approval, the Board on September 15, 2004, by Resolution No. 04/05 04, called for an assessment ballot proceeding and public hearing on the proposed establishment of assessments for the Northwest Mosquito, Vector and Disease Control Assessment ("Assessment" or "Assessment No. 2"). After the Board's approval of this resolution calling for the mailing of notices and ballots, a notice of assessment and assessment ballot was mailed to property owners within the Annexation Area on October 7, 2004. Such notice included a description of the proposed assessments as well as an explanation of the method of voting on the assessments. Each notice included a ballot on which the property owner could mark his or her approval or disapproval of the proposed assessments and a postage-prepaid ballot return envelope.

After the ballots were mailed to property owners in the Annexation Area, the required 45-day time period was provided for the return of the assessment ballots. Following this 45-day time period, a public hearing was held on November 22, 2004 at 7:00 p.m. at the Marin/Sonoma Mosquito and Vector Control District office, for the purpose of allowing public testimony regarding the proposed assessments. At this hearing, the public had the opportunity to speak on this issue and a final opportunity to submit ballots. After the conclusion of the public input portion of the hearing, the hearing was continued to November 29, 2004 to allow time for the tabulation of ballots.

With the passage of Proposition 218 on November 6, 1996, The Taxpayers Right to Vote on Taxes Act, now Article XIII C and XIII D of the California Constitution, the proposed assessments can be levied for fiscal year 2005-06, and future years only if the ballots submitted in favor of the assessments are greater than the ballots submitted in opposition to the assessments. (Each ballot is weighted by the amount of proposed assessment for the property that it represents).

After the conclusion of the public input portion of the public hearing held on November 22, 2004, all valid received ballots were tabulated by C.G. Uhlenberg, LLP, an independent accounting and auditing firm. At the continued public hearing on November 29, 2004, after the ballots were tabulated, it was determined that the assessment ballots submitted in opposition to the assessments did not exceed the assessment ballots submitted in favor of the assessments (with each ballot weighted by the proportional financial obligation of the property for which the ballot was submitted). The final balloting result was 61.22% weighted support from ballots returned.

As a result, the Board gained the authority to approve the levy of assessments for fiscal year 2005-06 and future years. The Board took action, by Resolution No. 04/05 05, passed on November 29, 2004, to approve and order the levy of the assessments commencing in fiscal year 2005-06.

The authority granted by the ballot proceeding was for a maximum assessment rate of \$19.00 per single family home, increased each subsequent year by the San Francisco Bay Area CPI (Consumer Price Index) not to exceed 5% per year. In the event that the annual change in the CPI exceeds 5%, any percentage change in excess of 5% can be cumulatively reserved and can be added to the annual change in the CPI for years in which the CPI change is less than 5%.

Since the assessments were confirmed and approved, the District commenced in fiscal year 2005-06 to expand its program and services, including operational facilities, equipment, supplies and staff. The expansion of services continued for several years and the range of services offered by the District is now stable.

Engineer's Report and Continuation of Assessments

In each subsequent year for which the assessments will be continued, the Board must preliminarily approve at a public meeting a budget for the upcoming fiscal year's costs and services, an updated annual Engineer's Report, and an updated assessment roll listing all parcels and their proposed assessments for the upcoming fiscal year. At this meeting, the Board will also call for the publication in a local newspaper of a legal notice of the intent to continue the assessments for the next fiscal year and set the date for the noticed public hearing. At the annual public hearing, members of the public can provide input to the Board prior to the Board's decision on continuing the services and assessments for the next fiscal year.

The 2023-24 budget includes outlays for capital equipment, supplies, disease testing programs, vector control programs and contract abatement services, as well as funding for programs to test for, control, monitor and/or abate West Nile virus and other viruses, tick-borne diseases, and mosquitoes that are needed to provide additional vector control and public health protection services. If the Board approves this Engineer's Report for fiscal year 2023-24 and the continuation of the assessments by resolution, a notice of assessment levies will be published in a local paper at least 10 days prior to the date of the public hearing. Following the minimum 10-day time period after publishing the notice, a public hearing will be held for the purpose of allowing public testimony about the proposed continuation of the assessments for fiscal year 2023-24. At this hearing, the Board will consider approval of a resolution confirming the continuation of the assessments for fiscal year 2023-24. If so confirmed and approved, the assessments will be submitted to the Marin and Sonoma County Auditors for inclusion on the property tax rolls for Fiscal Year 2023-24.

General Description of the District and Services

About the District

The Marin/Sonoma Mosquito and Vector Control District is an independent special district (not part of any county or city), that protects the usefulness, utility, desirability and livability of property and the inhabitants of property within its jurisdictional area by controlling and monitoring disease-carrying insects such as mosquitoes and ticks, and other harmful pests such as yellow jackets. The District protects the health and comfort of the public through the surveillance and/or control of vertebrate and invertebrate vectors. The District strives for excellence and leadership and embraces transparency and accountability in its service to residents and visitors. In addition, the District regularly tests for diseases carried by insects and small mammals and educates the public about how to protect themselves from vector borne diseases.

The Marin Mosquito Control District was the first in California, officially created on November 6, 1915 after the passage of the Mosquito Abatement Act in 1915. The Marin Mosquito Control District increased its service area by merging with a portion of Sonoma County in 1976. In 1982 the District annexed the City of Sonoma Mosquito Abatement District, to become the Marin/Sonoma Mosquito and Vector Control District, which included about 960 square miles serving approximately 650,000 residents. In 1996, the District formed a Benefit Assessment District (“Assessment District #1” or “Assessment #1”), in order to retain the ability to continue funding the program within its original jurisdictional boundaries at the level necessary to protect the public’s health and to maintain the living standard of property owners and residents. The District’s headquarters facility moved from San Rafael to Petaluma in 1981 and to Cotati in December 2000.

Prior to 2004 the District covered approximately a third of the total area of the two counties and was able to provide a relatively high level of services within its existing boundaries with the resources and staffing available at the time. However, as previously stated, as of 2004 there were no baseline services in the Annexation Areas. The Northwest Mosquito, Vector and Disease Control Assessment was enacted to provide funding for the Services to and for the benefit of the lands in the Annexation Areas.

The agency is governed by a Board of Trustees with 24 members: one representing each of the twenty cities located within the two entire two county area serviced by the District (Belvedere, Corte Madera, Cotati, Fairfax, Larkspur, Mill Valley, Novato, Petaluma, Rohnert Park, Ross, San Anselmo, San Rafael, Santa Rosa, Sausalito, Sebastopol, Sonoma, Tiburon, Windsor, Cloverdale and Healdsburg. Two Trustees are appointed by each County Board of Supervisors to represent each county at large. The Board's regular meetings are held at 7:00 PM on the 2nd Wednesday of every month (unless cancelled) and public attendance is welcomed.

Mosquitoes and Vector-borne Diseases in the Annexation Areas

Introduction

Following are the proposed Services, and resulting level of service, for the Annexation Areas. As previously noted, as of 2004 there was no regular mosquito control services provided in the Annexation Areas. These proposed Services were over and above the existing zero-level baseline level of service. The formula below describes the relationship between the final level of service, the existing baseline level of service, and the enhanced level of service to be funded by the proposed assessment.

| | | | | |
|-----------------------------------|----------|--------------------------------------|----------|--------------------------------------|
| Final Level of Service | = | Baseline Level of Service | + | Enhanced Level of Service |
|-----------------------------------|----------|--------------------------------------|----------|--------------------------------------|

In this case, the baseline level of service provided before 2004 annexation was nil, and the final level of service was precisely the enhanced level of service funded by the assessment. Since the annexation was completed, the Services have been provided continuously to the annexed areas.

Summary of Services

The purpose of the Marin/Sonoma Mosquito and Vector Control District is to reduce the risk of vector-borne disease and mosquito nuisance to the residents and visitors within the District. Besides being nuisances by disrupting human activities and the use and enjoyment of public and private areas, certain insects and animals may transmit a number of diseases.

The Marin/Sonoma Mosquito and Vector Control District utilizes an Integrated Vector Management Program (IVMP) to manage vector populations (e.g., mosquitoes) and minimize the risk of vector-borne disease. For example, the District monitors and manages mosquito populations to minimize the risk of pathogen transmission (e.g., West Nile virus), disruption of human activities and the enjoyment of public and private areas, as well as the injury and discomfort that can occur to residents and livestock due to populations of biting mosquitoes. The pathogens currently of most concern are those that cause Western Equine Encephalitis (WEE), St. Louis Encephalitis (SLE), West Nile virus (WNV), dog Heartworm, Malaria, Chikungunya, Dengue Fever and Yellow Fever, which are transmitted by mosquitoes; Plague and Murine Typhus transmitted by fleas; Leptospirosis and Hantavirus Pulmonary Syndrome associated with rats and other rodents; and Lyme disease, spotted fever group Rickettsia, Babesiosis, Anaplasmosis, Borrelia miyamotoi, tularemia and Ehrlichiosis transmitted by ticks.

The spread of these pathogens and the diseases they cause is minimized through ongoing vector surveillance activities, source reduction, source treatment, abatement, and educational outreach. These efforts also minimize the secondary impacts vectors can have on residents, such as pain, allergic reactions, and discomfort from mosquito and yellowjacket bites. To fulfill this purpose, the District may take any and all necessary steps to control mosquitoes, monitor rodents and other vectors, and perform other related vector control services.

The services within the Annexation Area are provided at generally the same service level as is provided in the Assessment No. 1 area. Specifically, the assessment provides an adequate funding source for the continuation of the projects and programs for surveillance, prevention, abatement, and control of vectors within the Annexation Area. Such mosquito abatement and vector control projects and programs include, but are not limited to, public education, surveillance, source reduction, biological control, larvicide and adulticide applications, disease monitoring, reporting, accountability, research and interagency cooperative activities, as well as capital costs, maintenance, and operation expenses (collectively "Services"). The cost of these services also includes capital costs comprised of equipment, capital improvements and facilities necessary and incidental to the vector control program.

The Services are further defined as follows:

- Response to mosquito problems as well as other pestiferous or disease transmitting organisms.
- Control of mosquito larvae in sources such as catch basins, industrial drains, agricultural sources, ditches, drain lines, vaults, wastewater treatment plants, under buildings, residences, horse troughs, freshwater marshes, salt marshes, creeks, septic systems and other sources.

- Control of rodents through public education, exclusionary methods and information dissemination.
- Monitoring of Hantavirus-bearing rodents, and other harmful vectors, such as Wood Rats, Deer Mice, Harvest Mice, and Meadow Voles, through property inspection, recommendations for exclusion, control, and public education.
- Surveying and analyzing mosquito larvae population data to assess public health risks and allocate control efforts.
- Monitoring of mosquito populations using various types of adult mosquito traps.
- Monitoring for pathogens carried and transmitted by mosquitoes and other arthropods, such as Encephalitis and West Nile viruses.
- Testing of mosquito pools, and assisting State and local public health agencies with blood analytical studies.
- Distributing printed material, brochures, social media messaging, media materials that describe what residents, employees and property owners can do to keep their homes and property free of mosquitoes and other vectors.
- Cooperating with the California Department of Public Health Services and State Universities to survey and identify arthropod-borne pathogens such as Lyme disease and Plague found in parks, on trails and other locations frequented by property owners and residents.
- Facilitating testing and monitoring for pathogens carried and transmitted by ticks, such as Lyme disease, Ehrlichiosis, spotted fever group Rickettsia, and Babesiosis.
- Monitoring and/or advising residents on controlling other potentially hazardous organisms and vectors such as ticks, mites, and fleas.
- Educating property owners and residents about the risks of diseases transmitted by insects and small mammals and how to better protect themselves and their pets.
- Assisting government agencies and universities in testing for Hantavirus, Arenavirus, Plague and other pathogens carried by small mammal populations.
- Monitoring of new and emerging vectors such as the Asian Tiger mosquito and Yellow fever mosquito.
- Testing for and control of new and emerging pathogens.

The District protects the public from vector-borne pathogens and injury and discomfort caused by mosquitoes in an environmentally compatible manner, through a coordinated set of activities and methods collectively known as the Integrated Vector Management Program (IVMP) as mentioned earlier. For all vector species, pathogens, and disease, public education is a primary control and prevention strategy. In addition, the District determines the abundance of vectors and the risk of vector-borne pathogen transmission or discomfort through evaluation of public service requests, communication with the public and agencies, and field and laboratory surveillance activities. If mosquito populations, for example, exceed or are anticipated to exceed predetermined guidelines, District staff employs the most efficient, effective, and environmentally sensitive means of control for the situation. Where feasible, water management or other source reduction activities (e.g., physical control) are instituted to reduce vector production. In some circumstances, the District also uses biological control such as the planting of mosquitofish. When these approaches are not effective or are otherwise inappropriate, pesticides are used to treat specific vector producing or vector-harboring areas.

New Zone of Benefit within the Annexation Areas (West Marin)

At its meeting on May 11, 2016, the District's Board ratified a four-year agreement between the District and the West Marin Mosquito Council. The agreement specifies and emphasizes certain approaches to mosquito control that are consistent with the District's IVMP, although certain methods are emphasized over others and some materials are not applied within this area. Other materials, such as Merus 3.0 mosquito adulticide, are used exclusively within the area. The differences in the manner in which the services are provided are considered worthy of recognition with a new zone of benefit to be known as West Marin Zone of Benefit. The geographic areas covered by the agreement includes the areas of Marin County that are within the boundaries of the Annexation Areas. The "Zones of Benefit" section in this Report includes more information about the District's Zones of Benefit.

Vectors and Vector-Borne Diseases in the District Service Area

The District undertakes activities through its Integrated Vector Management Program designed to control the following vectors of pathogens and disease (as well as discomfort and injury) within the District:

Mosquitoes

Certain species of mosquitoes found in Marin and Sonoma Counties can transmit Malaria, St. Louis Encephalitis, Western Equine Encephalomyelitis, West Nile virus, and other encephalitis viruses. Several species of mosquitoes found locally are also capable of transmitting dog heartworm. Although some species of mosquitoes have not been shown to transmit pathogens, all species can cause human discomfort when the female mosquito bites to obtain blood. Reactions range from irritation in the area of the bite, to severe allergic reactions or secondary infections resulting from scratching the irritated area. Additionally, an abundance of mosquitoes can cause economic losses, and a reduction in the use or enjoyment of recreational, agricultural, or industrial areas.

Of the world's 3,000 mosquito species, more than 50 live in California, and 23 have been identified in Marin and Sonoma Counties. Continuous surveillance and special control efforts are aimed at the most problematic species including: *Aedes dorsalis*, *Aedes squamiger*, *Aedes sierrensis*, *Culex pipiens*, and *Culex tarsalis*. The following table displays the most common mosquitoes in the District.

| Mosquito | Common Name | Larval Habitats | Biting Behavior | | Approximate Flight Ranges | Medical Importance/Vector Issues |
|-------------------------------|--------------------------------|--|--|-----------------------------|---------------------------|---|
| | | | Host(s) | Time of Day | | |
| <i>Aedes dorsalis</i> | Pale marsh mosquito | Coastal salt marshes, inland alkaline areas | • Large and likely small mammals • Humans | Day and night | 20 miles | • Western equine encephalitis • Vector – Aggressive biter of humans, pain, discomfort, allergic reactions • Livestock health issues |
| <i>Aedes sierrensis</i> | Western treehole mosquito | Treeholes, tires, containers | • Small mammals • Humans | Dusk and day | Less than 1 mile | • Dog heartworm • Vector – Aggressive biter of humans, pain, discomfort, allergic reactions |
| <i>Aedes squamiger</i> | California salt marsh mosquito | Coastal salt marshes | • Humans • Large mammals | Dusk and day | 10 – 20 miles | • Vector – Aggressive biter of humans, pain, discomfort, allergic reactions |
| <i>Aedes washinoi</i> | Flood water mosquito | Coastal ground pools, inland shaded pools, flooded habitats | • Humans • Large mammals | Dusk and day | Less than 1 mile | • Vector – Aggressive biter of humans, pain, discomfort, allergic reactions |
| <i>Culex tarsalis</i> | Western encephalitis mosquito | Agricultural, commercial, man-made or natural sources | • Birds • Mammals • Humans | Dusk and dawn | 10 – 15 miles | • St. Louis encephalitis • Western equine encephalitis • West Nile virus |
| <i>Culex pipiens</i> | House mosquito | Polluted water, septic tanks, catch basins, residential and commercial sources | • Birds • Mammals • Humans | Night | Less than 1 mile | • St. Louis encephalitis • West Nile virus • Vector – Can be an aggressive biter of humans, pain, discomfort, allergic |
| <i>Culex erythrorhax</i> | Tule mosquito | Ponds, lakes, and marshes with tules and cattails | • Birds • Humans | Dusk and day (shaded areas) | Less than 2 miles | • West Nile virus • Vector – Aggressive biter of humans, pain, discomfort, allergic reactions |
| <i>Culex stigmatosoma</i> | Banded foul water mosquito | Polluted water, dairy ponds, sewer ponds, log ponds | • Birds • Humans | Night | Less than 10 miles | • St. Louis encephalitis • West Nile virus |
| <i>Anopheles freeborni</i> | Western malaria mosquito | Irrigation ditches, rain pools, margins of lakes and streams, rice fields | • Large mammals • Humans | Dusk and dawn | 10 miles | • Malaria • Vector – Can be an aggressive biter of humans, pain, discomfort, allergic reactions |
| <i>Anopheles punctipennis</i> | Woodland malaria mosquito | Cool, shaded, grassy pools in streams and creeks | • Large mammals | Dusk and day | More than 1 mile | • Malaria |
| <i>Anopheles franciscanus</i> | - none - | Shallow, sunlit pools with algae | • Large mammals | Dusk and dawn | Less than 1 mile | • Vector – Large adult populations can result in the biting of humans |
| <i>Culiseta incidens</i> | Cool-weather mosquito | Shaded, clear, natural or man-made sources | • Large mammals • Humans | Dusk and dawn | Less than 5 miles | • Vector – human pain, discomfort, allergic reactions |
| <i>Culiseta inornata</i> | Large winter mosquito | Sunlit ground pools or man-made sources | • Large mammals • Humans | Dusk and dawn | Less than 5 miles | • Vector – Can be an aggressive biter of humans pain, discomfort, allergic reactions |
| <i>Culiseta particeps</i> | none | Freshwater marshes, ponds and creeks, woodland pools | • Large mammals • Humans | Dusk and dawn | Less than 3 miles | • Vector – human pain, discomfort, allergic reactions |

Ground-Nesting Yellowjackets

Ground-nesting yellowjackets have a painful sting and bite, can fly moderate distances, and are found throughout the District. More significantly, yellowjacket stings can result in anaphylactic shock and rapid death for the approximately 0.5% of the public with severe allergies.

Rodents

Rodents are present in the District including the Dusky-footed Wood Rat (*Neotoma fuscipes*), the Norway Rat (*Rattus norvegicus*), the Roof Rat or Black Rat (*Rattus rattus*) and the Deer Mouse (*Peromyscus maniculatus*), and are subjects of District action. In addition to being unsanitary, rodents harbor and transmit a variety of organisms that infect humans. Rats are hosts to the worm that causes trichinosis in humans. Humans may become infected when they eat poorly cooked meat from a pig that has eaten an infected rat. Rodent urine may contain the bacterium that causes Leptospirosis, and their feces may contain Salmonella bacteria. Infected rat fleas may transmit Bubonic Plague and Murine Typhus. Rat bites may cause Bacterial Rat-bite Fever or infection. *P. maniculatus* can transmit Hantavirus through bodily excretions. Gnawing by rats causes damage to woodwork and electrical wiring, resulting in short circuits and potential fires. Additionally, an abundance of rats can cause economic losses, loss of use of public recreational areas, and loss of the enjoyment of property. Dusky-footed Wood Rats carry bacterial infections that may be passed on to humans, horses, and domestic pets by the bite of tick vectors. Diseases of concern include Lyme Borreliosis (i.e. Lyme disease), Babesiosis, spotted fever group *Rickettsia*, and Ehrlichiosis.

Other Animals of Importance

Although certain animal species such as bats, ground squirrels, fleas, ticks, opossums, wood rats and house mice would not be regularly controlled, these animals play important roles in the transmission of Plague, Murine Typhus, Hantavirus, or Lyme disease and may be surveyed for pathogens. The District routinely provides education and consulting services to the public about disease risk associated with these vectors and appropriate measures to protect human health. In extreme cases where the transmission of a pathogen or the occurrence of disease is likely, as with the other District activities, control efforts may be employed. Control of these animals would be done in consultation with the California Department of Public Health, Marin and Sonoma County Public Health Departments, Marin and Sonoma County Animal Control Departments, Marin and Sonoma County Agricultural Commissioner's Offices, and other State and local agencies.

Most of the vectors mentioned above are extremely mobile and cause the greatest hazard or discomfort away from their breeding site. Each of these potential vectors has a unique life cycle and most of them occupy different habitats. In order to effectively control these vectors, an Integrated Vector Management Program must be employed. District policy is to identify those species that are currently vectors, to recommend techniques for their prevention and control, and to anticipate and minimize any new interactions between vectors and humans.

Integrated Vector Management

The District's Integrated Vector Management Program (IVMP) (also generally referred to as Integrated Pest Management or IPM) is a long-standing, ongoing program of surveillance and control of mosquitoes and other vectors of human disease and discomfort. The program consists of six types of activities:

1. Surveillance for vector populations, vector habitats, disease pathogens, and public distress associated with vectors; this includes trapping and laboratory analysis of vectors to evaluate populations and disease threats, direct visual inspection of known or suspected vector habitats, the use of all-terrain vehicles and boats to access remote areas, maintenance of access paths, and public surveys.
2. Public education to encourage and assist reduction or prevention of vector habitats and prevent human vector interaction on private and public property.
3. Management of vector habitat, especially through water control and maintenance or improvement of channels, tide gates, levees, and other water control facilities, etc. (i.e., Source Reduction/Physical Control).
4. Vegetation management to improve surveillance and/or reduce vector populations.
5. Rearing, stocking, and provision to the public of the mosquitofish *Gambusia affinis*; application of mosquito larvicides, such as materials containing the bacterium *Bacillus sphaericus* or *Bacillus thuringiensis israelensis* (i.e., Bti); and possibly the use of other predators or pathogens of vectors ("Biological Control").
6. Application of non-persistent selective insecticides to reduce populations of larval or adult mosquitoes and other invertebrate threats to public health ("Chemical Control").

The District's activities address two basic types of vectors – mosquitoes and other insects, and rodents – but both share general principles and policies including identification of vector problems; responsive actions to control existing populations of vectors, to prevent new sources of vectors from developing, and to manage habitat to minimize vector production; education of landowners and others (e.g., agencies) on measures to minimize vector production or interaction with vectors; and provision and administration of funding and institutional support necessary to accomplish these goals.

In order to accomplish effective and environmentally sound vector management, the manipulation and control of vectors must be based on careful surveillance of their abundance, distribution, habitat (potential abundance), pathogen load, and potential contact with people; the establishment of treatment guidelines; and appropriate selection from a wide range of control methods. This dynamic combination of surveillance, treatment guidelines, and use of multiple control activities in a coordinated program is generally known as Integrated Pest Management.

The District's Integrated Vector Management Program, like any other IPM program, by definition involves procedures for minimizing potential environmental impacts. The District's program employs IPM principles by first determining the species and abundance of vectors through evaluation of public service requests and field surveys of immature and adult vector populations, and then, if the populations exceed predetermined guidelines, using the most efficient, effective, and environmentally compatible means of control. For all vector species, public education is an important control strategy, and for some vectors (rodents, ticks) it is the District's primary control method. In some situations, water management or other physical control activities (historically known as source reduction) can be instituted to reduce vector habitat and production. The District also uses biological control such as the planting of mosquitofish in some settings. When these approaches are not effective or are otherwise inappropriate, pesticides are used to treat specific vector-producing or vector-harboring areas.

In June 2016, after four years of work, the District certified a comprehensive Programmatic Environmental Impact Report that assessed the District's IVMP. This document incorporates many best management practices and is available on the District's website. The PEIR serves as a valuable technical resource and guide for staff, local, state and federal agencies as well as for the general public.

In order to maximize familiarity by the operational staff with specific vector sources in the project area, the District is divided into operational zones. Most zones have assigned to them a full-time vector control technician, and sometimes a vector control aide on a seasonal basis. These staff member's responsibilities include public and agency communication and education, minor physical control, inspection and treatment of known vector sources, finding and controlling new sources, and responding to service requests from the public.

Vector control activities are conducted at a wide variety of sites throughout the District's project area. These sites can be roughly divided into natural type (e.g., natural, restored, enhanced, or manmade simulating natural) sites such as vernal pools and other seasonal wetlands, tidal marshes creeks, diked marshes etc., or anthropogenic type sources such as, storm water detention basins, flood control channels, spreading grounds, street drains and gutters, wash drains, irrigated pastures, septic systems, swimming pools, tire piles, ornamental ponds and agricultural ditches, etc.

Surveillance and Site Access

Prior to the annexation no surveillance was conducted in the Annexation Areas. The assessment provides for establishment and continuation of a surveillance program within and proximate to the properties in the Annexation Areas. Surveillance is conducted in a manner based upon equal spread of resources throughout the District boundaries, focusing on areas of likely sources. Treatment strategies are based upon the results of the surveillance programs, and are specifically designed for individual areas.

Based on a preliminary investigation of the Annexation Areas, the District found mosquito sources and potential sources scattered throughout the area. All properties within the Annexation Areas are within mosquito-flying range of one or more mosquito sources. Furthermore, prior to the annexation, the area suffered from the presence of mosquitoes, with a large number of sources and the lack of any organized mosquito control efforts or program.

In addition to the disruption of human activities and causing our environment to be uninhabitable, certain insects and animals may transmit a number of pathogens. The pathogens of most concern in Marin and Sonoma Counties are West Nile virus, St. Louis Encephalitis (SLE) and Western Equine Encephalomyelitis (WEE) transmitted by mosquitoes; Rabies transmitted by skunks; Plague and Murine Typhus transmitted by fleas; Leptospirosis and Hantavirus Pulmonary Syndrome associated with rats and other rodents; and Lyme Disease, Babesiosis, and Ehrlichiosis transmitted by ticks.

Mosquito populations are surveyed using a variety of field methods and traps. Small volume mosquito “dippers” (e.g., small cup of approximately 12 ounces attached to a wooden or aluminum pole) and direct observation are used to evaluate larval populations. Staff also respond to service requests from the public, make field landing counts, deploy light traps, host seeking traps and oviposition traps to evaluate adult mosquito populations. In 2013, using BG-Sentinel traps, the District began surveillance for the invasive species of *Aedes* mosquitoes (*aegypti* and *albopictus*) that have become established in twelve counties of California. In 2014, the surveillance program was refined and modified to use ovicups and Autocidal Gravid Ovitrap. To date the invasive species have not been detected within the District’s service area. These mosquitoes are capable of transmitting the pathogens that cause Zika, dengue fever, Chikungunya, Japanese Encephalitis, Yellow Fever and other diseases. In coordination with the County Health Officers, the District prepared a Zika virus response plan during 2016. An Invasive *Aedes* Response Plan is also in place.

Mosquito-borne pathogens are also surveyed using adult mosquitoes, and wild birds. Adult mosquitoes are collected and tested for infection with West Nile virus, SLE and WEE. Collection is made with small light, host seeking, or oviposition traps. Host seeking traps are typically baited with carbon dioxide in the form of dry ice. Although traps are typically placed in vegetated areas, care is taken to ensure that placement of traps does not significantly damage any vegetation.

Surveillance also is conducted to determine vector habitat (e.g., standing water) and the effectiveness of control operations. Inspections are conducted using techniques to minimize the potential for environmental impacts. Staff routinely uses pre-existing access points such as roadways, open areas, walkways, and trails. Vegetation management (e.g., trimming trees and vines, clearing paths through brush) is conducted where overgrowth precludes safe and efficient access. All of these actions only result in a temporary/localized physical change to the environment with regeneration/regrowth occurring within a short period of time.

In order to access various sites throughout the District for surveillance and for control, District staff utilizes specialized equipment such as light trucks, all-terrain vehicles, boats, Unmanned Aerial Systems (UAS) and helicopters. District policies on use of this equipment are designed to avoid environmental impact.

The District currently participates in a dead bird surveillance program managed by the California Department of Public Health (CDPH). Dead birds that are discovered by the public are reported to CDPH and screened for potential testing. If the bird is found to be suitable for testing, the District is notified. It then collects and processes the bird before shipping a sample swab taken from the bird to an authorized laboratory (e.g., U.C. Davis Center for Vector-Borne Disease, now known by the acronym DART) for testing.

The District's jurisdictional powers allow for testing for the presence of Plague and Murine Typhus by collecting ground squirrels, wild rodents, opossums, and fleas. Historically the District has partnered with other public health agencies (e.g., CDPH) to perform this work. (Currently the District does not anticipate it would provide this service due to a lack of staffing and certified specialists to perform the work.) Testing for the presence of Hantavirus Pulmonary Syndrome can be conducted by collecting wild rodents. Small animals can be trapped using live traps baited with food. The traps would be set in the afternoon and would be collected within 24 hours. The animals would be anesthetized and blood, tissue, and/or flea samples would be obtained. Threatened and endangered species and other legally protected animals that might become trapped would be released immediately and would not be used in these tests.

Education

The primary goals of the District's activities are to minimize vector populations, the potential for pathogen transmission, and the occurrence of disease by managing vector habitat while protecting habitat values for their predators and other beneficial organisms. Vector prevention for example, is accomplished through public education, including site-specific recommendations on water and land use, and by physical control (discussed in a later section).

The District's education program teaches K-12 school students, property owners, residents and agencies how to recognize, prevent, and suppress vector production and harborage on their properties. This part of the District's Services is accomplished through the distribution of brochures, fact sheets, newsletters, participation in local fairs and events, presentations to community organizations, contact with technicians in response to service requests, social media, public service announcements and news releases. Public education also includes a K-12 school program to teach children about vector biology, how to responsibly eliminate vector-breeding sources or reduce vector-human interaction, and to educate their parents or guardians about the District's services.

Control of Mosquitoes

The District's objective is to provide an area-wide level of consistent mosquito control such that all properties will benefit from reduced levels of mosquitoes. Surveillance and monitoring are provided on a District wide basis.

Mosquito control is based upon and driven by vector biology and surveillance. When a mosquito source produces mosquitoes in significant numbers, a technician will generally work with landowners or responsible agencies to reduce the habitat value of the site for mosquitoes (source reduction/physical control). If this is ineffective, not immediately obtainable, or inappropriate for the given site, the technician will determine the best method of treatment, including biological control and chemical control.

Physical Control

The District physically manipulates and manages mosquito habitat areas (breeding sources) when appropriate to reduce mosquito production. This may include removal of containers and debris, removing standing water from unmaintained swimming pools and spas, removal of vegetation or sediment interrupting water flow, rotating stored water, pumping and/or filling sources, improving drainage and water circulation systems, breaching or repairing levees, and installing, improving, or removing culverts, tide gates, and other water control structures in wetlands. Mosquito source reduction and physical manipulation carried out in sensitive habitats is performed in consultation with the appropriate regulatory agencies.

Biological Control

The mosquitofish, *Gambusia affinis*, is the District's primary biocontrol agent used against mosquitoes. Mosquitofish are not native to California, but have been widely established in the state since the early 1920's, and now inhabit most natural and constructed water bodies. The District maintains mosquitofish in large tanks. District technicians place mosquitofish in contained man-made settings where either previous surveillance has demonstrated a consistently high production of mosquitoes, or where current surveillance indicates that mosquito populations would likely exceed chemical control guidelines without prompt action. Mosquitofish are also made available to property owners and residents to control mosquito production in artificial containers, such as ornamental fishponds, water plant barrels, horse troughs, and abandoned swimming pools.

Chemical Control (for mosquitoes and other vectors)

Since many mosquito-breeding sources cannot be adequately controlled with physical control measures or mosquitofish, the District also uses biological materials and chemical insecticides approved by the US Environmental Protection Agency, the California Department of Pesticide Regulation, and other environmental agencies, to control mosquito production where observed mosquito production exceeds District guidelines. When field inspections indicate the presence of vector populations that meet District guidelines for chemical control (including abundance, density, species composition, proximity to human settlements, water temperature, presence of predators, and so forth), District staff applies these materials to the site in strict accordance with the label instructions. The primary types of materials used against mosquitoes are selective larvicides. In addition, if large numbers of adult mosquitoes are present and potential public health issue or actual public health issue exists, the District may apply low persistence aerosol adulticides utilizing ultra-low volume fogging methods to obtain control.

Mosquito Larvicides: Depending on time of year, water temperature, organic content, mosquito species present, larval abundance and density, and other variables, larvicide applications may be repeated at any site at recurrence intervals ranging from annually to weekly. Larvicides routinely used by the District include methoprene (e.g., Altosid and MetaLarv) and Bti (*Bacillus thuringiensis israelensis*) and Bs (*Bacillus sphaericus*). Spinosad is also used in certain circumstances.

1. Methoprene is a biochemical, synthetic juvenile hormone designed to disrupt the transformation of a juvenile mosquito into an adult. It is applied either in response to observed populations of mosquito larvae at a site, and/or as a sustained-release product that can persist for up to four months. Application can be by hand, ATV, watercraft, Unmanned Aerial Systems (UAS) or aircraft (e.g., helicopter).
2. In past years the District has used Agnique, which is the trade name for a surface film larvicide, comprised of ethoxylated alcohol. The District has almost completely exhausted its stocks of this product, and as it is no longer manufactured the District now uses larvicide oils such as CoCoBear and BVA2 oils as larvicides and pupacides.
3. Bti (*Bacillus thuringiensis israelensis*) is a bacterium that is ingested by larval mosquitoes and disrupts their gut lining, leading to death before pupation. Bti is applied by the District as a liquid or bonded to inert substrate (e.g., sand, corncob granules) to assist penetration of vegetation. Persistence is low in the environment, and efficacy depends on careful timing of application relative to the larval instar. Therefore, use of Bti requires frequent inspections of larval sources during periods of larval production, and may require frequent applications of material. Application can be made by hand, ATV, watercraft, Unmanned Aerial Systems (UAS) or aircraft (e.g., helicopter).

4. *Bacillus sphaericus*, which has been renamed *Lysinibacillus sphaericus*. is another biological larvicide. The mode of action is similar to that of Bti. *B. sphaericus* is better suited for use at sites with higher levels of organic content in the water.
5. Spinosad, a mixture of Spinosad A and D, is biologically derived from the fermentation of *Saccharopolyspora spinosa*, a naturally occurring organism found in soil. It is available in various formulations, including extended release products that are used where appropriate.

Mosquito Adulticides: In addition to chemical control of mosquito larvae, the District also performs ultra-low volume applications of mosquito control materials for control of adult mosquitoes - if thresholds are met, including species composition, population density (as measured by landing count or trapping of adult mosquitoes), proximity to human populations, and/or potential for the transmission of a pathogen and/or occurrence of disease (i.e. injury and discomfort). As with larvicides, adulticides are applied in strict conformance with label requirements.

Other Insecticides: In addition to direct chemical control of mosquito populations, the District also applies insecticides to control ground-nesting yellowjackets that pose an imminent threat to humans, pets, or livestock. This activity is triggered by a public request for assistance, rather than in response to direct population monitoring. Drione®, DeltaDust® and Wasp-Freeze® are insecticides used by the District to control ground-nesting yellowjackets. The potential environmental impacts of these materials is minimal because (1) their active ingredients include pyrethrins, deltamethrin, allethrin, and phenothrin, (2) the application rates are minimal, and (3) the mode of application, into underground nests, further limits the potential for environmental exposure from these materials.

Control of Other Vectors

Stinging Insect Control

Ground-nesting yellowjackets that pose an imminent threat to humans, livestock or pets are controlled by the District. However, the District does not control any yellowjackets that are located inside or on a structure. Aerial yellowjacket nests are treated to protect the health and safety of District residents under special circumstances. If a technician finds that a stinging insect hive is located inside a structure or above ground, the resident is given a copy of a referral list which contains the names of pest control companies and Bee Keeper's Associations in Marin and Sonoma County that are certified for structural control or removal of stinging insects. If a District technician elects to treat stinging insects, he or she applies an insecticide directly to the insect nest, in accordance with District policies and the product label. Care is taken to avoid any unwanted drift and harm to other organisms. Sometimes staff place tamper-resistant traps or bait stations, selective for the target insect, in the vicinity of the problem insects. Bee swarms located by District technicians are referred to Bee Keepers in Marin or Sonoma County for removal.

Rodent Control

The District's Rodent Prevention and Control Program is designed to provide detailed information and guidance to the public. The program, which includes site visits where indicated, is based on the principles of exclusion, and the implementation of best management practices to control rat and mice populations inside and outside of the home or business. In providing information to the public, District staff stresses the importance of preventing rodent access into the building, and property management and maintenance designed to preclude the presence of rodent habitat.

Rat control can often be necessary at the community and neighborhood levels and require cooperation and collaboration amongst neighbors. The District makes staff available to give informational presentations to communities in these situations. District staff also works with other local government agencies to provide information to the public and assist in remedying especially problematic situations.

Rodent Prevention and Control Program Operations Overview

District staff answers phone calls and take inquiries from the public regarding rats. General information regarding rodent issues is also provided through the routinely updated District website and printed literature.

Specific issues and service provision are handled by a full-time Rodent Specialist, who answers phone calls/requests for information from members of the public or agencies with specific issues or problematic situations.

The Rodent Specialist provides information regarding rodent control, prevention, exclusion, and vector-borne disease. If deemed necessary and appropriate, a service request is made for an onsite visit. Subsequently, a rodent inspection is performed with an accompanying report. If applicable, information is provided regarding:

- Rodent habitat
- Property maintenance/BMPs
- Exclusion
- Trapping
- Disinfection
- Disposal
- Community/neighborhood presentation

District staff provides community outreach and educational materials and information regarding rodent issues at public events, special presentations held throughout the year, and when communicating with the public in the field.

Control of Other Animals

The District may control other animals, such as ground squirrels and fleas, in response to the threat of disease transmission to humans. These animals would only be controlled after consultation with local and State health officials. In specific situations, control of other vectors will be considered either as policy of the Board of Trustees or as directed by management.

Service Requests

Prior to 2004 the District did not respond to service requests originating from outside of its existing boundaries. After the assessment was approved in 2004, the District has responded to thousands of service requests originating within the Annexation Areas, providing the same level of service as the pre-existing District jurisdiction. Any property owner, business or resident in the District's Service Area can contact the District to request vector control related services or inspections, and a District field technician will respond as promptly as possible to the property to evaluate the situation and to perform appropriate surveillance and control services. The District responds to all service requests in as timely a manner as possible, regardless of location.

Estimate of Cost

FIGURE 1 – ESTIMATE OF COST, FISCAL YEAR 2023-24

| MARIN / SONOMA MVCD | | | | |
|--|------------------|---------------------------------|----------------------------|-------------------------------|
| Northwest Mosquito, Vector & Disease Control Assessment (Assessment No. 2) | | | | |
| Estimate of Cost | | | | |
| Fiscal Year 2023-24 | | | | |
| Vector Control Services and Related Expenditures | | | | |
| Salaries, Wages and Benefits | | | | \$835,462 |
| Services and Supplies | | | | \$353,090 |
| Capital Replacement | | | | \$43,824 |
| | | | | \$1,232,376 |
| Less: | | | | |
| District Contribution for General Benefit & Other Revenue Sources¹ | | | | |
| Ad Valorem Taxes | | | | (\$781,080) |
| Interest Earned | | | | \$0 |
| Misc. Income / Contracts | | | | \$0 |
| Transfer to/from Reserves | | | | \$719,377 |
| | | | | (\$61,703) |
| | | | | \$1,170,673 |
| Total Vector Control Services | | | | |
| (Net Amount to be Assessed) | | | | |
| Budget Allocation to Property | | | | |
| | Total Parcels | Total SFE Units ² | Asmt / SFE ³ | Total Assessment ⁴ |
| Marin County - Zone West Mar | 6,439 | 5,887 | \$31.52 | \$185,554 |
| Sonoma County - Zone A | 35,158 | 31,030 | \$31.52 | \$978,066 |
| Sonoma County - Zone B | 395 | 234 | \$30.14 | \$7,053 |
| | 41,992 | 37,151 | | \$1,170,673 |

Notes to Estimate of Cost:

1. As determined in the following section, at least 5% of the cost of the Services paid by the assessments must be funded from other funding sources to cover any general benefits from the improved Services. Therefore, out of the total cost to provide the improved Services of \$1,170,673, the District must contribute at least \$58,533 (5%) from sources other than the assessments. The District will contribute \$61,703, which is over 5% of the total cost of providing the improved Services. This contribution covers any general benefits from the Services.
2. SFE Units means Single Family Equivalent benefit units. See the section "Assessment Apportionment" for further definition.
3. The assessment rate per SFE is the total amount of assessment per Single Family Equivalent benefit unit.
4. The proceeds from the assessments will be deposited into a special fund for the Assessment. Funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the fiscal year, June 30, must be carried over to the next fiscal year. The Total Assessment Budget is the sum of the final property assessments rounded to the lower penny to comply with the County Auditors' levy submission requirements. Therefore, the total assessment amount for all parcels subject to the assessments may vary slightly from the net amount to be assessed.

Historical Summary of Assessments by County – Assessment No. 2

The figure below depicts a historical summary of the Assessment No. 2 annual rates, the number of SFE (Single Family Equivalent) units, total assessment and the increase on assessment compared to the year before for Marin and Sonoma Counties.

FIGURE 2 – ASSESSMENT NO. 2 HISTORY

| MS-MVCD Assessment No.2 | | Marin County | | | Sonoma County | | |
|----------------------------|---------------|--------------|---------------------|--------------------------------|---------------|---------------------|--------------------------------|
| Fiscal Year | Asmt / SFE | SFE Units | Total Assessment | Increase from prior year | SFE Units | Total Assessment | Increase from prior year |
| 2005-06 | \$19.00 | 5,559 | \$105,627 | \$105,627 | 29,412 | \$558,736 | \$558,736 |
| 2006-07 | \$19.36 | 5,602 | \$108,448 | \$2,821 | 29,588 | \$572,826 | \$14,091 |
| 2007-08 | \$19.36 | 5,596 | \$108,341 | (\$108) | 29,631 | \$573,660 | \$834 |
| 2008-09 | \$19.36 | 5,668 | \$109,730 | \$1,389 | 29,808 | \$577,087 | \$3,427 |
| 2009-10 | \$19.36 | 5,701 | \$110,370 | \$640 | 29,992 | \$580,644 | \$3,557 |
| 2010-11 | \$19.36 | 5,781 | \$111,917 | \$1,547 | 30,018 | \$580,959 | \$315 |
| 2011-12 | \$19.36 | 5,758 | \$111,473 | (\$444) | 29,954 | \$579,709 | (\$1,250) |
| 2012-13 | \$19.92 | 5,759 | \$114,720 | \$3,247 | 29,977 | \$596,957 | \$17,248 |
| 2013-14 | \$20.88 | 5,767 | \$120,424 | \$5,704 | 29,998 | \$626,146 | \$29,189 |
| 2014-15 | \$21.68 | 5,770 | \$125,099 | \$4,675 | 30,078 | \$651,882 | \$25,737 |
| 2015-16 | \$22.24 | 5,792 | \$128,823 | \$3,724 | 30,131 | \$669,885 | \$18,003 |
| 2016-17 | \$24.76 | 5,809 | \$143,836 | \$15,013 | 30,278 | \$749,433 | \$79,548 |
| 2017-18 | \$25.64 | 5,817 | \$149,148 | \$5,312 | 30,314 | \$777,001 | \$27,568 |
| 2018-19 | \$26.40 | 5,840 | \$154,186 | \$5,038 | 30,400 | \$802,297 | \$25,296 |
| 2019-20 | \$27.58 | 5,890 | \$162,459 | \$8,274 | 30,326 | \$836,111 | \$33,814 |
| 2020-21 | \$28.26 | 5,915 | \$167,158 | \$4,698 | 30,374 | \$858,081 | \$21,970 |
| 2021-22 | \$28.82 | 5,918 | \$170,557 | \$3,399 | 30,389 | \$875,516 | \$17,435 |
| 2022-23 | \$28.82 | 5,875 | \$169,318 | (\$1,239) | 31,283 | \$901,282 | \$25,766 |
| 2023-24 | \$31.52 | 5,887 | \$185,554 | \$16,237 | 31,264 | \$985,118 | \$83,836 |

Summary of Assessments by County for FY 2023-24

The figure below reflects the Assessment No. 2 summaries for Marin and Sonoma Counties for fiscal year 2023-24: total number of parcels in each county, number of parcels assessed, SFE unit count, and the total assessment to be placed on assessable parcels in each county for fiscal year 2023-24.

FIGURE 3 – ASSESSMENT SUMMARY – FISCAL YEAR 2023-24

| Fiscal Year 2023-24 Assessment No. 2 | Parcels in Assessment No.2 | Parcels Assessed | SFE Units | Assessment |
|---|---------------------------------------|-----------------------------|------------------|-------------------|
| Marin County - West Marin | 6,439 | 5,569 | 5,887 | \$185,554 |
| Sonoma County - Zone A | 35,158 | 30,405 | 31,030 | \$978,066 |
| Sonoma County - Zone B | 395 | 364 | 234 | \$7,053 |
| Total SFE | 42,060 | 36,401 | 36,307 | \$1,170,673 |

Method of Assessment

This section of the Report explains the benefits to be derived from the Services provided by the District, and the methodology used to apportion the total assessment to properties within the Northwest Mosquito, Vector and Disease Control Assessment Annexation Area.

The Northwest Mosquito, Vector and Disease Control Assessment Annexation Area consists of all assessor parcels as defined by the approved boundary description, covering generally the North and West/coastal areas of Sonoma County and the West/coastal areas of Marin County as defined within the area of the boundary diagram included within this Engineer's Report (see the assessment roll for a list of all the parcels included in the proposed Mosquito and Disease Control Assessment).

The Marin/Sonoma Mosquito and Vector Control District's boundary is coterminous with the counties of Marin and Sonoma now that the annexation has been accomplished. Prior to the annexation in 2004, mosquito abatement programs, projects and services were not provided in the Annexation Area by the Marin/Sonoma Mosquito and Vector Control District or any other public agency. The proposed assessments now allow the District to provide its vector abatement and disease control services throughout the Annexation Area.

The method used for apportioning the assessment is based upon the proportional special benefits to be derived by the properties in the Annexation Areas over and above general benefits conferred on real property in the assessment area or to the public at large. Special benefit is calculated for each parcel in the Annexation Areas.

1. Identification of total benefit to the properties derived from the Services
2. Calculation of the proportion of these benefits that are special vs. general
3. Determination of the relative special benefit within different areas within the Annexation Areas
4. Determination of the relative special benefit per property type and property characteristic
5. Calculation of the specific assessment for each individual parcel based upon special vs. general benefit; location, property type and property characteristics,

Discussion of Benefit

In summary, the assessments can only be levied based on the special benefit to property. This special benefit is received by property over and above any general benefits from the proposed Services. With reference to the engineering requirements for property related assessments, under Proposition 218 an engineer must determine and prepare a report evaluating the amount of special and general benefit received by property within the Unprotected Area as a result of the improvements or services provided by a local agency. The special benefit is to be determined in relation to the total cost to that local entity of providing the service and/or improvements.

Proposition 218 as described in Article XIID of the California Constitution has confirmed that assessments must be based on the special benefit to property:

"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

The benefit factors discussed in the following sections, when applied to property in the Annexation Areas confer special benefits to property and ultimately improve the safety, utility, functionality and usability of property in the Annexation Areas. These are special benefits to property in the Annexation Areas in much the same way that storm drainage, sewer service, water service, sidewalks and paved streets enhance the utility and functionality of each parcel of property served by these services and improvements, providing them with more utility of use and making them safer and more usable for occupants.

It should also be noted that Proposition 218 includes a requirement that existing assessments in effect upon its effective date were required to be confirmed by either a majority vote of registered voters in the assessment area, or by weighted majority property owner approval using the new ballot proceeding requirements. However, certain assessments were excluded from these voter approval requirements. Of note is that in California Constitution Article XIID Section 5(a) this special exemption was granted to assessments for sidewalks, streets, sewers, water, flood control, drainage systems and vector control. The Howard Jarvis Taxpayers Association explained this exemption in their Statement of Drafter's Intent:

*"This is the "traditional purposes" exception. These existing assessments do not need property owner approval to continue. However, future assessments for these traditional purposes are covered."*³

³ Howard Jarvis Taxpayers Association, "Statement of Drafter's Intent", January 1997.

Therefore, the drafters of Proposition 218 acknowledged that vector control assessments were “traditional” and therefore acknowledged and accepted use.

Since all assessments, existing before or after Proposition 218 must be based on special benefit to property, the drafters of Proposition 218 by implication found that vector control services confer special benefit on property. Moreover, the statement of drafter’s intent also acknowledges that any new or increased vector control assessments after the effective date of Proposition 218 would need to comply with the voter approval requirements it established. This is as an acknowledgement that additional assessments for such “traditional” purposes would be established after Proposition 218 was in effect. Therefore, the drafters of Proposition 218 clearly recognized vector assessments as a “traditional” use of assessments, acknowledged that new vector assessments may be formed after Proposition 218 and by implication were satisfied that vector control services confer special benefit to properties.

The Legislature also made a specific determination after Proposition 218 was enacted that vector control services constitute a proper subject for special assessment. Health and Safety Code section 2082, which was signed into law in 2002, provides that a district may levy special assessments consistent with the requirements of Article XIID of the California Constitution to finance vector control projects and programs. The intent of the Legislature to allow and authorize benefit assessments for vector control services after Proposition 218 is shown in the Assembly and Senate analysis the Mosquito Abatement and Vector Control District Law where it states that the law:

Allows special benefit assessments to finance vector control projects and programs, consistent with Proposition 218.⁴

Therefore, the State Legislature unanimously determined that vector control services are a valuable and important public service that can be funded by benefit assessments. To be funded by assessments, vector control services must confer special benefit to property.

⁴ Senate Bill 1588, Mosquito Abatement and Vector Control District Law, Legislative bill analysis

Mosquito and Vector Control is a Special Benefit to Properties

As described below, this Engineer's Report concludes that mosquito and vector control is a special benefit that provides direct advantages to property in the Annexation Areas. For example, the assessment provides for 1) surveillance throughout the Annexation Areas to measure and track the levels and sources of mosquitoes and other vectors impacting property in the area and the people who live and work on the property, 2) mosquito and vectors control and source control, treatment and abatement throughout the Annexation Areas such that all property in the area benefits from a comparable reduction of the levels of mosquito and other vectors, 3) monitoring throughout the Annexation Areas to evaluate the effectiveness of District treatment and control and to ensure that all properties are receiving the equivalent level of mosquito and vector reduction benefits, and 4) the properties in the Annexation Areas are eligible for service requests which result in District staff directly visiting, inspecting and treating property. Moreover, the Services funded by the Assessments would reduce the level of mosquitoes and vectors arriving at and negatively impacting properties within the Assessment area.

The following section, Benefit Factors, describes how the Services specially benefit properties in the Assessment Area. These benefits are particular and distinct from its effect on property in general or the public at large.

Benefit Factors

In order to allocate the proposed assessments, the engineer identified the types of special benefit arising from the Services that would be provided to property within the Annexation Area. These types of special benefit are as follows:

Reduced mosquito and vector populations on property and as a result, enhanced desirability, utility, usability and functionality of property in the Annexation Areas

The proposed assessments would provide new and enhanced services for the control and abatement of nuisance and disease-carrying mosquitoes and other vectors. These Services would materially reduce the number of vectors on properties throughout the Annexation Areas. The lower mosquito and vector populations on property in the Annexation Areas is a direct advantage to property that serves to increase the desirability and usability of property. Clearly, properties are more desirable and usable in areas with lower mosquito populations and with a reduced risk of vector-borne disease. This is a special benefit to residential, commercial, agricultural, industrial and other types of property because all such properties would directly benefit from reduced mosquito and vector populations and properties with lower vector populations are more usable, functional and desirable.

Excessive mosquitoes and other vectors in the area can materially diminish the utility and usability of property. For example, prior to the commencement of mosquito control and abatement services, properties in many areas in the State were considered to be nearly uninhabitable during the times of year when the mosquito populations were high.⁵ The prevention or reduction of such diminished utility and usability of property caused by mosquitoes is a clear and direct advantage and special benefit to property in the Annexation Areas.

⁵ Prior to the commencement of modern mosquito control services, areas in the State of California such as the San Mateo Peninsula, Napa County and areas in Marin and Sonoma Counties had such high mosquito populations that they were considered to be nearly unlivable during certain times of the year and were largely used for part-time vacation cottages that were occupied primarily during the months when the natural mosquito populations were lower.

The State Legislature made the following finding on this issue:

“Excess numbers of mosquitoes and other vectors spread diseases of humans, livestock, and wildlife, reduce enjoyment of outdoor living spaces, both public and private, reduce property values, hinder outdoor work, reduce livestock productivity; and mosquitoes and other vectors can disperse or be transported long distances from their sources and are, therefore, a health risk and a public nuisance; and professional mosquito and vector control based on scientific research has made great advances in reducing mosquito and vector populations and the diseases they transmit.”⁶

Mosquitoes and other vectors emerge from sources throughout the Annexation Areas, and with an average flight range of two miles, mosquitoes from known sources can reach all properties in the Annexation Areas. These sources include standing water in rural areas, such as marshes, pools, wetlands, ponds, drainage ditches, drainage systems, tree holes and other removable sources such as old tires and containers. The sources of mosquitoes also include numerous locations throughout the urban areas in the Annexation Areas. These sources include underground drainage systems, containers, unattended swimming pools, leaks in water pipes, tree holes, flower cups in cemeteries, over-watered landscaping and lawns and many other sources. By controlling mosquitoes at known and new sources, the Services materially reduce mosquito populations on property throughout the Annexation Areas.

A recently increasing source of mosquitoes is unattended swimming pools:

“Anthropogenic landscape change historically has facilitated outbreaks of pathogens amplified by peridomestic vectors such as Cx. pipiens complex mosquitoes and associated commensals such as house sparrows. The recent widespread downturn in the housing market and increase in adjustable rate mortgages have combined to force a dramatic increase in home foreclosures and abandoned homes and produced urban landscapes dotted with an expanded number of new mosquito habitats. These new larval habitats may have contributed to the unexpected early season increase in WNV cases in Bakersfield during 2007 and subsequently have enabled invasion of urban areas by the highly competent rural vector Cx. tarsalis. These factors can increase the spectrum of competent avian hosts, the efficiency of enzootic amplification, and the risk for urban epidemics.”⁷

The Services include the monitoring and treatment of neglected pools throughout the Assessment Areas.

⁶ Assembly Concurrent Resolution 52, chaptered April 1, 2003

⁷ Riesen Wouldiam K. (2008). Delinquent Mortgages, Neglected Swimming Pools, and West Nile Virus, California. Emerging Infectious Diseases. Vol. 14(11).

Increased safety of property in the Annexation Areas

The Assessments provide year-round proactive Services to control and abate mosquitoes and other vectors that otherwise would occupy properties throughout the Annexation Areas. Mosquitoes and other vectors are transmitters of diseases, so the reduction of mosquito populations makes property in the Annexation Areas safer for use and enjoyment. In absence of the assessments, these Services would not be provided, so the Services funded by the assessments make properties in the Annexation Areas safer, which is a distinct special benefit to property in the Annexation Areas.⁸ This is not a general benefit to property in the Annexation Areas or the public at large, because the Services are tangible mosquito and disease control services that are provided directly to the properties in the Annexation Areas, and the Services are over and above what otherwise would be provided by the District or any other agency.

This finding was confirmed in 2003 by the State Legislature:

“Mosquitoes and other vectors, including but not limited to ticks, Africanized Honey Bees, rats, fleas, and flies, continue to be a source of human suffering, illness, death and a public nuisance in California and around the world. Adequately funded mosquito and vector control, monitoring and public awareness programs are the best way to prevent outbreaks of West Nile Virus and other diseases borne by mosquitoes and other vectors.”⁹

Also, the Legislature, in Health and Safety Code Section 2001, finds that:

“The protection of Californians and their communities against the discomforts and economic effects of vectorborne diseases is an essential public service that is vital to public health, safety, and welfare.”

Reductions in the risk of new diseases and infections on property in the Annexation Areas

Mosquitoes have proven to be a major contributor to the spread of new diseases such as West Nile Virus, among others. A highly mobile population combined with migratory bird patterns can introduce new mosquito-borne diseases into previously unexposed areas.

“Vector-borne diseases (including a number that are mosquito-borne) are a major public health problem internationally. In the United States, dengue and malaria are frequently brought back from tropical and subtropical countries by travelers

⁸ By reducing the risk of disease and increasing the safety of property, the proposed Services would materially increase the usefulness and desirability of properties in the Annexation Areas.

⁹ Assembly Concurrent Resolution 52, chaptered April 1, 2003.

or migrant laborers, and autochthonous transmission of malaria and dengue occasionally occurs. In 1998, 90 confirmed cases of dengue and 1,611 cases of malaria were reported in the USA and dengue transmission has occurred in Texas.”¹⁰

“During 2004, 40 states and the District of Columbia (DC) have reported 2,313 cases of human WNV illness to CDC through ArboNET. Of these, 737 (32%) cases were reported in California, 390 (17%) in Arizona, and 276 (12%) in Colorado. A total of 1,339 (59%) of the 2,282 cases for which such data were available occurred in males; the median age of patients was 52 years (range: 1 month--99 years). Date of illness onset ranged from April 23 to November 4; a total of 79 cases were fatal.”¹¹ (According to the Centers for Disease Control and Prevention on January 19, 2004, a total of 2,470 human cases and 88 human fatalities from WNV have been confirmed).

A study of the effect of aerial spraying conducted by the Sacramento-Yolo Mosquito and Vector Control District (SYMVCD) to control a West Nile Virus disease outbreak found that the SYMVCD’s mosquito control efforts materially decreased the risk of new diseases in the treated areas:

After spraying, infection rates decreased from 8.2 (95% CI 3.1–18.0) to 4.3 (95% CI 0.3–20.3) per 1,000 females in the spray area and increased from 2.0 (95% CI 0.1–9.7) to 8.7 (95% CI 3.3–18.9) per 1,000 females in the untreated area. Furthermore, no additional positive pools were detected in the northern treatment area during the remainder of the year, whereas positive pools were detected in the untreated area until the end of September (D.-E.A Elnaiem, unpub. data). These independent lines of evidence corroborate our conclusion that actions taken by SYMVCD were effective in disrupting the WNV transmission cycle and reducing human illness and potential deaths associated with WNV.¹²

The Services funded by the assessments help prevent, on a year-round basis, the presence of vector-borne diseases on property in the Annexation Areas. This is another tangible and direct special benefit to property in the Annexation Areas that would not be received in the absence of the assessments.

¹⁰ Rose, Robert. (2001). Pesticides and Public Health: Integrated Methods of Mosquito Management. Emerging Infectious Diseases. Vol. 7(1); 17-23.

¹¹ Center for Disease Control. (2004). West Nile Virus Activity --- United States, November 9--16, 2004. Morbidity and Mortality Weekly Report. 53(45); 1071-1072.

¹² Carney, Ryan. (2008), Efficiency of Aerial Spraying of Mosquito Adulticide in Reducing the Incidence of West Nile Virus, California, 2005. Emerging Infectious Diseases, Vol 14(5)

Protection of economic activity on property in the Annexation Areas

As demonstrated by the SARS outbreak in China and outbreaks of Avian Flu, outbreaks of pathogens can materially and negatively impact economic activity in the affected area. Such outbreaks and other public health threats can have a drastic negative effect on tourism, business and residential activities in the affected area. The assessments help to prevent the likelihood of such outbreaks in the Annexation Areas.

Prior to the commencement of the mosquito and vector control services provided by the District in its previous service areas, mosquitoes hindered, annoyed and harmed residents, guests, visitors, farm workers, and employees to a much greater degree. A vector-borne disease outbreak and other related public health threats would have a drastic negative effect on agricultural, business and residential activities in the Annexation Areas.

The economic impact of diseases is well documented. According to a study prepared for the Centers for Disease Control and Prevention, economic losses due to the transmission of West Nile virus in the US was estimated to cost over \$778 million from 1999 to 2012:

There are no published data on the economic burden for specific West Nile virus (WNV) clinical syndromes (i.e., fever, meningitis, encephalitis, and acute flaccid paralysis [AFP]). We estimated initial hospital and lost-productivity costs from 80 patients hospitalized with WNV disease in Colorado during 2003; 38 of these patients were followed for 5 years to determine long-term medical and lost-productivity costs. Initial costs were highest for patients with AFP (median \$25,117; range \$5,385–\$283,381) and encephalitis (median \$20,105; range \$3,965–\$324,167). Long-term costs were highest for patients with AFP (median \$22,628; range \$624–\$439,945) and meningitis (median \$10,556; range \$0–\$260,748). Extrapolating from this small cohort to national surveillance data, we estimated the total cumulative costs of reported WNV hospitalized cases from 1999 to 2012 to be \$778 million (95% confidence interval \$673 million–\$1.01 billion). These estimates can be used in assessing the cost-effectiveness of interventions to prevent WNV disease.¹³

¹³ Initial and Long-Term Costs of Patients Hospitalized with West Nile Virus Disease. Arboviral Diseases Branch, Centers for Disease Control and Prevention, Fort Collins, Colorado; Prion and Health Office, Centers for Disease Control and Prevention, Atlanta, Georgia; Division of Preparedness and Emerging Infections, Centers for Disease Control and Prevention, Atlanta, Georgia. J. Erin Staples, Manjunath Shankar, James J. Sejvar, Martin I. Meltzer, and Marc Fischer. J. Erin Staples, Arboviral Diseases Branch, Centers for Disease Control and Prevention, 3150 Rampart Road, Fort Collins, CO 80521. E-mail: AUV1@cdc.gov.

Moreover, a study conducted in 1996-97 of La Crosse encephalitis (LACE), a human illness caused by a mosquito-transmitted virus, found a lifetime cost per human case at \$48,000 to \$3,000,000 and found that the disease significantly impacted lifespans of those who were infected. Following is a quote from the study which references the importance and value of active vector control services of the type that would be funded by the proposed Assessments:

*The socioeconomic burden resulting from LACE is substantial, which highlights the importance of the illness in western North Carolina, as well as the need for active surveillance, reporting, and prevention programs for the infection.*¹⁴

The services funded by the assessments help to prevent the likelihood of such outbreaks on property in the Annexation Area and reduce the harm to economic activity on property caused by existing mosquito populations. This is another direct advantage in the Annexation Areas that would not be received in absence of the assessments.

Protection of the tourism, agriculture and business industries in the Annexation Areas

The agriculture, tourism and business industries within the Annexation Areas benefit from reduced levels of harmful or nuisance mosquitoes and other vectors. Conversely, any outbreaks of emerging vector-borne pathogens could also materially negatively affect these industries. Diseases transmitted by mosquitoes and other vectors can adversely impact business and recreational functions.

More recently, the invasive species *Aedes aegypti* (yellow fever mosquito) has been found in the San Francisco Bay area and the District is conducting enhanced surveillance using specialized traps to determine whether this species is present in its service area. This mosquito is an efficient vector of several emerging diseases such as dengue fever, Chikungunya (currently affecting the Caribbean), yellow fever and Zika. Fortunately none of these diseases are currently endemic in the service area, but the presence of the vector species increases the risk of transmission if cases are imported by infected person who travel to endemic areas of the world.

A study prepared for the United States Department of Agriculture in 2003 found that over 1,400 horses died from West Nile Virus in Colorado and Nebraska and that these fatal disease cases created over \$1.2 million in costs and lost revenues. In addition, horse owners in these two states spent over \$2.75 million to vaccinate

¹⁴ Utz, J. Todd, Apperson, Charles S., Maccormack, J. Newton, Salyers, Martha, Dietz, E. Jacquelin, Mcpherson, J. Todd, Economic And Social Impacts Of La Crosse Encephalitis In Western North Carolina, Am J Trop Med Hyg 2003 69: 509-518.

their horses for this disease. The study states that “Clearly, WNV has had a marked impact on the Colorado and Nebraska equine industry.”¹⁵

Pesticides for mosquito control impart economic benefits to agriculture in general. Anecdotal reports from farmers and ranchers indicate that cattle, if left unprotected, can be exsanguinated by mosquitoes, especially in Florida and other southeast coastal areas. Dairy cattle produce less milk when bitten frequently by mosquitoes¹⁶

The assessments serve to protect the businesses and industries in the Annexation Areas. This is a direct advantage and special benefit to property in the Annexation Areas.

Reduced risk of nuisance and liability on property in the Annexation Areas

In addition to health-related factors, uncontrolled mosquito and vector populations create a nuisance for residents, employees, customers, tourists, farm workers and guests in the Annexation Areas. Properties in the Annexation Areas benefit from the reduced nuisance factor that is created by the Services. Agricultural and rangeland properties also benefit from the reduced nuisance factor and harm to livestock and employees from lower mosquito and vector populations.

Agricultural, range, golf course, cemetery, open space and other such lands in the Annexation Areas contain large areas of mosquito and vector habitat and are therefore a significant source of mosquito and vector populations. In addition, residential and business properties in the Annexation Areas can also contain significant sources.¹⁷ It is conceivable that sources of mosquitoes could be held liable for the transmission of diseases or other harm. For example, in August 2004, the City of Los Angeles approved new fines of up to \$1,000 per day for property owners who don’t remove standing water sources of mosquitoes on their property.

The Services provided by the District reduce the mosquito and vector related nuisance and health liability to properties in the Annexation Area. The reduction of that risk of liability constitutes a special benefit to property in the Annexation Areas. This special benefit would not be received in absence of the Services funded by the assessments.

¹⁵ S. Geiser, A. Seitzinger, P. Salazar, J. Traub-Dargatz, P. Morley, M. Salman, D. Wilmot, D. Steffen, W. Cunningham, Economic Impact of West Nile Virus on the Colorado and Nebraska Equine Industries: 2002, April 2003, Available from http://www.aphis.usda.gov/vs/ceah/cnabs/nahms/equine/wnv2002_CO_NB.pdf

¹⁶ . Jennings, Allen. (2001). USDA Letter to EPA on Fenthion IRED. United States Department of Agriculture, Office of Pest Management Policy. March 8, 2001.

¹⁷ Sources of mosquitoes on residential, business, agricultural, range and other types of properties include removable sources such as containers that hold standing water.

Improved marketability of property

As described previously, the Services specially benefit properties in the Annexation Areas by making them more useable, livable and functional. The Services also make properties in the Annexation Areas more desirable, and more desirable properties also benefit from improved marketability. This is another tangible special benefit to certain property in the Annexation Areas which would not be enjoyed in absence of the Services.¹⁸

Benefit Finding

In summary, the special benefits described in this Report and the expansion and provision of Services to the Annexation Areas directly benefit and protect the real properties in the Annexation Areas in excess of the proposed assessments for these properties. Therefore, the Assessment Engineer finds that the cumulative special benefits to property from the Services are reasonably equal to or greater than the proposed assessment rate per benefit unit.

General vs. Special Benefit

Article XIID of the California Constitution requires any local agency proposing to increase or impose a benefit assessment to “separate the general benefits from the special benefits conferred on a parcel.” The rationale for separating special and general benefits is to ensure that property owners subject to the benefit assessment are not paying for general benefits. The assessment can fund the special benefits to property in the assessment area but cannot fund any general benefits. Accordingly, a separate estimate of the special and general benefit is given in this section.

In other words:

| | | | | |
|--------------------------|----------|----------------------------|----------|----------------------------|
| Total Benefit | = | General Benefit | + | Special Benefit |
|--------------------------|----------|----------------------------|----------|----------------------------|

¹⁸ . If one were to compare two hypothetical properties with similar characteristics, the property with lower mosquito infestation and reduced risk of vector-borne disease would clearly be more desirable, marketable and usable.

There is no widely-accepted or statutory formula for general benefit from vector control services. General benefits are benefits from improvements or services that are not special in nature, are not “particular and distinct” and are not “over and above” benefits received by other properties. General benefits are conferred to properties located “in the district,”¹⁹ but outside the narrowly-drawn Assessment District and to “the public at large.” SVTA provides some clarification by indicating that general benefits provide “an indirect, derivative advantage” and are not necessarily proximate to the improvements and services funded by the assessments.

A formula to estimate the general benefit is listed below:

$$\text{General Benefit} = \text{Benefit to real property outside of improvement district} + \text{Benefit to real property inside of improvement district} + \text{Benefit to public at large}$$

Special benefit, on the other hand, is defined in the state constitution as “a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large.” The SVTA decision indicates that a special benefit is conferred to a property if it “receives a direct advantage from the improvement (e.g., proximity to a park).” In this Annexation Areas assessment, the overwhelming proportion of the benefits conferred to property is special, since the Services funded by the Assessments are directly received by the properties in the Assessment District and are only minimally received by property outside the Assessment District or the public at large.

¹⁹ SVTA explains as follows:

OSA observes that Proposition 218’s definition of “special benefit” presents a paradox when considered with its definition of “district.” Section 2, subdivision (i) defines a “special benefit” as “a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large.” (Art. XIII D, § 2, subd. (i), italics added.) Section 2, subdivision (d) defines “district” as “an area determined by an agency to contain all parcels which would receive a special benefit from a proposed public improvement or property-related service.” (Art. XIII D, § 2, subd. (d), italics added.) In a well-drawn district — limited to only parcels receiving special benefits from the improvement — every parcel within that district receives a shared special benefit. Under section 2, subdivision (i), these benefits can be construed as being general benefits since they are not “particular and distinct” and are not “over and above” the benefits received by other properties “located in the district.”

We do not believe that the voters intended to invalidate an assessment district that is narrowly drawn to include only properties directly benefiting from an improvement. Indeed, the ballot materials reflect otherwise. Thus, if an assessment district is narrowly drawn, the fact that a benefit is conferred throughout the district does not make it general rather than special.

Proposition 218 twice uses the phrase “over and above” general benefits in describing special benefit. (Art. XIID, sections 2(i) & 4(f).) Significantly, with this Annexation Area assessment, prior to 2004 there were no mosquito and vector related services being provided to the Annexation Areas by any federal, state or local government agency. Consequently, there were no mosquito and vector control related general benefits being provided to the Annexation Areas, and any new and extended service provided by the District would be over and above this zero baseline. Arguably, all of the Services to be funded by the assessment therefore would be a special benefit because the Services would particularly and distinctly benefit and protect the Annexation Areas over and above the baseline benefits and service of zero. Nevertheless, arguably some of the Services benefit the public at large and properties outside the Annexation Areas.

In the 2009 Dahms case, the court upheld an assessment that was 100% special benefit on the rationale that the services funded by the assessments were directly provided to property in the assessment district. Similar to the assessments in Pomona that were validated by Dahms, the Assessments described in this Engineer’s Report fund mosquito, vector and disease control services directly provided to property in the Annexation Areas. Moreover, as noted in this Report, the Services directly reduce mosquito and vector populations on all property in the Annexation Areas. Therefore, Dahms establishes a basis for minimal or zero general benefits from the Assessments. However, in this Report, the general benefit is more conservatively estimated and described, and then budgeted so that it is funded by sources other than the Assessment.

Benefit to Property Outside the District

Properties within the Assessment District receive almost all of the special benefits from the Services because the Services funded by the Assessments are provided directly to protect property within the Assessment District from mosquitoes and vector-borne disease. However, properties adjacent to, but just outside of, the proposed boundaries may receive some benefit from the proposed Services in the form of reduced mosquito populations on property outside the Annexation Areas. Since this benefit, is conferred to properties outside the district boundaries, it contributes to the overall general benefit calculation and will not be funded by the assessment.

A measure of this general benefit is the proportion of Services that would affect properties outside of the Annexation Areas. Each year, the District provides some of its Services in areas near the boundaries of the Annexation Areas. By abating mosquito and vector populations near the borders of the Annexation Areas, the Services could provide benefits in the form of reduced mosquito populations and reduced risk of disease transmission to properties outside the Annexation Areas. If mosquitoes and other vectors are not controlled inside the Annexation Areas, more of them would fly from the Annexation Areas. Therefore control of mosquitoes and other vectors within the Annexation Areas provides some benefit to properties outside the Annexation Areas but within the normal flight range of mosquitoes and other vectors, in the form of reduced mosquito and vector populations and reduced vector-borne disease transmission. This is a measure of the general benefits to property outside the Annexation Areas because this is a benefit from the Services that is not specially conferred upon property in the assessment area.

The mosquito and vector potential outside the Annexation Areas is based on studies of mosquito dispersion concentrations. Mosquitoes can travel up to two miles, on average, so this destination range is used. Based on studies of mosquito destinations, relative to parcels in the Annexation Areas, average concentration of mosquitoes from the Annexation Areas on properties within two miles of the Annexation Areas is calculated to be 6%.²⁰ This relative vector population reduction factor within the destination range is combined with the number of parcels outside the Annexation Areas and within the destination range to measure this general benefit and is calculated as follows:

²⁰ Tietze, Noor S., Stephenson, Mike F., Sidhom, Nader T. and Binding, Paul L., "Mark-Recapture of *Culex Erythrothorax* in Santa Cruz County, California", Journal of the American Mosquito Control Association, 19(2):134-138, 2003.

Criteria:

Mosquitoes may fly up to 2 miles from their breeding source.

3,671 parcels within 2 miles of, but outside of the District, may receive some mosquito and disease protection benefit

6% portion of relative benefit that is received

56,637 parcels in the District

Calculations:

Total Benefit = 3,671 parcels * 6% = 221 parcels equivalents

Percentage of overall parcel equivalents = $221 / (56,637 + 221) = 0.39\%$

Therefore, for the overall benefits provided by the Services to the Annexation Areas, it is determined that 0.39% of the benefits would be received by the parcels within two miles of the Annexation Areas boundaries. Recognizing that this calculation is an approximation, this benefit is increased to 0.50%.

Benefit to Property *Inside* the District that is *Indirect and Derivative*

The “indirect and derivative” benefit to property within the Assessment District is particularly difficult to calculate. As explained above, all benefit within the Assessment District is special because the mosquito, vector and disease control services in the Annexation Areas provides direct service and protection that is clearly “over and above” and “particular and distinct” when compared with the lack of such protection under pre-assessment conditions. Further the properties are within the Assessment District boundaries, and this Engineer’s Report demonstrates the direct benefits received by individual properties from mosquito, vector and disease control services.

In determining the Assessment District area, the District has been careful to limit it to an area of parcels that directly receives the Services. All parcels directly benefit from the surveillance, monitoring and treatment that is provided on an equivalent basis throughout the Annexation Areas, in order to maintain the same improved level of protection against mosquitoes and reduced mosquito populations throughout the area. The surveillance and monitoring sites are spread on a balanced basis throughout the area. Mosquito and vector control and treatment is provided as needed throughout the area based on the surveillance and monitoring results. The shared special benefit - reduced mosquito and vector levels and reduced presence of vector-borne diseases - is received on an equivalent basis by all parcels in the Annexation Areas. Furthermore, all parcels in the Assessment District directly benefit from the ability to request service from the District and to have a District field technician promptly respond directly to the parcel and address the owner's or resident's service need.

The SVTA decision indicates that the fact that a benefit is conferred throughout the assessment district area does not make the benefit general rather than special, so long as the assessment district is narrowly drawn and limited to the parcels directly receiving shared special benefits from the service. This concept is particularly applicable in situations involving a landowner-approved assessment-funded extension of a local government service to benefit lands previously not receiving that particular service. The Assessment Engineer therefore concludes that, other than the small general benefit to properties outside the Assessment District (discussed above) and to the public at large (discussed below), all of the benefits of the Services to the parcels within the Assessment District are special benefits and it is not possible or appropriate to separate any general benefits from the benefits conferred on parcels in the Annexation Areas.

Benefit To The Public At Large

With the type and scope of Services to be provided to the Assessment Area, it is very difficult to calculate and quantify the scope of the general benefit conferred on the public at large. Because the Services directly serve and benefit all of the property in the Assessment Area, any general benefit conferred on the public at large would be small. Nevertheless, there would be some indirect general benefit to the public at large.

The public at large uses the public highways, streets and sidewalks, and when traveling in and through the Assessment Area they would benefit from the Services. The public at large also receives general benefits when visiting popular tourist area destinations in the Assessment Area (Golden Gate National Recreation Area, Muir Woods, Mount Tamalpais State Park, Point Reyes National Seashore, Stinson Beach etc.). A fair and appropriate measure of the general benefit to the public at large therefore is the amount of highway, street and sidewalk area, as well as tourist destination area within the Assessment Area relative to the overall land area. An analysis of maps of the Assessment Area shows that approximately 3.37% of the land area in the Assessment Area is covered by highways, streets and sidewalks and tourist area destinations. This 3.37% therefore is a fair and appropriate measure of the general benefit to the public at large within the Assessment Area.

Summary of General Benefits

Using a sum of the measures of general benefit for the public at large and land outside the Assessment Area, we find that approximately 3.87% of the benefits conferred by the proposed Mosquito and Disease Control Assessment may be general in nature and should be funded by sources other than the assessment.

General Benefit Calculation

0.50% (Outside the Assessment District)
 + 0.00% (Property within the Assessment District – indirect and derivative)
 + 3.37% (Public at Large)
 = 3.87% (Total General Benefit)

Although this analysis supports the finding that 3.87% of the assessment may provide general benefit only, this number is increased by the Assessment Engineer to 5% to more conservatively ensure that no assessment revenue is used to support general benefit. This additional amount allocated to general benefit also covers general benefit to parcels in the Assessment Area if it is later determined that there is some general benefit conferred on those parcels.

The estimated cost of the improved Services is \$1,170,673. Of this total budget amount, the District must contribute at least \$58,533 or 5% of the total budget from sources other than the Northwest Mosquito, Vector and Disease Control Assessment (Assessment No. 2). The District will contribute \$61,703 from non-assessment revenue (ad valorem taxes), which equates to over 15% of the total assessment. This contribution offsets any general benefits from the Mosquito, Vector and Disease Control Assessment's Services.

Zones of Benefit

The boundaries of the Annexation Areas have been carefully drawn to include the properties in Marin and Sonoma Counties that did not receive mosquito and disease control services before the Annexation and that materially benefit from the Services. Such parcels are in areas with a material population of people, pets and livestock on the property. The current and future population of property is a conduit of benefit to property because people, pets and livestock are ultimately affected by mosquitoes and vector-borne diseases and the special benefit factors of desirability, utility, usability, livability and marketability are ultimately determined by the population and usage potential of property.

The boundaries of the Annexation Areas have been narrowly drawn to include only properties that specially benefit from the proposed mosquito control services, and did not receive services prior to the Annexation from the District.

The SVTA decision indicates:

In a well-drawn district — limited to only parcels receiving special benefits from the improvement — every parcel within that district receives a shared special benefit. Under section 2, subdivision (i), these benefits can be construed as being general benefits since they are not “particular and distinct” and are not “over and above” the benefits received by other properties “located in the district.” We do not believe that the voters intended to invalidate an assessment district that is narrowly drawn to include only properties directly benefitting from an improvement. Indeed, the ballot materials reflect otherwise. Thus, if an assessment district is narrowly drawn, the fact that a benefit is conferred throughout the district does not make it general rather than special. In that circumstance, the characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g., proximity to park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g., general enhancement of the district’s property values).

In the Annexation Area, the advantage that each parcel receives from the proposed mosquito control services is direct, and the boundaries are narrowly drawn to include only parcels that benefit from the Assessment. Therefore, the even spread of Assessment throughout the narrowly drawn district is indeed consistent with the OSA decision.

Zones of Benefit A and B

In 2009 and 2010, the District completed an analysis of service levels throughout the District boundaries. In particular, the District evaluated service levels in regard to its core services including surveillance, larviciding and service requests; and confirmed that service levels and benefits are essentially equivalent across all parcels (except as noted below). Regarding service requests, the District will respond to any parcel located within the District, regardless of how remote, and provide mosquito control services appropriate to the situation.

However, the District’s evaluation showed that some mountainous areas of the District located in rural northern Sonoma County do not receive the same service level of surveillance services. These areas are described as Zone of Benefit B or Zone B, and are indicated in the assessment diagram.

The District uses mosquito traps to collect and quantify species, quantities, concentrations, viral loads, etc. of mosquitoes. The selection of the locations of these traps requires a multi-attribute evaluation, with trap locations changing seasonally and when high concentrations of mosquitoes are identified. Zone B parcels do not typically receive the same level of routine surveillance as compared to the areas outside Zone B (Zone A).

The Zone B parcels therefore will be subject to a reduced assessment, commensurate with the different benefit level. (If in the future, the routine adult mosquito trapping service is extended into part or all of Zone B, the Zone B boundaries will be modified accordingly.)

The District staff analyzed its overall budget and determined that 4.38% of the budget is allocated to routine adult mosquito trapping. Therefore, Zone B parcels will be subjected to a 4.38% assessment reduction.”

Zone of Benefit West Marin

As mentioned earlier in this Report, a new Zone of Benefit was introduced in 2016. The District’s Board ratified a four-year agreement between the District and the West Marin Mosquito Council at the District’s monthly Board meeting held on May 11, 2016. The geographic areas covered by the agreement are shown in the Assessment Diagram at the end of this report, and comprise essentially those areas of Marin County that are within the boundaries of the Annexation Area.

The agreement specifies and emphasizes certain approaches to mosquito control that are consistent with the District’s IVMP, although certain methods are emphasized over others and some materials are not applied within this area. Other materials, such as Merus 2.0 mosquito adulticide, are used exclusively within the area. The differences in the manner in which the services are provided are considered worthy of recognition with a new zone of benefit to be known as Zone of Benefit West Marin.

Staff estimated the cost of providing the services in this area (Zone of Benefit West Marin or West Marin Zone) and concluded that the slightly reduced material costs are offset by slightly increased labor and travel costs and therefore the proposed assessment amount per Single Family Equivalent parcel does not differ from that for parcels in Zone A. Therefore, the West Marin Zone parcels will be subjected to the same assessment rate as parcels in Zone A.

Method of Assessment

As previously discussed, the assessments fund comprehensive, year-round mosquito and vector control and disease surveillance and control Services that clearly confer special benefits to properties in the Annexation Areas. These benefits can partially be measured by the property owners, residents, guests, employees, tenants, pets and animals who enjoy a more habitable, safer and more desirable place to live, work or visit. As noted, these benefits ultimately flow to the underlying property.

Therefore, the apportionment of benefit is partially based on people who potentially live on, work at, or otherwise use the property. This methodology of determining benefit to property through the extent of use by people is a commonly used method of apportionment of benefits from assessments.

Moreover, assessments have a long history of use in California and are in large part based on the principle that any benefits from a service or improvement funded by assessments that is enjoyed by tenants and other non-property owners ultimately is conferred to the underlying property.²¹

With regard to benefits and source locations, the Assessment Engineer determined that since mosquitoes and other vectors readily fly from their breeding locations to all properties in their flight range and since mosquitoes are actually attracted to properties occupied by people or animals, the benefits from mosquito and vector control extend beyond the source locations to all properties that would be a “destination” for mosquitoes and other vectors. In other words, the control and abatement of mosquito and vector populations ultimately confers benefits to all properties that are a destination of mosquitoes and vectors, rather than just those that are sources of mosquitoes.

²¹ For example, in *Federal Construction Co. v. Ensign* (1922) 59 Cal.App. 200 at 211, the appellate court determined that a sewer system specially benefited property even though the direct benefit was to the people who used the sewers: “Practically every inhabitant of a city either is the owner of the land on which he resides or on which he pursues his vocation, or he is the tenant of the owner, or is the agent or servant of such owner or of such tenant. And since it is the inhabitants who make by far the greater use of a city’s sewer system, it is to them, as lot owners or as tenants, or as the servants or agents of such lot owners or tenants, that the advantages of actual use would redound. But this advantage of use means that, in the final analysis, it is the lot owners themselves who would be especially benefited in a financial sense.”

Although some primary mosquito sources may be located outside of residential areas, residential properties can and do generate their own, often significant, populations of mosquitoes and vector organisms. For example, storm water catch basins in residential areas in the Annexation Areas are a common source of mosquitoes. Since the typical flight range for a female mosquito, on average, is 2 miles, most homes in the Annexation Areas are within the flight zone of many mosquito sources. Moreover, there are many other common residential sources of mosquitoes, such as miscellaneous backyard containers, neglected swimming pools, leaking water pipes and tree holes. Clearly, there is a potential for mosquito sources on virtually all property. More importantly, all properties in the Annexation Areas are within the destination range of mosquitoes and most properties are actually within the destination range of multiple mosquito source locations.

Because the Services are provided throughout the Annexation Areas with the same level of control objective, mosquitoes can rapidly and readily fly from their breeding locations to other properties over a large area, and there are current or potential breeding sources throughout the Annexation Areas, the Assessment Engineer determined that all similar properties in the Annexation Areas have generally equivalent mosquito “destination” potential and, therefore, receive equivalent levels of benefit.

In the process of determining the appropriate method of assessment, the Assessment Engineer considered various alternatives. For example, a fixed assessment amount per parcel for all residential improved property was considered but was determined to be inappropriate because agricultural lands, commercial property and other property also receive benefits from the assessments. Likewise, an assessment exclusively for agricultural land was considered but deemed inappropriate because other types of property, such as residential and commercial, also receive the special benefit factors described previously.

A fixed or flat assessment was deemed to be inappropriate because larger residential, commercial and industrial properties receive a higher degree of benefit than other similarly used properties that are significantly smaller. (For two properties used for commercial purposes, there is clearly a higher benefit provided to a property that covers several acres in comparison to a smaller commercial property that is on a 0.25 acre site. The larger property generally has a larger coverage area and higher usage by employees, customers, tourists and guests that would benefit from reduced mosquito and vector populations, as well as the reduced threat from diseases carried by mosquitoes and other vectors. This benefit ultimately flows to the property.) Larger commercial, industrial and apartment parcels, therefore, receive an increased benefit from the assessments.

In conclusion, the Assessment Engineer determined that the appropriate method of assessment apportionment should be based on the type and use of property, the relative size of the property, its relative population and usage potential and its destination potential for mosquitoes. This method is further described next.

Assessment Apportionment

The special benefits derived from the Northwest Mosquito, Vector and Disease Control Assessment are conferred on property and are not based on a specific property owner's occupancy of property or the property owner's demographic status, such as age or number of dependents. However, it is ultimately people who do or could use the property and who enjoy the special benefits described above. The opportunity to use and enjoy property within the Annexation Area without the excessive nuisance, diminished "livability" or the potential health hazards brought by mosquitoes, vectors, and the diseases they carry is a special benefit to properties in the Annexation Area. This benefit can be in part measured by the number of people who potentially live on, work at, visit or otherwise use the property, because people ultimately determine the value of the benefits by choosing to live, work and/or recreate in the area, and by choosing to purchase property in the area.²²

In order to apportion the cost of the Services to property, each property in the Annexation Areas is assigned a relative special benefit factor. This process involves determining the relative benefit received by each property in relation to a single family home, or, in other words, on the basis of Single Family Equivalents (SFE). This SFE methodology is commonly used to distribute assessments in proportion to estimated special benefit. For the purposes of this Engineer's Report, all properties are assigned an SFE value, which is each property's relative benefit in relation to a "benchmark" parcel in the Annexation Areas. The "benchmark" property is the single family detached dwelling on a parcel of less than one acre. This benchmark parcel is assigned one Single Family Equivalent benefit unit or one SFE.

²² It should be noted that the benefits conferred upon property are related to the average number of people who could potentially live on, work at or otherwise could use a property, not how the property is currently used by the present owner.

The special benefit conferred upon a specific parcel is derived as a sum function of the applicable special benefit type (such as improved safety (i.e. disease risk reduction) on a parcel for a mosquito assessment) and a parcel-specific attributes (such as the number of residents living on the parcel for a mosquito assessment) which supports that special benefit. Calculated special benefit increases accordingly with an increase in the product of special benefit type and supportive parcel-specific attribute.

The calculation of the special benefit per parcel is summarized in the following equation:

$$\text{Special Benefit}_{(\text{per parcel})} = \sum f(\text{Special Benefits, Property Specific Attributes}^1)_{(\text{per parcel})}$$

¹. Such as use, property type, and size.

Residential Properties

Certain residential properties in the Annexation Area that contain a single residential dwelling unit and are on a lot of less than or equal to one acre are assigned one Single Family Equivalent or 1.0 SFE. Traditional houses, zero-lot line houses, and townhomes are included in this category of single family residential property.

Single family residential properties in excess of one acre receive additional benefit relative to a single family home on up to one acre, because the larger parcels provide more area for mosquito sources and the mosquito, vector and disease control Services. Therefore, such larger parcels receive additional benefits relative to a single family home on less than one acre and are assigned 1.0 SFE for the residential unit and an additional rate equal to the agricultural rate described below of 0.002 SFE per one-fifth acre of land area in excess of one acre.

Other types of properties with residential units, such as agricultural properties, are assigned the residential SFE rates for the dwelling units on the property and are assigned additional SFE benefit units for the agricultural-use land area on the property.

Properties with more than one residential unit are designated as multi-family residential properties. These properties, along with condominiums, benefit from the services and improvements in proportion to the number of dwelling units that occupy each property, the average number of people who reside in each property, and the average size of each property in relation to a single family home in the Annexation Area. This Report analyzed Marin County and Sonoma County population density factors from the 2000 US Census (the most recent data available when Assessment No. 2 was established) as well as average dwelling unit size for each property type. After determining the population density factor and square footage factor for each property type, an SFE rate is generated for each residential property structure, as indicated in Figure 4 below.

The SFE factor of 0.37 per dwelling unit for multifamily residential properties applies to such properties with 20 or fewer units. Properties in excess of 20 units typically offer on-site management, monitoring and other control services that tend to offset some of the benefits provided by the mosquito and vector control district. Therefore, the benefit for properties in excess of 20 units is determined to be 0.37 SFE per unit for the first 20 units and 0.10 SFE per each additional unit in excess of 20 dwelling units.

FIGURE 4 – MARIN AND SONOMA COUNTIES RESIDENTIAL ASSESSMENT FACTORS

| | MARIN COUNTY | | | | | SONOMA COUNTY | | | | | BLENDED Rate Factor |
|-----------------------------|---------------------|------------------------|-----------------------------|------------------------------|----------------|---------------------|------------------------|-----------------------------|------------------------------|----------------|------------------------|
| | Total Population | Occupied Households | Persons per Household | Pop Density Equivalent | SqFt Factor | Total Population | Occupied Households | Persons per Household | Pop Density Equivalent | SqFt Factor | |
| | | | | | | | | | | | |
| Single Family Residential | 155,706 | 61,026 | 2.55 | 1.00 | 1.00 | 323,963 | 117,289 | 2.76 | 1.00 | 1.00 | 1.00 |
| Condominium | 17,793 | 8,201 | 2.17 | 0.85 | 0.85 | 34,137 | 13,466 | 2.54 | 0.92 | 0.79 | 0.72 |
| Multi-Family Residential | 58,782 | 29,445 | 2.00 | 0.78 | 0.49 | 68,894 | 31,061 | 2.22 | 0.80 | 0.45 | 0.37 |
| Mobile Home on Separate Lot | 2,777 | 1,513 | 1.84 | 0.72 | 0.62 | 19,764 | 10,153 | 1.95 | 0.70 | 0.66 | 0.00 |

Source: 2000 Census, Marin and Sonoma Counties and property dwelling size information from the Marin and Sonoma County Assessors.

Commercial/Industrial Properties

Commercial and industrial properties are generally open and operated for more limited times, relative to residential properties. Therefore, the relative hours of operation can be used as a measure of benefits, since residents and employees also provide a measure of the relative benefit to property. Since commercial and industrial properties are typically open and occupied by employees approximately one-half the time of residential properties, it is reasonable to assume that commercial land uses receive one-half of the special benefit on a land area basis relative to single family residential property.

The average size of a single family home with 1.0 SFE factor in Marin and Sonoma Counties is 0.20 acres. Therefore, a commercial property with 0.20 acres receives one-half the relative benefit, or a 0.50 SFE factor.

The SFE values for various commercial and industrial land uses are further defined by using average employee densities because the special benefit factors described previously are also related to the average number of people who work at commercial/industrial properties.

To determine employee density factors, this Report utilizes the findings from the San Diego Association of Governments Traffic Generators Study (the "SANDAG Study") because these findings were approved by the State Legislature which determined the SANDAG Study to be a good representation of the average number of employees per acre of land area for commercial and industrial properties. As determined by the SANDAG Study, the average number of employees per acre for commercial and industrial property is 24. As presented in Figure 4, the SFE factors for other types of businesses are determined relative to their typical employee density in relation to the average of 24 employees per acre of commercial property.

Commercial and industrial properties in excess of 5 acres generally involve uses that are more land intensive relative to building areas and number of employees (lower coverage ratios). As a result, the benefit factors for commercial and industrial property land area in excess of 5 acres is determined to be the SFE rate per fifth acre for the first 5 acres and the relevant SFE rate per each additional acre over 5 acres. Institutional properties that are used for residential, commercial or industrial purposes are also assessed at the appropriate residential, commercial or industrial rate.

Self-storage and golf course property benefit factors are similarly based on average usage densities. The following Figure 5 lists the benefit assessment factors for such business properties.

Agricultural/Vineyards/Wineries Properties

Winery properties have the distinction of being the primary attraction for tourism in the Annexation Area. Since wineries have a relatively low employee density relative to other commercial properties and since tourists are primarily drawn to winery properties, the benefits for such properties are based on the average employees and tourists per acre. Utilizing data from UC Davis and the California Employment Development Department, this Report finds that the average employees and tourists per acre of winery property is 12. This equates to an SFE factor of 0.25 per one fifth acre (0.20 acres) of winery property.

Utilizing research and agricultural employment reports from UC Davis and the California Employment Development Department, this Report calculated an average employee density of 0.05 employees per acre for vineyards/agriculture property. Since these properties typically are important sources of mosquitoes and/or are typically closest to the sources of mosquitoes and other vectors, it is reasonable to determine that the benefit to these properties is twice the employee density ratio of commercial properties. Therefore, the SFE factor for vineyard and agricultural property is 0.002 per one fifth acre (0.20 acres) of land area. The benefit factor for this land use type is presented in Figure 5.

Timberland/Dry Rangelands Properties

Timberland and dry rangeland properties were determined to receive a lesser benefit from the vector abatement services than other types of agricultural parcels because their average usage and population density, and therefore benefit, relative to other agricultural properties is substantially lower. The average number of employees and visitors per acre for these types of properties is 0.01. Consequently, the benefit received by these properties is 0.00042 SFE benefit units per one-fifth acre of land area. This benefit determination is also presented in Figure 5.

FIGURE 5 – COMMERCIAL/INDUSTRIAL BENEFIT ASSESSMENT FACTORS

| <i>Type of Commercial/Industrial Land Use</i> | <i>Average Employees Per Acre ¹</i> | <i>SFE Units per Fraction Acre ²</i> | <i>SFE Units per Acre After 5</i> |
|---|--|---|-----------------------------------|
| Commercial | 24 | 0.500 | 0.500 |
| Office | 68 | 1.420 | 1.420 |
| Shopping Center | 24 | 0.500 | 0.500 |
| Industrial | 24 | 0.500 | 0.500 |
| Self Storage or Parking Lot | 1 | 0.021 | |
| Golf Course | 0.80 | 0.033 | |
| Cemetery | 0.10 | 0.004 | |
| Agriculture/Vineyard | 0.05 | 0.002 | |
| Wineries ³ | 12 | 0.25 | |
| Timber/Dry Rangelands | 0.010 | 0.00042 | |

1. Source: San Diego Association of Governments Traffic Generators Study.
2. The SFE factors for commercial and industrial parcels indicated above are applied to each fifth acre of land area or portion thereof. (Therefore, the minimum assessment for any assessable parcel in these categories is the SFE Units listed herein.)
3. Wineries and wine production facilities that rest on parcels of land that include agriculture or vineyard uses are assessed the winery rate for the production facility and the agriculture/vineyard rate for the excess land.

Vacant Properties

The benefit to vacant properties is determined to be proportional to the corresponding benefits for similar type developed properties. However, vacant properties are assessed at a lower rate due to the lack of active benefits. A measure of the benefits accruing to the underlying land is the average value of land in relation to improvements for developed property. An analysis of the assessed valuation data from the counties of Marin and Sonoma found that 50% of the assessed value of improved properties is classified as land value. Since vacant properties have very low to zero population/use densities until they are developed, a 50% benefit discount is applied to the valuation factor of 0.50 to account for the current low use density. The combination of these measures results in a 0.25 factor. It is reasonable to assume, therefore, that approximately 25% of the benefits are related to the underlying land and 75% are related to the day-to-day use of the property. Using this ratio, the SFE factor for vacant parcels is 0.25 per parcel.

Other Properties

Article XIID stipulates that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment.

Publicly owned property that is used for purposes similar to private residential, commercial or industrial uses is benefited and assessed at the same rate as such privately owned property.

Church parcels, publicly owned parcels not in residential or commercial/industrial use, institutional properties, and property used for educational purposes typically generate employees on a less consistent basis than other non-residential parcels. Therefore, these parcels receive minimal benefit and are assessed an SFE factor of 1.

All properties that are specially benefited are assessed. Miscellaneous, small and other parcels such as right-of-way parcels, well, reservoir or other water rights parcels that cannot be developed into other improved uses, limited access open space parcels, watershed parcels and common area parcels typically do not generate employees, residents, customers or guests. Moreover, many of these parcels have limited economic value. These miscellaneous parcels receive no special benefit from the Services and are assessed an SFE benefit factor of 0.

Duration of Assessment

The benefit assessment ballot proceedings conducted in 2004 gave the Marin/Sonoma Mosquito and Vector Control District Board of Trustees the authority to levy the Assessment in fiscal year 2005-06 and to continue the Assessment every year thereafter, so long as mosquitoes and vectors remain in existence and the Marin/Sonoma Mosquito and Vector Control District requires funding from the Assessment for its Services in the Annexation Areas. As noted previously, after the Assessment and the duration of the Assessment were approved by property owners in 2004, the Assessment can continue to be levied annually after the Board of Trustees approves an annually updated Engineer's Report, budget for the Assessment, Services to be provided, and other specifics of the Assessment. In addition, the Board of Trustees must hold an annual public hearing to continue the Assessment.

Appeals and Interpretation

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment or for any other reason, may file a written appeal with the District Manager of the Marin/Sonoma Mosquito and Vector Control District or his or her designee. Any such appeal is limited to correction of an assessment during the then current Fiscal Year or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the District Manager or his or her designee will promptly review the appeal and any information provided by the property owner. If the District Manager or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the Marin and Sonoma Counties for collection, the District Manager or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the District Manager, or his or her designee, shall be referred to the Board. The decision of the Board shall be final.

Assessment Statement

WHEREAS, the Marin/Sonoma Mosquito and Vector Control District Board of Trustees contracted with the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs of Services, a diagram for the benefit assessment for the Annexation Area, an assessment of the estimated costs of Services, and the special and general benefits conferred thereby upon all assessable parcels within the Northwest Mosquito, Vector and Disease Control Assessment Annexation Area;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under Article XIID of the California Constitution, the Government Code and the Health and Safety Code and the order of the Board of said Marin/Sonoma Mosquito and Vector Control District, hereby make the following determination of an assessment to cover the portion of the estimated cost of said Services, and the costs and expenses incidental thereto to be paid by the Northwest Mosquito, Vector and Disease Control Assessment.

The District has evaluated and estimated the costs of extending and providing the Services to the Annexation Area. The estimated costs to be paid for the Services and the expenses incidental thereto to be paid by the Marin/Sonoma Mosquito and Vector Control District for fiscal year 2023-24 are summarized as follows:

FIGURE 6 – SUMMARY COST ESTIMATE, FISCAL YEAR 2023-24

| | | | | | |
|--|--|--|--|-----------|------------------|
| Vector and Disease Control Services | | | | \$ | 1,188,552 |
| Capital Replacement | | | | \$ | 43,824 |
| Less: District Contribution from Other Sources | | | | \$ | (61,703) |
| Net Amount To Assessments | | | | \$ | 1,170,673 |

An assessment diagram is hereto attached and made a part hereof showing the exterior boundaries of said Annexation Area. The distinctive number of each parcel or lot of land in the said Annexation Area is its assessor parcel number appearing on the Assessment Roll.

I do hereby determine and apportion said net amount of the cost and expenses of said Services, including the costs and expenses incidental thereto, upon the parcels and lots of land within said Northwest Mosquito, Vector and Disease Control Assessment Annexation Area, in accordance with the special benefits to be received by each parcel or lot, from the Services, and more particularly set forth in the cost estimate hereto attached and by reference made a part hereof.

The assessment determination is made upon the parcels or lots of land within said Annexation Area in proportion to the special benefits to be received by said parcels or lots of land, from the Services.

The maximum assessment is annually adjusted based on the Consumer Price Index for the San Francisco Bay Area as of December of each succeeding year (the "CPI"), with a maximum annual adjustment not to exceed 5%.

Property owners in the Annexation Area, in the assessment ballot proceeding conducted in 2004, approved the initial fiscal year benefit assessment for special benefits to their property, including the CPI adjustment schedule, the assessment may continue to be levied annually and may be increased by up to the maximum annual CPI increase without any additional assessment ballot proceeding. In the event that in future years the assessments are levied at a rate less than the maximum authorized assessment rate, the assessment rate in a subsequent year may be increased up to the maximum authorized assessment rate without any additional assessment ballot proceeding.

The annual CPI change for the San Francisco Bay Area from December 2021 to December 2022 is 4.8818%, as reported by the United States Department of Labor, Bureau of Labor and Statistics. The maximum authorized assessment rate for Fiscal Year 2023-24 is \$31.52 per single family equivalent (SFE) benefit unit for parcels in Zone of Benefit A and in Zone of Benefit West Marin, and is \$30.14 per SFE benefit unit for parcels in Zone of Benefit B. The estimate of cost and budget in this Engineer's Report supports assessments for fiscal year 2023-24 at the rates of \$31.52 per SFE for Zone A and Zone West Marin and \$30.14 for Zone B, which are the maximum authorized assessment rates.

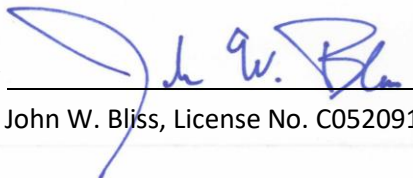
Each parcel or lot of land is described in the assessment roll by reference to its parcel number as shown on the Assessor's maps of the counties of Marin and Sonoma for the fiscal year 2023-24. For a more particular description of the property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the counties of Marin and Sonoma.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the proposed amount of the assessment for the fiscal year 2023-24 for each parcel or lot of land within the said Northwest Mosquito, Vector and Disease Control Assessment Annexation Area.

Dated: May 10, 2023



Engineer of Work

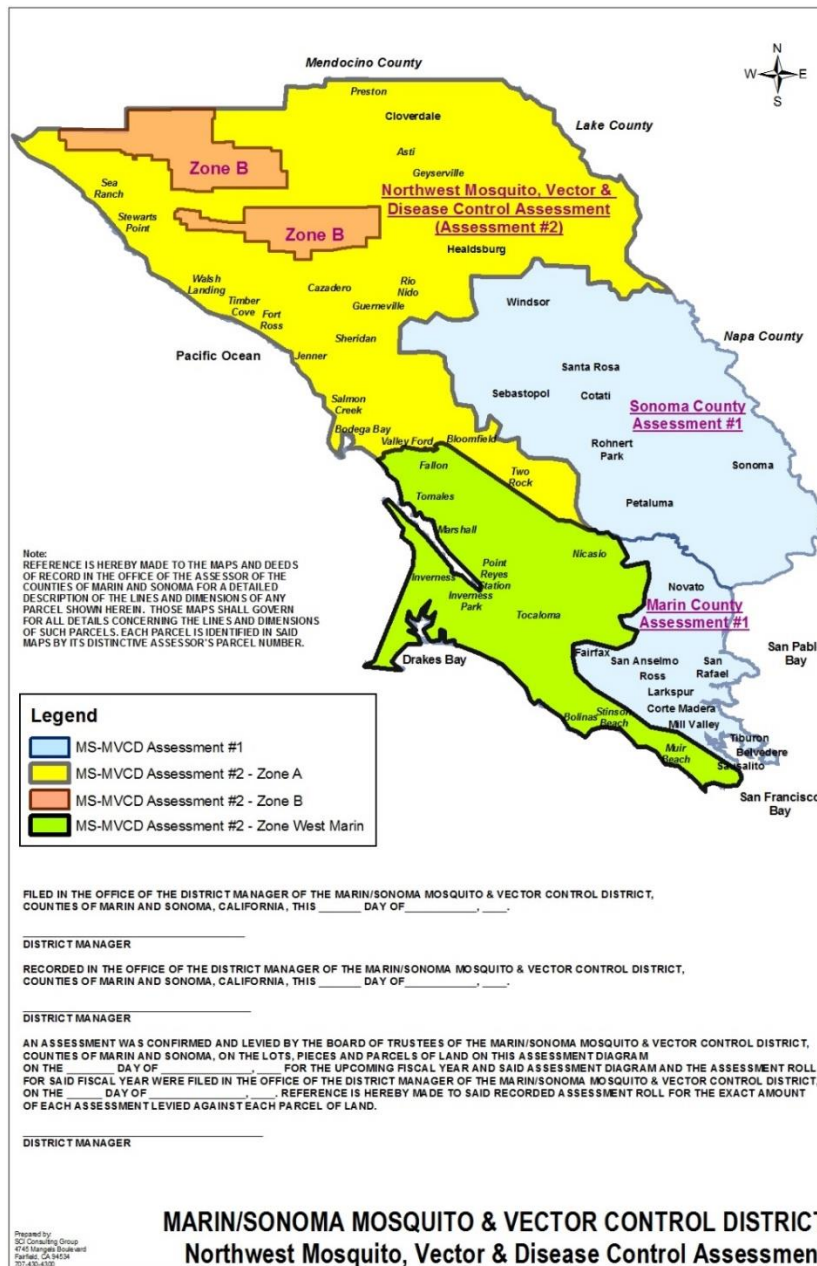
By  _____
John W. Bliss, License No. C052091

Assessment Roll

Reference is hereby made to the Assessment Roll in and for said assessment proceedings on file in the office of the District Manager of the District, as said Assessment Roll is too voluminous to be bound with this Engineer's Report.

Assessment Diagram

The Northwest Mosquito, Vector and Disease Control Assessment Annexation Area includes all properties within the boundaries of the Annexation Area. The boundaries of the Northwest Mosquito, Vector and Disease Control Assessment Annexation Area are displayed on the following Assessment Diagram.



RESOLUTION NO. 2022/23-15

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE
MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT**

**A RESOLUTION OF INTENTION TO CONTINUE TO LEVY ASSESSMENTS
FOR FISCAL YEAR 2023-24,
PRELIMINARILY APPROVING ENGINEER'S REPORT,
AND PROVIDING FOR NOTICE OF HEARING
FOR THE MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT,
NORTHWEST MOSQUITO, VECTOR AND DISEASE CONTROL ASSESSMENT
(ASSESSMENT NO. 2)**

WHEREAS, the Marin/Sonoma Mosquito and Vector Control District (“District”) is authorized, pursuant to the authority provided in Health and Safety Code Section 2082 and Article XIII D of the California Constitution, to levy assessments for mosquito, vector and disease control projects and services; and

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

WHEREAS, the District formed the “Marin/Sonoma Mosquito and Vector Control District, Northwest Mosquito, Vector and Disease Control Assessment” (“Assessment No. 2”), which is generally described as encompassing the coastal areas of Marin County and the Coastal and Northern areas of Sonoma County, and more specifically, the incorporated cities of Healdsburg and Cloverdale; the unincorporated communities of Fallon, Tomales, Marshall, Inverness, Inverness Park, Drakes Beach, Tocaloma, Point Reyes Station, Olema, Nicasio, Bolinas, Stinson Beach, Muir Beach, Preston, Asti, Skaggs Springs, Cozzens Corner, Geyserville, Geyser Resort, Jintown, Kellog, Lytton, Annapolis, Sea Ranch, Stewarts Point, Shingle Mill, Soda Springs, Las Lomas, Plantation, Walsh Landing, Timber Cove, Fort Ross, Cazadero, Rio Nido, Guerneville, Monte Rio, Sheridan, Jenner, Duncans Mills, Bridge Haven, Ocean View, Sereno del Mar, Carmet, Salmon Creek, Bodega Bay, Bodega, Valley Ford, Occidental, Bloomfield, Two Rock, and Freestone; and other lands in both counties; and

WHEREAS, Assessment No. 2 was authorized by Resolution No. 04/05-05 passed on November 29, 2004 by the Board of Trustees of the District; and

WHEREAS, the Board of Trustees initiated proceedings for the levy and collection of annual special assessments within those areas designated as Assessment No. 2, for the proposed projects and services generally described as mosquito, vector and disease control services, and projects such as surveillance, source reduction, identification and elimination of removable breeding locations, identification and treatment of breeding and source locations, application of materials to eliminate larvae, disease surveillance and monitoring, public education, reporting, accountability, research and interagency cooperative activities (collectively the “Services”) within Assessment No. 2; and

WHEREAS, as ordered by the Board of Trustees, SCI Consulting Group, the Board of Trustee’s assessment engineer (the “Engineer”), has filed with the secretary of the Board of Trustees report (the “Report”) regarding the annual assessments which are proposed to be levied and collected from the owners of assessable property within Assessment No. 2 to pay the costs of the Services, and the Report have been presented to and considered by the Board of Trustees; and

WHEREAS, the Board of Trustees adopt a resolution of intention to, among other things, fix and give notice of the time and place of a public hearing on the Report and the proposed assessments.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Marin/Sonoma Mosquito and Vector Control District that:

SECTION 1. the Engineer has prepared the annual Report in accordance with Section 2082 et seq., of the Health and Safety Code for Assessment No. 2. The Report has been

made and filed with the secretary of the Board of Trustees and duly considered by the Board and are hereby deemed sufficient and preliminarily approved. The Report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to this resolution.

SECTION 2. It is the intention of this Board to continue to levy and collect assessments on all lots and parcels of assessable property within the boundaries of the MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT, NORTHWEST MOSQUITO, VECTOR AND DISEASE CONTROL ASSESSMENT (Assessment No. 2) for fiscal year 2023-24. Within the Marin/Sonoma Mosquito and Vector Control District, the proposed Services are generally described as mosquito, vector and disease control services and projects such as surveillance, source reduction, identification and elimination of removable breeding locations, identification and treatment of breeding and source locations, application of materials to eliminate larvae, disease surveillance and monitoring, public education, reporting, accountability, research and interagency cooperative activities. The assessments will be collected at the same time and in the same manner as county taxes are collected, and all laws providing for the collection and enforcement of county taxes shall apply to the collection and enforcement of the assessments.

SECTION 3. The estimated fiscal year 2023-24 cost of providing the Services in Assessment No. 2 is \$1,170,673. This cost results in the proposed assessment rates for fiscal year 2023-24 of THIRTY ONE DOLLARS AND FIFTY TWO CENTS (\$31.52) per single-family equivalent benefit unit for Zone A and Zone West Marin, and THIRTY DOLLARS AND FOURTEEN CENTS (\$30.14) per single-family equivalent benefit unit for Zone B. The authorized maximum assessment for Assessment No. 2 is increased annually based on the change in the San Francisco Bay Area Consumer Price Index ("CPI") as of December of each succeeding year, not to exceed 5% (five percent) per year without a further public hearing and balloting process. The maximum authorized assessment rate per single family equivalent benefit unit for fiscal year 2023-24 is \$31.52 for Zone A and Zone West Marin, and \$30.14 for Zone B. The assessment rates proposed to be levied for Assessment No. 2 for fiscal year 2023-24 are \$31.52 for Zone A and Zone West Marin, and \$30.14 for Zone B, which are the maximum authorized rates.

SECTION 4. Notice is hereby given that on **June 14, 2023, at the hour of six o'clock (6:00) p.m.** at the Marin/Sonoma Mosquito and Vector Control District Office located at 595 Helman Lane, Cotati, California, 94931, the Board will hold a public hearing via teleconference to consider the ordering of the continued Services, and the continuation of the assessments for fiscal year 2023-24.

SECTION 5. The secretary of the board shall cause a notice of the hearing to be given at least ten (10) days prior to the date of the hearing above specified, in the Independent Journal of the Marin County, and the Press Democrat of Sonoma County, which are newspapers circulated in the Marin/Sonoma Mosquito and Vector Control District.

SECTION 6. The Report, which is on file with the Secretary of the Board, and has been presented to the Board of Trustees at the meeting at which this resolution is adopted, is preliminarily approved. Reference is made to the Report for a full and detailed description of the Services, the boundaries of Assessment No. 2 and the assessments which are proposed to be levied on the assessable lots and parcels of property within Assessment No. 2 for fiscal year 2023-24.

The foregoing Resolution was PASSED and ADOPTED by the Board of Trustees of the Marin/Sonoma Mosquito and Vector Control District at a regular meeting thereof held on May 10, 2023, at 595 Helman Lane, Cotati, California, 94931, via teleconference by the following vote on a roll call:

| | Yes | No | Abstain | Absent |
|--------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 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"/> |
| 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"/> |
| Morgan Patton | <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"/> |
| Vote Totals: | | | | |

APPROVED AND DATED this 10th day of May, 2023 after its passage.

ATTEST:

APPROVED:

 Diana Rich
 Secretary, Board of Trustees

 Richard Snyder
 President, Board of Trustees

 Philip D. Smith
 District Manager

**NOTICE OF MONTHLY BOARD MEETING FOR
THE MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT AND
PUBLIC HEARING
FOR THE MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT,
VECTOR CONTROL ASSESSMENT (ASSESSMENT No.1), AND
FOR NORTHWEST MOSQUITO, VECTOR AND DISEASE CONTROL ASSESSMENT
(ASSESSMENT NO.2)
FOR FISCAL YEAR 2023-24**

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Marin/Sonoma Mosquito and Vector Control District will be holding a special and regular monthly meeting on Wednesday, June 14, 2023, at 6:00 p.m. via teleconference.

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Marin/Sonoma Mosquito and Vector Control District intends to conduct a public hearing for the CONTINUATION of two benefit assessments (Assessment No. 1 and Assessment No. 2) in fiscal year 2023-24 that fund the District's mosquito, vector control, and disease prevention services and projects in Marin and Sonoma Counties.

The public hearing to consider the ordering of services and projects, and the levy of the continued assessments for fiscal year 2023-24 for the Vector Control Assessment (Assessment No. 1) and the Northwest Mosquito, Vector and Disease Control Assessment (Assessment No. 2), shall be held on Wednesday, June 14, 2023, at 6:00 p.m. via teleconference. The proposed assessment rates for fiscal year 2023-24 are: TWELVE DOLLARS AND NO CENTS (\$12.00) per single-family equivalent benefit unit for Assessment No. 1, which is the same rate used last year; THIRTY ONE DOLLARS AND FIFTY-TWO CENTS (\$31.52) per single-family equivalent benefit unit for Assessment No. 2, Zones A and West Marin, which is the same rate used last year; and THIRTY DOLLARS AND FOURTEEN CENTS (\$30.14) per single-family equivalent benefit unit for Assessment No. 2, Zone B, which is a 9.33% increase from the rate used last year.

Members of the public are invited to provide comment at the public hearing, or in writing, which is received by the District on or before Wednesday, June 14, 2023. If you desire additional information concerning the above, please contact the Marin/Sonoma Mosquito and Vector Control District at (707) 285-2200.

STAFF REPORT

DATE: May 10, 2023
TO: Board of Trustees
FROM: Philip D. Smith, District Manager
SUBJECT: Proposed Revisions to Resolution Establishing Compensation and Benefits for Unrepresented Employees



RECOMMENDATION

1. Review and discuss proposed changes to a Resolution Establishing Compensation and Benefits for Unrepresented Employees.
2. Consider a motion to adopt Resolution 2022/23-16, a Resolution Establishing Compensation and Benefits for Unrepresented Employees.

SUMMARY

Since 2014, the District Board has adopted periodic resolutions describing and establishing the compensation and benefits for the Assistant Manager position. With the addition of the new Administrative Services Manager, also an unrepresented position, it is recommended that this resolution be amended to include compensation and benefits for both positions. Also, the base pay for the Assistant Manager has not been reviewed for some time, so the amended resolution includes an adjustment in the range of base pay for this position. The Executive Committee reviewed this resolution on April 18 and recommends approval.

AMENDMENTS TO RESOLUTION

Since 2014, the District Board has adopted periodic resolutions that describe the compensation and benefits for the Assistant Manager position. The most recent resolution was adopted in 2021 and expires in mid-2025. The resolution was structured similarly to the Memorandum of Understanding with the Western Council of Engineers (WCE) and contained a complete description of the base salary range, other compensation available, benefits, and employee rights.

The District is preparing to hire a new Administrative Services Manager who, similar to the Assistant Manager, will not be represented by WCE. Pursuant to the direction provided by the District's employment law counsel, the resolution previously describing compensation and benefits for the Assistant Manager should now be amended to include both unrepresented positions.

Attached is the proposed resolution in both strikeout and clean versions. The changes are:

- Added the second position, Administrative Services Manager.
- Deleted numerous sections that were duplicated in the Employee Policy Manual. These provisions continue to apply to the two unrepresented positions, but do not need to be duplicated in the resolution.
- Deleted outdated and inapplicable language and updated language as required by new state legislation.
- Eliminated the language related to salary steps and substituted a merit pay section providing the District Manager flexibility in granting pay increases.
- Added a provision that the District Manager may consider limited prior comparable work experience when setting vacation leave accrual rates for new unrepresented employees.
- Adjusted the base pay range upward for the Assistant Manager (see below for more information).

These changes do not result in any substantive changes to the terms and conditions of employment for the Assistant Manager, other than compensation as described below. The Assistant Manager has reviewed the new resolution and supports the changes.

| |
|---|
| COMPENSATION FOR ASSISTANT MANAGER |
|---|

Pay Range

Base pay is defined in the salary schedule attached to this resolution. The current base pay range for the Assistant Manager is \$135,903 to \$151,743. This base pay range has not been evaluated since 2014, when the position was first removed from union representation. Additionally, this base pay range would be lower than the range for the new Administrative Services Manager, which is not appropriate based on the Assistant Manager’s responsibilities and scope of work. As part of our analysis, we asked our HR contractor (Regional Government Services, or RGS) to look at comparable salaries in other similar agencies. However, despite surveying 18 other mosquito and vector control districts, RGS was not able to identify a position with similar responsibilities in a comparable agency. Thus, they recommend setting the Assistant Manager’s base salary range by internal comparison and alignment rather than by using the market survey that yielded insufficient data. Accordingly, we are recommending that the Assistant Manager salary range be set at 8% above the Administrative Services Manager salary, reflecting the broader scope of duties and the greater number of positions supervised. Exhibit A shows the recommended base salaries. These proposed ranges would avoid internal salary compaction problems.

Salary Advancement

Currently, the Assistant Manager’s base compensation is at the top of the previously established salary range. This adjustment in range would place his present salary near the bottom of the new range, providing the opportunity for advancement in pay based on performance. The proposed new section 3.2.A describes the procedures for advancing in base salary. The new resolution does not change the Assistant Manager’s compensation immediately, but does offer an opportunity for future advancement that did not previously exist.

Note that the salary ranges identified in Exhibit A will increase by 2.75% on July 1, 2023 pursuant to section 3.2.A.1. Also, the salary ranges identified in Exhibit A do not include longevity pay, which is paid in addition to base pay.

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**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE
MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT**

**A RESOLUTION TO ESTABLISH THE COMPENSATION AND BENEFITS, FOR
UNREPRESENTED EMPLOYEES**

WHEREAS, the Board of Trustees of the Marin/Sonoma Mosquito and Vector Control District desires to establish certain salaries and benefits for regular and probationary unrepresented employees not covered by a Memorandum of Understanding, and

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Marin/Sonoma Mosquito and Vector Control District that:

SECTION 1. EFFECTIVE DATES

The provisions of this Resolution describe and authorize compensation and terms of employment for unrepresented employees in the job classifications listed in Exhibit A for the period from July 1, 2021 to June 30, 2025, as amended on May 10, 2023.

SECTION 2. APPLICATION

This Resolution applies to Marin/Sonoma Mosquito and Vector Control District regular and probationary, unrepresented employees employed in the job classifications listed in Exhibit A. This Resolution does not apply to the District Manager.

SECTION 3. SALARIES AND BENEFITS

1. Probationary Period

All employees covered by this resolution will serve a probationary period in accordance with Policy P-700.

2. Salary

A. Salary Ranges

All employees covered by this Resolution shall be paid a base salary applicable to the schedule established for that classification as set forth in Exhibit A. The salary ranges will be adjusted to reflect the following cost of living adjustments:

1. Effective the first full pay period following July 1, 2023, a base wage increase based on the Bureau of Labor Statistics San Francisco Bay Area, February 2022 to February 2023, annual Consumer Price Index (CPI-U), which shall be a minimum of one and one-half percent (1.5%) and maximum of two and three quarters' percent (2.75%).

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2. Effective the first full pay period following July 1, 2024, a base wage increase based on the Bureau of Labor Statistics San Francisco Bay Area, February 2023 to February 2024, annual Consumer Price Index (CPI-U), which shall be a minimum of one and one-half percent (1.5%) and maximum of two and three quarters' percent (2.75%).

The entrance salary for a new employee entering the classified service shall be the minimum salary for the class to which the employee is appointed. When circumstances warrant (e.g. years of service, special skills, past experience, education), the District Manager may approve an entrance salary that is more than the minimum salary for the class to which that employee is appointed. Such a salary may not be more than the maximum salary for the class to which that employee is appointed.

In addition to the COLA, at the time of an individual's annual performance evaluation, if an individual's performance is judged to meet or exceed a satisfactory level, a merit increase may be given in addition to the cost-of-living adjustment. Such an increase may be between one and five percent (1% and 5%). This increase is based on the District's evaluation of the degree to which the employee met their annual objectives. In making this determination, the relative merit of an individual employee among other unrepresented employees shall be considered. The meritorious achievement awards scale will be:

- Unsatisfactory No merit increase
- Satisfactory 1%
- Exceeds Standards 2 - 4%
- Outstanding 5%

Merit increases may only be granted upon completion of probationary employment and yearly thereafter from the date of the last merit increase. Merit increases are calculated on base pay only and total base pay may not exceed the maximum salary for that position.

B. Salary after Promotion or Demotion

When an employee is promoted, he/she will be placed at the step in the salary range which provides a salary increase closest to five percent (5%).

When an employee is demoted, whether such demotion is voluntary or otherwise, that employee's compensation shall be adjusted to the salary prescribed for the class to which the employee is demoted. However, the salary reduction shall not be more than five percent (5%) of the rate the employee had been receiving.

C. Salary on Reinstatement

If a former employee is reinstated in the same position previously held or to one carrying a similar salary range, the employee's salary placement shall not be higher than the

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employee's salary placement at the time of separation, except by approval of the District Manager.

D. Salary on Temporary Appointment

The District Manager may, in writing, temporarily appoint an employee to a higher classification when such an employee is regularly required to substantially perform the duties of the higher classification in excess of ten (10) consecutive working days. In such cases, the employee shall receive an additional five percent (5%) of the employee's current salary or the salary specified for the first step of the higher classification, whichever is greater. This additional five percent (5%) shall be for the duration of the temporary assignment.

E. Bilingual Pay

On recommendation of the District Manager or designee, beginning July 1, 2021, the District may approve bilingual pay an additional one hundred dollars (\$100) per month to a full-time employee with bilingual proficiency who uses such skills within the scope of their work for the District.

The District Manager may recommend bilingual pay when there is a business need for bilingual services, such as in the following circumstances:

1. Public contact requires the frequent eliciting and explaining of information in a language other than English; or
2. Translation of written material in another language is a continuous assignment; or
3. The position is in a work location where there is a demonstrated need for frequent language translation in providing services to the public.

Designation of positions for which bilingual proficiency is required is the sole prerogative of the District Manager. The District also reserves the right to recruit and hire workers based on a specific need for bilingual skills.

To be eligible for Bilingual Pay, following the recommendation of the District Manager, an employee must pass a test for bilingual proficiency given by a District-designated examiner. Bilingual pay shall be effective the first pay period after the District-designated examiner certifies the result of the bilingual exam.

Bilingual pay shall be prorated for employees working less than full-time or who are in an unpaid leave of absence status for a portion of any given pay period. An employee who receives bilingual pay may be required to fulfill District assignments requiring bilingual skills that fall outside of the employee's regular job description.

The District shall review positions covered by this section not less than annually to determine the number and location of positions to be designated as requiring bilingual

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abilities. Individuals who promote or transfer to another position within the District will be reevaluated to determine if bilingual pay should be continued.

The District Manager may discontinue bilingual pay when the business need for bilingual services no longer applies.

Bilingual pay is effective the first pay period after the District-designated examiner certifies the result of the bilingual exam.

3. Longevity

- A. Employees hired before August 1, 2014, upon completion of ten (10) years of unbroken service, will be eligible to receive longevity compensation pay in addition to base pay. Beginning on the employee's 10th anniversary and on each anniversary thereafter, the employee will receive longevity pay increases as follows:

| <u>Years of Service</u> | <u>Longevity increase</u> |
|---|---------------------------|
| Tenth Year through the Fourteenth Year | 1/2% per year |
| Fifteenth Year through the Nineteenth Year | 3/4% per year |
| Twentieth Year through the Twenty-fourth Year | 1% per year |
| Twenty-fifth Year through the Twenty-ninth Year | 1 1/2% per year |
| Thirtieth Year and each year thereafter | 2% per year |

- B. For employees hired on or after August 1, 2014:

Upon completion often (10) years of unbroken service, employees will be eligible to receive longevity compensation pay in a flat amount of one-half percent (0.5%) of base salary.

Upon completion of fifteen (15) years of unbroken service, employees will be eligible to receive longevity compensation pay in a flat amount of an additional one and one-half percent (1.5%) of base salary for a total of two percent (2%) base salary.

Upon completion of twenty (20) years of unbroken service, employees will be eligible to receive longevity compensation pay in a flat amount of two and one-half percent (2.5%) base salary for a total of four and one-half percent (4.5%).

- C. Upon the twenty-fifth year of continuous employment with the District, the District will pay the employee's share of the retirement contribution to the MCERA plan. In accordance with the MCERA plan, at the beginning of an employee's 30th consecutive year of service with the District, no further contributions are required from the District or the employee to MCERA's retirement plan. This subsection C applies only to employees who have achieved at least twenty (20) years of District service on or before the one-year anniversary of the adoption of this 2017-2020 Resolution by the Board of Trustees. It does not apply to employees with less District service as of that date or to new hires.

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4. FLSA Exempt Status

Employees who are Exempt from overtime compensation requirements under the Fair Labor Standards Act (FLSA), including the positions identified in Exhibit A, are not eligible to earn overtime compensation for hours worked in excess of the employee's regular work schedule.

5. Employee Insurance Coverage

A. Medical Insurance

As a miscellaneous member of the Marin County Employees Retirement Association ("MCERA"), the District is offered two (2) plans that are purchased through Marin County: Kaiser Permanente and Anthem Blue Cross. Upon reaching the age of eligibility, employees shall enroll in Medicare and will be eligible for the Medicare Supplemental Plans available through MCERA.

Employee Medical Insurance Tier One:

For employees hired before August 1, 2014, the District shall pay the monthly premium not to exceed the rate of the Kaiser Family coverage plan, minus the employee's monthly contribution of one hundred dollars (\$100) for single party coverage; one hundred fifty dollars (\$150) for two party coverage, and two hundred dollars (\$200) for family coverage.

If an employee elects to be a member of the Anthem Blue Cross plan and the premium cost exceeds that of the Kaiser Family coverage plan, the employee is responsible for paying the difference. This difference is collected by payroll deduction.

Employee Medical Insurance Tier Two:

For employees hired on or after August 1, 2014, effective January 1, 2023, the District shall pay the monthly premium not to exceed the rate of the Kaiser Family coverage plan, minus the employee's monthly contribution of:

1. Two hundred twenty-five dollars (\$225) per month for single party coverage
2. Three hundred thirty-seven dollars and fifty cents (\$337.50) per month for two-party coverage,
3. Four hundred fifty dollars (\$450) per month for family coverage.

If an employee elects to be a member of the Teamsters Anthem Blue Cross plan or the Western Health Advantage Plan, and the premium cost exceeds that of the Kaiser Family coverage plan, the employee is responsible for paying the difference. This difference and the employee's monthly contribution will be collected by payroll deduction.

B. Dental Benefit Plan

The Dental plan offered under the MCERA is an optional plan offered to miscellaneous members. The District shall pay 100% of the monthly Delta Dental premium, up to the

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premium for family coverage, for employees and qualified dependents enrolled in the Dental Plan. This program is not extended to any District employee upon retirement.

C. Vision Benefit Plan

The vision plan offered to employees is an optional plan approved by the District Board. The District pays 100% of the vision premium, up to the premium for family coverage, for employees and qualified dependents enrolled in the vision plan. This program is not extended to any District Employee upon retirement.

D. Life Insurance

The District shall pay the monthly premium cost for a \$30,000.00 life insurance policy for the employee through an insurance company selected by the District. The employee is responsible for any spouse or dependent coverage.

These programs are not extended to any District employee upon retirement.

E. MCERA Plan Changes

If MCERA changes any of the foregoing insurance or plan coverages that are available to the District, the benefits provided under this Resolution shall adjust concurrently with the changes as implemented by MCERA.

F. Miscellaneous Benefits

1. The Wellness Benefit is a yearly allowance of five hundred dollars (\$500) provided to all regular, full time employees to be used to offset health care and personal health care costs for the employee and the employee's family. This allotment is granted on July 1st and must be used by June 30th. All receipts must be dated within this time frame. The Flexible Spending Allotment is taxable income per IRS publication 502.
2. The Section 125 flexible spending plan, a Section 457 Deferred Compensation Plan and membership in the Marin County Federal Credit Union are optional benefits plans offered to all employees. These optional plans are set up in accordance with IRS rules and regulations. All contributions to these plans shall be paid for by the employee.
3. Employees required to wear safety boots shall receive reimbursement up to two hundred dollars (\$200) per year. Employees are required to submit a receipt for purchase in order to receive such reimbursement.

6. Retirement Benefits

A. Pension

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Tier One: Under Resolution No. 141 approved by the District Board of Trustees on July 14, 1976, the District shall continue to participate in the two percent (2%) at age fifty-five and one half (55 1/2) provided by the Marin County Employees' Retirement Association (MCERA) as constituted on the date of the employee's hire. District employees are considered miscellaneous members of the retirement system. Therefore, the District shall continue to provide the mandatory retirement defined benefit plan and retirement medical coverage provided under said plan.

Tier Two: For employees hired on or after January 1, 2013 and who meet the definition of "new member" as set forth in Government Code Section 7522.02(f) the District will provide the MCERA two percent (2%) at age sixty-two (62) formula retirement plan in accordance with Government Code Section 7522.20, based on the average of three highest years of employment, in accordance with Government Code Section 7522.32. New members shall be subject to the provisions of the Public Employee Pension Reform Act (PEPRA), including provisions governing reportable compensation.

Additional Pension Contribution.

Employees will make an additional contribution toward the District's required MCERA retirement contribution equal to one and three quarters of one percent (1.75%) of pensionable compensation.

B. Retiree Health

Group One: For employees hired before July 1, 2009, upon ten (10) years of service with the District, the District will pay the total cost of the medical insurance premium for the retiree and the retiree's spouse or registered domestic partner upon retirement of the employee from the District, in accordance with MCERA rules and regulations.

Group Two: For employees hired on or after July 1, 2009, upon ten (10) years of service with the District, the District will pay the total cost of single-party (retiree only) medical insurance premium upon retirement from the District, in accordance with MCERA rules and regulations. As of July 1, 2009 retiree spousal medical insurance premium is not offered to new hires.

Group Three: For District employees hired after August 1, 2014, effective upon successful completion of probation, the District will contribute two hundred fifty-seven (\$257) per month into a Retiree Health Savings Plan during the time the employees are employed at the District.

Effective the first full pay period following July 1, 2021, the District's contribution to the Retiree Health Savings Plan for Group 3 will be increased by five percent (5%) for a total District contribution of \$270.02 per month.

Effective the first full pay period following July 1, 2022, the District's contribution to the Retiree Health Savings Plan for Group 3 will be increased by two and one-half percent (2.5%) for a total District contribution of \$276.77 per month.

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Effective the first full pay period following July 1, 2023, the District's contribution to the Retiree Health Savings Plan for Group 3 will be increased by two and one-half percent (2.5%) for a total District contribution of \$283.69 per month.

SECTION 4. LAYOFF AND REEMPLOYMENT

1. Reduction in Force – Reasons

Whenever, in the judgment of the District's Board of Trustees, a reduction in personnel is necessary for economic or operational reasons the District may decide to and implement a reduction in force and any employee may be laid off or demoted for non-disciplinary reasons.

2. Notice of Layoff

A. The District shall notify an employee who has passed his or her initial probationary period, in writing, at least (30) calendar days prior to the effective date of the layoff.

B. Employees who have not passed initial probation are not entitled to layoff notice, bumping, or recall rights under this Article. Such probationary employees may be laid off at any time as determined by the District with or without cause or notice.

3. Continuous Service

Except as otherwise required by applicable law, continuous service excludes periods of non-paid disciplinary suspension, time on the District recall list following layoff onto inactive layoff status, and periods of non-paid leaves of absence. (Time spent on a workers' compensation leave, family and medical leave, military leave, paid family leave, and pregnancy disability leave do count toward continuous service.) Continuous service includes unbroken service before layoff onto inactive layoff status and following recall from inactive layoff status. Continuous service is otherwise broken and nullified by voluntary or involuntary termination of District employment or by expiration of the two-year time limit for recall from inactive layoff status.

4. Seniority Determination for Layoff Purposes

Employees will be laid off in the inverse order of their seniority in their classification in the department. Seniority is determined based on the length of employment in the affected classification in the department, higher classifications in the department, and in a classification that is substantially similar to, and/or a classification which has been merged with, the affected class for which the employee is still qualified. In the latter situations, time spent both in the immediately affected class and the higher or merged class will be combined to determine classification seniority.

Length of employment includes all days of employment in attendance at work and on authorized or legally-protected leaves of absence. Length of service does not include

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unauthorized periods of leave or suspension or layoff. Within each classification, employees will be laid off in the following order: temporary; part-time; probationary; and regular status. If two or more employees in a classification to be laid off have the same length of employment, the employee to be laid off will be decided by coin toss.

5. Displacement

Regular employees who are noticed for layoff and who have passed probation in a lower classification(s) within the same classification series in the same department, may displace employees in a lower classification in that series and department, provided that the employee seeking to displace the employee in the lower classification has greater length of employment than the employee in the lower classification. If the employee could bump into more than one lower classification, they shall bump to the highest of such classifications.

Employees in lower classifications will be displaced in inverse order of their length of employment in the classification. Any employee who seeks to displace another employee must provide the District Manager with written notice no later than five working days after the date of the notice of layoff.

6. Transfer

If the District Manager determines that a regular employee who is subject to layoff is qualified to perform the duties in a vacant position that is budgeted and available, the employee will receive a written notice of option to transfer in lieu of layoff. An employee who does not accept a transfer within 10 days after the date of the written notice, forfeits the option to transfer. An employee who accepts a transfer will be paid the rate applicable to the position into which he or she transfers.

7. Reemployment following Layoff

Regular employees who are laid off or demoted in lieu of layoff will be entitled to reemployment in the classification from which they were laid off or demoted if a vacancy in the classification occurs within two years of the date of lay off or demotion.

Each regular employee who has been laid off or demoted in lieu of layoff will be placed on a District reemployment list by classification in order of seniority in the classification. When a vacancy in the classification occurs, the top (most senior) person on the reemployment list will be offered, in writing, reappointment to the vacant position. Should the person not accept the reappointment within seven calendar days after the date of the offer, and/or be unable to begin work within two weeks after the date of acceptance, the person will be considered unavailable for employment and will be removed from the reemployment list. Whenever a person is unavailable for reemployment, the next senior person on the list will be offered reemployment.

8. Pay Upon Displacement or Recall

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1. An employee who bumps into a position in a lateral or lower classification will retain the numeric wage step held in the classification from which the employee was bumped without change in step advancement date.
2. An employee recalled from active layoff status into a position in a higher classification will remain on the same numeric step held in the classification from which the employee was recalled without change in step advancement date.
3. An employee recalled from inactive layoff status will be placed on the same numeric salary step the employee held at the time of placement on inactive layoff status with the same step advancement date the employee held at the time of placement on inactive layoff status.

9. Alternative Procedures

Within the thirty (30) calendar days beginning from, and including the date the District gives notice of its intent to layoff one or more employees, the District Manager, or his or her designee, may meet with employees covered by the Resolution to discuss possible one-time exceptions to the normal application of the layoff and recall procedures set forth in this Article. The employees and District Manager may agree, in writing, to such exceptions, but may not purport to alter the pay rate on layoff or recall provided by the above language or modify the above language on an on-going basis unless affirmatively approved by vote of the District's Board of Trustees.

In addition, during the thirty (30) day period, the District and the employees covered by this Resolution may discuss and develop a written plan for a one-time-only severance or one-time-only early retirement incentive to address the impact of the layoffs on employees. However, such severance or early retirement incentive will not be authorized unless approved by the District Board of Trustees.

SECTION 5. LEAVES OF ABSENCE

All approval authority over leaves of absence exercised by the District Manager shall be final.

1. Management Leave

The employees covered by this resolution shall receive eight (8) days (sixty-four (64) hours) of management leave per fiscal year in recognition of the additional hours required in the performance of their job duties.

Management leave shall accrue at the end of the first full pay period following July 1st of each fiscal year in which it is accrued. Accrual of management leave for the employees covered by this resolution shall not exceed a cap of sixty-four (64) hours at any one time. Unused management leave as of the first full pay period following July 1st of each fiscal

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year will offset the new management leave accrual. Employees hired in FLSA exempt positions in the District mid-way through the fiscal year shall receive a pro-rated amount of management leave.

Use of accrued management leave shall be subject to the approval of the District Manager.

Exempt employees are required to use accrued leave (vacation, sick leave, CTO, management leave) for the time an employee is absent from work, whether the absence is a partial day or a full day, in accordance with District leave rules.

2. Vacation

Employees shall accrue and use Vacation Leave in accordance with Policy V-100, except that when circumstances warrant, for the purpose of recruiting lateral unrepresented executive employees, the District Manager, in their sole discretion, may count three years of commensurate experience with another employer as years of service with the District for the purpose of determining the level of vacation accrual, in order to allow a newly hired unrepresented employee to accrue vacation at the rate of three weeks (120 hours) per year. At this level, vacation accrues at the rate of ten (10) hours per month. The three years of commensurate experience will be added to the employee's actual years of service with the District for the purpose of determining future vacation accrual levels.

On separation or termination from District service, the District will compensate the employee for his or her accrued and unused vacation balance at the employee's regular rate of pay.

3. Holidays

Employees shall accrue and use Holiday pay in accordance with policy H-200.

4. Sick Leave

Sick leave will be handled in accordance with District Employee Manual Policy S-100 entitled "Sick Leave."

Upon separation or termination of service with the District, a non-probationary employee shall be reimbursed at a rate of fifty percent (50%) for the employee's accumulated sick leave. Unused sick leave accumulation for the purpose of payment at such time that the employee leaves the service of the District shall not exceed one hundred twenty-five (125) days.

5. Bereavement Leave

In the event of a death in the immediate family of an employee, the employee shall, upon request, be granted up to five (5) working days in order to make arrangements, attend services, etc. In the event the employee is required to travel two hundred (200) or more miles (one way) for the service, the employee shall, upon request, be eligible to take one (1)

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additional working day of leave, for a total of six (6) working days. Accumulated sick leave or vacation time will be applied as bereavement leave. For the purposes of this paragraph, the family shall be defined as those relatives with an immediate familial relationship (spouse, registered domestic partner, natural or adopted children, employee's parents, grandparents or grandchild, spouse's/registered domestic partner's parents, employee's siblings, or spouse's/registered domestic partner's siblings).

6. Job-Incurred Illness or Injury Leave

An employee of the District who has suffered a disability caused by illness or injury arising out of and in the course of the employee's employment, as defined by the Workers' Compensation laws of the State of California, shall be entitled to disability leave while so disabled without loss of compensation for the period of such disability to a maximum of ninety (90) calendar days.

During the period the employee is paid by the District, the employee shall endorse to the District any benefit payments received as a result of Workers' Compensation insurance coverage. The District reserves the right to withhold payment of any disability benefits until such time as it is determined whether or not the illness or injury is covered by Workers' Compensation.

If the employee's disability is caused by illness or injury arising out of and in the course of the employee's employment and extends beyond the ninety (90) calendar days described above, the employee may elect to integrate his/her unused sick and vacation leave with the Workers' Compensation payments, provided that the sum of the Workers' Compensation payments and paid leave does not exceed the employee's regular rate of pay for said period.

7. Failure to Return After Leave

Failure to report for duty after a leave of absence request has been disapproved, revoked or cancelled by the District or at the expiration of a leave shall be considered an absence without leave. An employee whose leave of absence is revoked or canceled shall be notified of such action by registered mail at the employee's last known address.

SECTION 6. GRIEVANCES

A grievance is any dispute which involves the interpretation, claimed violation or application of any provision of this Resolution, excluding however, those provisions of this Resolution which specifically provide that the decision of any District Manager shall be final, the interpretation or application of those provisions not being subject to the grievance procedure. Complaints of harassment, discrimination, and retaliation based on protected class or activity shall be handled in accordance with District's policy against Workplace Harassment, Discrimination and Retaliation and shall not be subject to the grievance procedure. In addition, a grievance does not include disciplinary actions.

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All complaints involving or concerning the payment of compensation shall be initially filed in writing with the District Manager. Only complaints that allege that employees are not being compensated in accordance with the provisions of this Resolution shall be considered.

Grievances shall be processed in the following manner:

Informal Step - Immediate Supervisor:

Any employee who believes that a grievance exists may discuss the complaint with his/her immediate supervisor. If the issue is not resolved at this step or if the employee elects to submit the grievance directly to the District Manager, the procedures hereinafter specified may be invoked.

Step One - Formal Grievance to District Manager:

Any employee may notify the District Manager in writing that a grievance exists, stating the particulars of the grievance and if possible, the nature of the determination desired. In order to be considered as valid, such grievance must be submitted within ten (10) working days of the event giving rise to the grievance or the date that the employee had reasonable knowledge of the event. The District Manager shall investigate the issues, meet with the complainant and attempt to reach a satisfactory resolution of the problem. The District Manager shall respond to the complainant in writing within fifteen (15) working days of receipt of the grievance at this level. No grievance may be processed under paragraph (3) and (4) below which has not first been filed and investigated in accordance with this paragraph.

Step Two - Grievance Mediation:

Any grievance which has not been resolved by the procedures hereinabove set forth may be referred by the employee to grievance mediation to be conducted by the California State Mediation and Conciliation Service (CSMCS). Such referral shall be in writing to the District Manager within ten (10) working days of the date the District Manager's response was issued in Step 1 above. The CSMCS representative shall meet with the parties to hear presentations on the details of the case and work with the parties in an attempt to settle the grievance.

Step Three - Board Hearing:

If the parties are unable to reach a mutually satisfactory accord on any grievance which arises such grievance may be referred by the employee to a Board panel, appointed by the Board of Trustees, consisting of three (3) Board of Trustee members, for a hearing and advisory determination.

If an employee fails to file a letter requesting a grievance hearing within the time specified, the District Manager's decision shall become final without further action.

Such referral must be made to the President of the Board of Trustees only through the District Manager, within ten (10) working days of the grievance mediation with the CSMCS. The letter requesting a grievance hearing before the Board must state the name of

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the employee, the date and nature of the decision appealed, the ground(s) of the appeal, and all specific facts or omissions upon which the appeal is made. This referral letter to the President as well as the written response from the District Manager in Step 2 will be the only information communicated to any Board member prior to the actual grievance presentation to the Board.

The Board-appointed, three-person panel shall hold a hearing not later than 60 days from the date of filing the appeal, unless otherwise agreed to by the parties. After hearing the grievance, the Panel will issue an advisory decision as to the grievance in writing.

Within thirty (30) working days of the Panel's advisory decision, the Board of Trustees will review the advisory decision and either adopt, modify, or reject that decision as a final decision on the grievance, to the extent permitted by the laws of the State.

Judicial review of any decision of the Board of Trustees may be had pursuant to Section 1094.5 of the California Code of Civil Procedure only if the petition for writ of mandate pursuant to such section is filed within the time limits specified in this section. Pursuant to Code of Civil Procedure 1094.6, any such petition will be filed not later than the ninetieth (90th) day following the date on which the Board of Trustees gives written notice of the final decision.

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Passed and adopted this 10th day of May, 2023 by vote of the Board of Trustees.

| | <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"/> |
| 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"/> |
| Morgan Patton | <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"/> |
| Vote Totals: | | | | |

ATTEST:

APPROVED:

Diana Rich
Secretary, Board of Trustees

Richard Snyder
President, Board of Trustees

Philip D. Smith
District Manager

RESOLUTION NO. 2022/23-16

EXHIBIT A:

CLASSIFICATIONS AND SALARY SCHEDULE

| Position | Minimum Base Salary | Maximum Base Salary |
|---------------------------------|----------------------------|----------------------------|
| Assistant Manager | \$151,200 | \$174,960 |
| Administrative Services Manager | \$140,000 | \$162,000 |

RESOLUTION NO. 2023/XX-XX

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT

A RESOLUTION TO ESTABLISH THE COMPENSATION AND, BENEFITS, AND ~~PERSONNEL PROCEDURES OFFOR~~ UNREPRESENTED EMPLOYEES, INCLUDING BUT NOT LIMITED TO THE ASSISTANT MANAGER

WHEREAS, the Board of Trustees of the Marin/Sonoma Mosquito and Vector Control District desires to establish certain salaries and benefits for regular and probationary unrepresented employees not covered by a Memorandum of Understanding, and

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Marin/Sonoma Mosquito and Vector Control District that:

SECTION 1. EFFECTIVE DATES

The provisions of this Resolution describe and authorize compensation and terms of employment for unrepresented employees in the job classifications ~~described below~~ listed in Exhibit A for the period from July 1, 2021 to June 30, 2025, as amended on May 10, 2023.

SECTION 2. APPLICATION

This Resolution applies to Marin/Sonoma Mosquito and Vector Control District regular and probationary, unrepresented employees, ~~including, but not limited to, the~~ employed in the job classifications of Assistant Manager listed in Exhibit A. This Resolution does not apply to the District Manager.

SECTION 3. SALARIES AND BENEFITS

1. Probationary Period

Employees will serve a probationary period in accordance with Policy P-700.

~~1. Probationary Period~~

~~All original and promotional appointments shall be tentative and subject to a probationary period of twelve (12) months. The probationary period shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to the employee's position and for eliminating any probationary employee whose performance does not meet the required standards of work.~~

~~At the end of the probationary period, if the service of the probationary employee has been satisfactory to the District, the District Manager shall retain the employee.~~

~~During the probationary period, the District Manager, without the right of review of any kind, may reject a probationary employee in writing at any time.~~

2. Pay Periods

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~~The pay period for employees shall be semi-monthly. All monies provided shall be paid in accordance with federal law.~~

~~—Direct Deposit~~

~~Employees are required to participate in mandatory direct deposit for payroll, per diem, travel reimbursement and similar purposes, and shall provide bank account information within five (5) calendar days of hire or change in bank account.~~

~~3. Standard Workweek and Work Schedule~~

~~A. Workweek:~~

~~The workweek begins at 12:00 a.m. on Monday and ends at 11:59 p.m. on Sunday, except as otherwise designated for employees on an alternate work schedule.~~

~~For employees working a 9/80 work schedule, each employee's designated Fair Labor Standards Act (FLSA) work week (168 hours in length) shall begin exactly four (4) hours after the start of his/her eight (8) hour shift on the day of the week that corresponds with the employee's alternating regular day off.~~

~~B. Work Schedule~~

~~The standard work schedule for employees occupying full-time positions consists of five (5) eight (8) hour days, for a total of any forty (40) hours. The standard full-time work schedule begins at 7:00 a.m. Monday and ends at 3:30 p.m. Friday.~~

~~A 9/80 compressed work schedule allows an employee to work eighty (80) hours in nine (9) days, and have an additional day off in the two-week period. In order to accomplish this, the employee works four (4) nine-hour days per workweek. On one (1) weekday, the employee alternately works an eight-hour day and has the same day off the following week. Employees assigned to a 9/80 schedule will have either every other Monday or Friday off.~~

~~C. Flextime Scheduling Arrangement~~

~~Flextime is a scheduling arrangement that permits variations in an employee's starting and departure times, but does not change the total number of hours worked in a workweek. Flextime arrangements are subject to the approval of the District Manager or designee, and are contingent on the availability of supervision, sufficient staffing coverage and satisfaction of other District business needs as determined by the District Manager.~~

~~Flextime scheduling arrangements shall only be approved if they do not result in overtime. If a flextime arrangement will result in a non-exempt employee working in excess of eight (8) hours per day, the employee must work fewer hours on another day of the same FLSA work week such that the total hours worked in the FLSA work week do not exceed forty (40) hours. No flextime schedule arrangement for an FLSA nonexempt employee shall be approved if it requires the employee to work more than forty (40) hours of actual work in a FLSA workweek. While non-exempt employees will be~~

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~~compensated for all actual hours worked in the workweek and will receive FLSA overtime for all actual hours worked in excess of forty (40) in the work week, an employee may be disciplined for working hours in excess of forty (40) hours in the workweek in violation of this provision unless the work is approved in advance by a supervisor.~~

~~Flextime scheduling arrangement can be discontinued by the District at any time with fourteen (14) days' notice to the affected employee. This does not preclude the assignment of overtime during the notice period.~~

2. Salary

A. Salary Schedule Ranges

All employees covered by this Resolution shall be paid a base salary applicable to the schedule established for that classification as set forth in Exhibit A. The salary ranges will be adjusted to reflect the following cost of living adjustments:

~~Salary Schedules Ranges in Exhibit A represent the following cost of living and merit adjustments:~~

- ~~1. Effective the first full pay period following July 1, 2021, effective July 1, 2021 a five and one half percent (5.5%) increase to salary, comprised of a one-time merit increase of three and nine tenths percent (3.9%), plus a cost of living adjustment of one and six tenths' percent (1.6%) representing the CPI-U rise as applied to represented employees' salaries;~~
- ~~2. Effective the first full pay period following July 1, 2022, a base wage increase based on the Bureau of Labor Statistics San Francisco Bay Area, February 2021 to February 2022, annual Consumer Price Index (CPI-U), which shall be a minimum of one and one half percent (1.5%) and maximum of two and three quarters' percent (2.75%);~~
 1. Effective the first full pay period following July 1, 2023, a base wage increase based on the Bureau of Labor Statistics San Francisco Bay Area, February 2022 to February 2023, annual Consumer Price Index (CPI-U), which shall be a minimum of one and one-half percent (1.5%) and maximum of two and three quarters' percent (2.75%).
 2. Effective the first full pay period following July 1, 2024, a base wage increase based on the Bureau of Labor Statistics San Francisco Bay Area, February 2023 to February 2024, annual Consumer Price Index (CPI-U), which shall be a minimum of one and one-half percent (1.5%) and maximum of two and three quarters' percent (2.75%).

The entrance salary for a new employee entering the classified service shall be the minimum salary for the class to which the employee is appointed. When circumstances warrant (e.g. years of service, special skills, past experience, education), the District Manager may approve an entrance salary that is more than the minimum salary for the class to which that employee is appointed. Such a salary may not be more than the maximum salary for the class to which that employee is appointed.

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~~Employees will receive a cost of living adjustment to their salary when the ranges are adjusted.~~

~~In addition to the COLA, at the time of an individual's annual performance evaluation, if an individual's performance is judged to meet or exceed a satisfactory level, a merit increase may be given in addition to the cost-of-living adjustment. Such an increase may be between one and five percent (1% and 5%). This increase is based on the District's evaluation of the degree to which the employee met their annual objectives. In making this determination, the relative merit of an individual employee among other ~~management unit~~unrepresented employees shall be considered. The meritorious achievement awards scale will be:~~

| | |
|--------------------------------|------------------------------|
| • Unsatisfactory | No merit increase |
| • Satisfactory | 1% |
| • Exceeds Standards | 2 - 4% |
| • Outstanding | 5% |

~~Merit increases may only be granted upon completion of probationary employment and yearly thereafter from the date of the last merit increase. Merit increases are calculated on base pay only and total base pay may not exceed the maximum salary for that position.~~

B. Salary Step Advancements

~~Employees serving in regular positions shall be considered by the District Manager on each anniversary of their hire date for advancement to the next higher step in the salary range for their respective classes. For those positions for which the District requires that an employee obtain and/or maintain state certification as a vector control technician, the following conditions shall apply:~~

- ~~1. After the completion of one (1) year of full time satisfactory service in the first step of the salary range, and the passing of State Certification Tests A and B: Pesticide Application and Safety Training for Applicators of Public Health Pesticides and The Biology and Control of Mosquitoes in California, as well as the recommendation of the District Manager, the employee shall be advanced to the second step in the salary range for the employee's classification. An employee will not be advanced to the next step until the State Certification Tests have been passed.~~
- ~~2. After the completion of the second (2nd) full year of satisfactory service and the completion of the State Certification Test C, along with the recommendation of the District Manager, the employee shall be advanced to the third step in the salary range for the employee's classification. An employee will not be advanced to the next step until the correct State Certification Tests have been passed.~~
- ~~3. After the completion of the third (3rd) full year of satisfactory service in the third step of the salary range and upon the passing of the State Certification Test D, along with the recommendation of the District Manager, the employee shall be advanced to the last step in the salary range for the employee's classification.~~

~~The State Certification Tests are given twice a year (November and May). If an employee fails to pass the assigned test, that employee will not be eligible to move to the next step. If the employee takes that test a second time and passes it, the employee will then advance to the next step upon approval by the District Manager.~~

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~~The employee will have two (2) chances to complete each test. If the employee continues to fail the same test it will be up to the discretion of the District Manager to take disciplinary action, including dismissal of the employee.~~

~~Each employee shall be considered for salary increases according to the date of that employee's appointment or the employee's revised salary anniversary date. If an employee begins employment later than the first day of the month but on or before the fifteenth of the month or has changes which would cause the employee's salary anniversary date to be on or before the fifteenth of the month, then the employee's salary anniversary date shall be reckoned from the first day of that month.~~

~~Changes in an employee's salary because of a promotion, demotion or postponement of salary step increases will set a new salary anniversary date for that employee. Salary range adjustments for a classification will not set a new salary anniversary date for employees serving in that classification.~~

B. Salary ~~Step~~ after Promotion or Demotion

When an employee is promoted, he/she will be placed at the step in the salary range which provides a salary increase closest to five percent (5%).

When an employee is demoted, whether such demotion is voluntary or otherwise, that employee's compensation shall be adjusted to the salary prescribed for the class to which the employee is demoted. However, the salary reduction shall not be more than five percent (5%) of the rate the employee had been receiving.

C. Salary ~~Step~~ on Reinstatement

If a former employee is reinstated in the same position previously held or to one carrying a similar salary range, the employee's salary ~~step~~ placement shall not be higher than the employee's salary ~~step~~ placement at the time of separation, except by approval of the District Manager.

D. Salary on Temporary Appointment

The District Manager may, in writing, temporarily appoint an employee to a higher classification when such an employee is regularly required to substantially perform the duties of the higher classification in excess of ten (10) consecutive working days. In such cases, the employee shall receive an additional five percent (5%) of the employee's current salary or the salary specified for the first step of the higher classification, whichever is greater. This additional five percent (5%) shall be for the duration of the temporary assignment.

~~EE.~~ Bilingual Pay

On recommendation of the District Manager or designee, beginning July 1, 2021, the District may approve bilingual pay an additional one hundred dollars (\$100) per month to a full-time employee with bilingual proficiency who uses such skills within the scope of their work for the District.

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The District Manager may recommend bilingual pay when there is a business need for bilingual services, such as in the following circumstances:

1. Public contact requires the frequent eliciting and explaining of information in a language other than English; or
2. Translation of written material in another language is a continuous assignment; or
3. The position is in a work location where there is a demonstrated need for frequent language translation in providing services to the public.

Designation of positions for which bilingual proficiency is required is the sole prerogative of the District Manager. The District also reserves the right to recruit and hire workers based on a specific need for bilingual skills.

To be eligible for Bilingual Pay, following the recommendation of the District Manager, an employee must pass a test for bilingual proficiency given by a District-designated examiner. Bilingual pay shall be effective the first pay period after the District-designated examiner certifies the result of the bilingual exam.

Bilingual pay shall be prorated for employees working less than full-time or who are in an unpaid leave of absence status for a portion of any given pay period.

An employee who receives bilingual pay may be required to fulfill District assignments requiring bilingual skills that fall outside of the employee's regular job description.

The District shall review positions covered by this section not less than annually to determine the number and location of positions to be designated as requiring bilingual abilities. Individuals who promote or transfer to another position within the District will be reevaluated to determine if bilingual pay should be continued.

The District Manager may discontinue bilingual pay when the business need for bilingual services no longer applies.

Bilingual pay is effective the first pay period after the District-designated examiner certifies the result of the bilingual exam.

3. Longevity

- A. Employees hired before August 1, 2014, upon completion of ten (10) years of unbroken service, will be eligible to receive longevity compensation pay in addition to base pay. Beginning on the employee's 10th anniversary and on each anniversary thereafter, the employee will receive longevity pay increases as follows:

| <u>Years of Service</u> | <u>Longevity increase</u> |
|---|---------------------------|
| Tenth Year through the Fourteenth Year | 1/2% per year |
| Fifteenth Year through the Nineteenth Year | 3/4% per year |
| Twentieth Year through the Twenty-fourth Year | 1% per year |
| Twenty-fifth Year through the Twenty-ninth Year | 1 1/2% per year |
| Thirtieth Year and each year thereafter | 2% per year |

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B. For employees hired on or after August 1, 2014:

Upon completion of ten (10) years of unbroken service, employees will be eligible to receive longevity compensation pay in a flat amount of one-half percent (0.5%) of base salary.

Upon completion of fifteen (15) years of unbroken service, employees will be eligible to receive longevity compensation pay in a flat amount of an additional one and one-half percent (1.5%) of base salary for a total of two percent (2%) base salary.

Upon completion of twenty (20) years of unbroken service, employees will be eligible to receive longevity compensation pay in a flat amount of two and one-half percent (2.5%) base salary for a total of four and one-half percent (4.5%).

- C. Upon the twenty-fifth year of continuous employment with the District, the District will pay the employee's share of the retirement contribution to the MCERA plan. In accordance with the MCERA plan, at the beginning of an employee's 30th consecutive year of service with the District, no further contributions are required from the District or the employee to MCERA's retirement plan. This subsection C applies only to employees who have achieved at least twenty (20) years of District service on or before the one-year anniversary of the adoption of this 2017-2020 Resolution by the Board of Trustees. It does not apply to employees with less District service as of that date or to new hires.

4. FLSA Exempt Status

Employees who are Exempt from overtime compensation requirements under the Fair Labor Standards Act (FLSA), including the ~~Assistant Manager and Administrative Services Manager~~ positions identified in Exhibit A, are not eligible to earn overtime compensation for hours worked in excess of the employee's regular work schedule.

5. Employee Insurance Coverage

A. Medical Insurance

As a miscellaneous member of the Marin County Employees Retirement Association ("MCERA"), the District is offered two (2) plans that are purchased through Marin County: Kaiser Permanente and Anthem Blue Cross. Upon reaching the age of eligibility, employees shall enroll in Medicare and will be eligible for the Medicare Supplemental Plans available through MCERA.

Employee Medical Insurance Tier One:

For employees hired before August 1, 2014, the District shall pay the monthly premium not to exceed the rate of the Kaiser Family coverage plan, minus the employee's monthly contribution of one hundred dollars (\$100) for single party coverage; one hundred fifty dollars (\$150) for two party coverage, and two hundred dollars (\$200) for family coverage.

If an employee elects to be a member of the Anthem Blue Cross plan and the premium cost exceeds that of the Kaiser Family coverage plan, the employee is responsible for paying the difference. This difference is collected by payroll deduction.

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Employee Medical Insurance Tier Two:

~~For employees hired on or after August 1, 2014, who are enrolled in a District provided health insurance plan, the District will contribute eighty percent (80%) of the cost of the medical insurance premium, up to eighty percent (80%) of the cost of the Kaiser Family coverage plan. Employees will be responsible to pay the remaining twenty percent (20%) of the medical insurance premium of the plan chosen by them. This difference is collected by payroll deduction.~~

~~For employees hired on or after August 1, 2014, effective January 1, 2021, the District shall pay the monthly premium not to exceed the rate of the Kaiser Family coverage plan, minus the employee's monthly contribution of:~~

- ~~1. Two hundred dollars (\$200) per month for single party coverage~~
- ~~2. Three hundred thirty seven dollars and fifty cents (\$337.50) per month for two party coverage,~~
- ~~3. Four hundred fifty dollars (\$450) per month for family coverage.~~

For employees hired on or after August 1, 2014, effective January 1, 2023, the District shall pay the monthly premium not to exceed the rate of the Kaiser Family coverage plan, minus the employee's monthly contribution of:

1. Two hundred twenty-five dollars (\$225) per month for single party coverage
2. Three hundred thirty-seven dollars and fifty cents (\$337.50) per month for two-party coverage,
3. Four hundred fifty dollars (\$450) per month for family coverage.

If an employee elects to be a member of the Teamsters Anthem Blue Cross plan or the Western Health Advantage Plan, and the premium cost exceeds that of the Kaiser Family coverage plan, the employee is responsible for paying the difference. This difference and the employee's monthly contribution will be collected by payroll deduction.

B. Dental Benefit Plan

The Dental plan offered under the MCERA is an optional plan offered to miscellaneous members. The District shall pay 100% of the monthly Delta Dental premium, up to the premium for family coverage, for employees and qualified dependents enrolled in the Dental Plan. This program is not extended to any District employee upon retirement.

C. Vision Benefit Plan

The vision plan offered to employees is an optional plan approved by the District Board. The District pays 100% of the vision premium, up to the premium for family coverage, for employees and qualified dependents enrolled in the vision plan. This program is not extended to any District Employee upon retirement.

D. Life Insurance

The District shall pay the monthly premium cost for a \$30,000.00 life insurance policy for the employee through an insurance company selected by the District. The employee is responsible for any spouse or dependent coverage.

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These programs are not extended to any District employee upon retirement.

E. MCERA Plan Changes

If MCERA changes any of the foregoing insurance or plan coverages that are available to the District, the benefits provided under this Resolution shall adjust concurrently with the changes as implemented by MCERA.

F. Miscellaneous Benefits

1. The Wellness Benefit is a yearly allowance of five hundred dollars (\$500) provided to all regular, full time employees to be used to offset health care and personal health care costs for the employee and the employee's family. This allotment is granted on July 1st and must be used by June 30th. All receipts must be dated within this time frame. The Flexible Spending Allotment is taxable income per IRS publication 502.
2. The Section 125 flexible spending plan, a Section 457 Deferred Compensation Plan and membership in the Marin County Federal Credit Union are optional benefits plans offered to all employees. These optional plans are set up in accordance with IRS rules and regulations. All contributions to these plans shall be paid for by the employee.
3. Employees required to wear safety boots shall receive reimbursement up to two hundred dollars (\$200) per year. Employees are required to submit a receipt for purchase in order to receive such reimbursement.

6. Retirement Benefits

A. Pension

Tier One: Under Resolution No. 141 approved by the District Board of Trustees on July 14, 1976, the District shall continue to participate in the two percent (2%) at age fifty-five and one half (55 1/2) provided by the Marin County Employees' Retirement Association (MCERA) as constituted on the date of the employee's hire. District employees are considered miscellaneous members of the retirement system. Therefore, the District shall continue to provide the mandatory retirement defined benefit plan and retirement medical coverage provided under said plan.

Tier Two: For employees hired on or after January 1, 2013 and who meet the definition of "new member" as set forth in Government Code Section 7522.02(f) the District will provide the MCERA two percent (2%) at age sixty-two (62) formula retirement plan in accordance with Government Code Section 7522.20, based on the average of three highest years of employment, in accordance with Government Code Section 7522.32. New members shall be subject to the provisions of the Public Employee Pension Reform Act (PEPRA), including provisions governing reportable compensation.

Rising Pension Cost Offset Contribution.

~~In addition to those pension contributions employees are making at the time the 2017 Resolution was adopted, and as may be otherwise required by the MCERA system, all~~

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~~employees shall contribute an additional one percent (1%) of pensionable compensation, by payroll deduction, toward the District's required employer contribution to that system.~~

Additional Pension Contribution in Lieu of Retiree Health OPEB contribution.

~~The Parties acknowledge that, as currently structured, uncertainty exists with respect to the legality of employee wage deductions toward unfunded liability for retiree health insurance. Consequently, the Parties have elected to forego such contributions in the negotiations culminating in this Resolution and have agreed instead that Eemployees will make an additional contribution toward the District's required MCERA retirement contribution equal to one and three quarters of one percent (01.75%) of pensionable compensation. ~~This contribution will take effect July 1, 2018.~~~~

B. Retiree Health

Group One: For employees hired before July 1, 2009, upon ten (10) years of service with the District, the District will pay the total cost of the medical insurance premium for the retiree and the retiree's spouse or registered domestic partner upon retirement of the employee from the District, in accordance with MCERA rules and regulations.

Group Two: For employees hired on or after July 1, 2009, upon ten (10) years of service with the District, the District will pay the total cost of single-party (retiree only) medical insurance premium upon retirement from the District, in accordance with MCERA rules and regulations. As of July 1, 2009 retiree spousal medical insurance premium is not offered to new hires.

Group Three: For District employees hired after August 1, 2014, effective upon successful completion of probation, the District will contribute two hundred fifty-seven (\$257) per month into a Retiree Health Savings Plan during the time the employees are employed at the District.

Effective the first full pay period following July 1, 2021, the District's contribution to the Retiree Health Savings Plan for Group 3 will be increased by five percent (5%) for a total District contribution of \$270.02 per month.

Effective the first full pay period following July 1, 2022, the District's contribution to the Retiree Health Savings Plan for Group 3 will be increased by two and one-half percent (2.5%) for a total District contribution of \$276.77 per month.

Effective the first full pay period following July 1, 2023, the District's contribution to the Retiree Health Savings Plan for Group 3 will be increased by two and one-half percent (2.5%) for a total District contribution of \$283.69 per month.

SECTION 4. LAYOFF AND REEMPLOYMENT~~7.~~ — Layoff and Reemployment

1. Reduction in Force – Reasons

Whenever, in the judgment of the District's Board of Trustees, a reduction in personnel is necessary for economic or operational reasons the District may decide to and implement a reduction in force and any employee may be laid off or demoted for non-disciplinary reasons.

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2. Notice of Layoff

1. The District shall notify an employee who has passed his or her initial probationary period, in writing, at least (30) calendar days prior to the effective date of the layoff.
2. Employees who have not passed initial probation are not entitled to layoff notice, bumping, or recall rights under this Article. Such probationary employees may be laid off at any time as determined by the District with or without cause or notice.

3. Continuous Service

Except as otherwise required by applicable law, continuous service excludes periods of non-paid disciplinary suspension, time on the District recall list following layoff onto inactive layoff status, and periods of non-paid leaves of absence. (Time spent on a workers' compensation leave, family and medical leave, military leave, paid family leave, and pregnancy disability leave do count toward continuous service.) Continuous service includes unbroken service before layoff onto inactive layoff status and following recall from inactive layoff status. Continuous service is otherwise broken and nullified by voluntary or involuntary termination of District employment or by expiration of the two-year time limit for recall from inactive layoff status.

4. Seniority Determination for Layoff Purposes

Employees will be laid off in the inverse order of their seniority in their classification in the department. Seniority is determined based on the length of employment in the affected classification in the department, higher classifications in the department, and in a classification that is substantially similar to, and/or a classification which has been merged with, the affected class for which the employee is still qualified. In the latter situations, time spent both in the immediately affected class and the higher or merged class will be combined to determine classification seniority.

Length of employment includes all days of employment in attendance at work and on authorized or legally-protected leaves of absence. Length of service does not include unauthorized periods of leave or suspension or layoff. Within each classification, employees will be laid off in the following order: temporary; part-time; probationary; and regular status. If two or more employees in a classification to be laid off have the same length of employment, the employee to be laid off will be decided by coin toss.

5. Displacement

Regular employees who are noticed for layoff and who have passed probation in a lower classification(s) within the same classification series in the same department, may displace employees in a lower classification in that series and department, provided that the employee seeking to displace the employee in the lower classification has greater length of employment than the employee in the lower classification. If the employee could bump into more than one lower classification, they shall bump to the highest of such classifications.

Employees in lower classifications will be displaced in inverse order of their length of employment in the classification. Any employee who seeks to displace another employee

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must provide the District Manager with written notice no later than five working days after the date of the notice of layoff.

F.6. — Transfer

If the District Manager determines that a regular employee who is subject to layoff is qualified to perform the duties in a vacant position that is budgeted and available, the employee will receive a written notice of option to transfer in lieu of layoff. An employee who does not accept a transfer within 10 days after the date of the written notice, forfeits the option to transfer. An employee who accepts a transfer will be paid the rate applicable to the position into which he or she transfers.

7. G. — Reemployment following Layoff

Regular employees who are laid off or demoted in lieu of layoff will be entitled to reemployment in the classification from which they were laid off or demoted if a vacancy in the classification occurs within two years of the date of lay off or demotion.

Each regular employee who has been laid off or demoted in lieu of layoff will be placed on a District reemployment list by classification in order of seniority in the classification. When a vacancy in the classification occurs, the top (most senior) person on the reemployment list will be offered, in writing, reappointment to the vacant position. Should the person not accept the reappointment within seven calendar days after the date of the offer, and/or be unable to begin work within two weeks after the date of acceptance, the person will be considered unavailable for employment and will be removed from the reemployment list. Whenever a person is unavailable for reemployment, the next senior person on the list will be offered reemployment.

8. H. — Pay Upon Displacement or Recall

1. An employee who bumps into a position in a lateral or lower classification will retain the numeric wage step held in the classification from which the employee was bumped without change in step advancement date.
2. An employee recalled from active layoff status into a position in a higher classification will remain on the same numeric step held in the classification from which the employee was recalled without change in step advancement date.
3. An employee recalled from inactive layoff status will be placed on the same numeric salary step the employee held at the time of placement on inactive layoff status with the same step advancement date the employee held at the time of placement on inactive layoff status.

9. I. — Alternative Procedures

Within the thirty (30) calendar days beginning from, and including the date the District gives notice of its intent to layoff one or more employees, the District Manager, or his or her designee, may meet with employees covered by the Resolution to discuss possible one-time exceptions to the normal application of the layoff and recall procedures set forth in this Article. The employees and District Manager may agree, in writing, to such exceptions, but

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may not purport to alter the pay rate on layoff or recall provided by the above language or modify the above language on an on-going basis unless affirmatively approved by vote of the District's Board of Trustees.

In addition, during the thirty (30) day period, the District and the employees covered by this Resolution may discuss and develop a written plan for a one-time-only severance or one-time-only early retirement incentive to address the impact of the layoffs on employees. However, such severance or early retirement incentive will not be authorized unless approved by the District Board of Trustees.

SECTION 5. LEAVES OF ABSENCE~~8. Leaves of Absence~~

All approval authority over leaves of absence exercised by the District Manager shall be final.

1. ~~A.~~ Management Leave

The ~~Assistant Manager~~employees covered by this resolution shall receive eight (8) days (sixty-four (64) hours) of management leave per fiscal year in recognition of the additional hours required in the performance of their job duties.

Management leave shall accrue at the end of the first full pay period following July 1st of each fiscal year in which it is accrued. Accrual of management leave ~~for the Assistant Manager~~employees covered by this resolution shall not exceed a cap of sixty-four (64) hours at any one time. Unused management leave as of the first full pay period following July 1st of each fiscal year will offset the new management leave accrual. Employees hired in FLSA exempt positions in the District mid-way through the fiscal year shall receive a pro-rated amount of management leave.

Use of accrued management leave shall be subject to the approval of the District Manager.

Exempt employees are required to use accrued leave (vacation, sick leave, CTO, management leave) for the time an employee is absent from work, whether the absence is a partial day or a full day, in accordance with District leave rules.

~~2.B.~~ Vacation

Employees shall accrue, and use and be compensated for Vacation Leave in accordance with Policy V-100, except that when circumstances warrant, for the purpose of recruiting lateral unrepresented executive employees, the District Manager, in their sole discretion, may count three years of commensurate experience with another employer as years of service with the District for the purpose of determining the level of vacation accrual, in order to allow a newly hired unrepresented employee to accrue vacation at the rate of three weeks (120 hours) per year. At this level, vacation accrues at the rate of ten (10) hours per month. The three years of commensurate experience will be added to the employee's actual years of service with the District for the purpose of determining future vacation accrual levels.

~~1.~~ Vacation Allowance

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Every regular, full time employee who is employed by the District as a full time employee is entitled to accrue vacation as follows:

~~Years of Service ————— Vacation Allowance~~

~~Years 1 and 2 ————— 6.66 hours per month/80 hours per year~~

~~2 years + 1 month — 8 years — 10.00 hours per month/120 hours per year~~

~~8 years + 1 month — 18 years — 13.33 hours per month/160 hours per year~~

~~18 years + 1 month — thereafter 16.66 hours per month/200 hours per year~~

~~For the purpose of this policy, "Years of Service" shall mean years of unbroken service with the District.~~

~~2. Accrual Cap~~

~~An employee's maximum accumulated vacation balance shall consist of an amount equal to his or her annual accrual amount, as set forth above, plus eighty (80) hours. UNLESS AN EXCEPTION APPLIES AS SET FORTH BELOW, AT NO TIME SHALL THE EMPLOYEE'S VACATION ACCRUAL EXCEED THIS CAP. When this cap is reached the accrual of vacation will cease until the employee has used vacation thereby allowing further accrual.~~

~~3. Exception to Vacation Accrual Cap~~

~~As discussed above, if an employee's accumulated vacation balance achieves an amount equal to his or her annual accrual amount, as set forth above, plus eighty (80) hours, further accrual of vacation will cease until the employee has used vacation thereby allowing further accrual. However, the District Manager, may allow the employee to exceed the applicable accumulation ceiling to accommodate the work requirements. The District Manager will work with the employee and develop a plan for the employee to use vacation leave to return the employee's vacation balance to or below the applicable maximum within a reasonable period.~~

~~4. Vacation Schedule~~

~~All vacation leave requests must receive prior administrative approval. Requests to use vacation leave must be received in writing at least five (5) working days prior to the first requested leave date. The District Manager may waive the five-day notice requirement and grant an employee's request to use vacation leave in case of an emergency (i.e.; accident or illness within the employee's immediate family. For purposes of this section, "immediate family" means spouse or registered domestic partner, the employee's child (including adopted or foster or a minor with whom the employee otherwise stands in loco parentis), parent. A doctor's note authenticating that the need for the leave was based on conditions of an emergency nature may be requested to verify the basis for the request.~~

~~5. Vacation Cash Out Upon Separation~~

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On separation or termination from District service, the District will compensate the employee for his or her accrued and unused vacation balance at the employee's regular ~~base~~-rate of pay.

~~6. Holiday During Vacation~~

~~If any such paid holiday as defined in Section 10.C, below falls within an employee's vacation leave, such holiday shall not be charged against the employee's vacation time.~~

~~7. Vacation Schedules in an Emergency~~

~~All vacation schedules are subject to suspension by the District Manager in case of a serious threat of mosquito or other vector borne disease.~~

~~2.C. Holidays~~

~~Employees will be provided Holiday Pay in accordance with policy H-200.~~

~~Qualifying for Holiday Pay~~

~~All employees, except temporary employees, shall be entitled to take all authorized holidays with full pay not to exceed eight (8) hours for any one (1) holiday.~~

~~An employee who is scheduled to work on a holiday and who fails to report for a scheduled work shift on any such holiday due to the employee's illness or the need to care for an immediate family member who is ill will be required to produce a note from a health care practitioner within three (3) work days of returning to work, stating that the employee was unable to work due to the employee's or immediate family member's illness. Failure to produce a doctor's note within the requisite time will result in the requirement that the employee use sick leave for the absence in lieu of receiving holiday pay.~~

~~An employee who is scheduled to work on a holiday and who fails to report for a scheduled work shift on any such holiday for any other reason may be subject to discipline for an unapproved absence.~~

~~Holidays Observed by the District~~

~~The following days shall be holidays for all employees occupying regular positions:~~

~~New Year's Day, January 1st~~

~~Martin Luther King Jr.'s Birthday~~

~~President's Day~~

~~Cesar Chavez Day, March 31st~~

~~Memorial Day~~

~~July 4th~~

~~Labor Day~~

~~Veteran's Day~~

~~Thanksgiving Day~~

~~Day after Thanksgiving~~

~~Christmas Day, December 25th~~

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~~Two (2) floating holidays~~

~~If a holiday falls on Sunday, the following Monday shall be observed as a holiday. If the holiday falls on a Saturday, the preceding Friday shall be observed as a holiday. By mutual agreement of employees and the District Manager, the day observed as a holiday may be changed from the actual day on which the holiday falls.~~

~~B4.-~~ Sick Leave

Sick leave will be handled in accordance with District Employee Manual Policy S-100 entitled "Sick Leave."

~~Sick Leave Cash Out at Separation~~

Upon separation or termination of service with the District, a non-probationary employee shall be reimbursed at a rate of fifty percent (50%) for the employee's accumulated sick leave. Unused sick leave accumulation for the purpose of payment at such time that the employee leaves the service of the District shall not exceed one hundred twenty-five (125) days.

~~C.-~~ 5. Bereavement Leave

In the event of a death in the immediate family of an employee, the employee shall, upon request, be granted up to five (5) ~~consecutive~~ working days in order to make arrangements, attend services, etc. In the event the employee is required to travel two hundred (200) or more miles (one way) for the service, the employee shall, upon request, be eligible to take one (1) additional working day of leave, for a total of six (6) ~~consecutive~~ working days. Accumulated sick leave or vacation time will be applied as bereavement leave. For the purposes of this paragraph, the family shall be defined as those relatives with an immediate familial relationship (spouse, registered domestic partner, natural or adopted children, employee's parents, grand parents or grand children, spouse's/registered domestic partner's parents, employee's siblings, or spouse's/registered domestic partner's siblings).

6. Job-Incurred Illness or Injury Leave

An employee of the District who has suffered a disability caused by illness or injury arising out of and in the course of the employee's employment, as defined by the Workers' Compensation laws of the State of California, shall be entitled to disability leave while so disabled without loss of compensation for the period of such disability to a maximum of ninety (90) calendar days.

During the period the employee is paid by the District, the employee shall endorse to the District any benefit payments received as a result of Workers' Compensation insurance coverage. The District reserves the right to withhold payment of any disability benefits until such time as it is determined whether or not the illness or injury is covered by Workers' Compensation.

If the employee's disability is caused by illness or injury arising out of and in the course of the employee's employment and extends beyond the ninety (90) calendar days described above, the employee may elect to integrate his/her unused sick and vacation leave with the

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Workers' Compensation payments, provided that the sum of the Workers' Compensation payments and paid leave does not exceed the employee's regular rate of pay for said period.

~~D. Military Leave~~

~~An employee who is a member of the National Guard or Naval Militia or a member of the Reserve Corps or the Federal Military, Naval, or Marine services and who is ordered to duty, shall be granted a leave while engaged therein. The District shall not compensate the employee during such leave, except as required by law.~~

~~The District shall provide health benefits to the family of an active military service member if the member was drafted or called up from inactive duty to active duty because of a national emergency of any kind as long as such benefits are not being provided by the military.~~

~~All employees who have been granted a military leave shall, upon their return to District service, be entitled to the automatic salary advancement within the range scale of the established wage schedule of their classifications for the period they were in the military.~~

~~E. Personal Leave~~

~~Consistent with the needs of the District, employees may be granted up to two (2) hours leave for medical and dental appointments. Such personal leave shall be charged to either sick leave or vacation leave.~~

7. Failure to Return After Leave

Failure to report for duty after a leave of absence request has been disapproved, revoked or cancelled by the District or at the expiration of a leave shall be considered an absence without leave. An employee whose leave of absence is revoked or canceled shall be notified of such action by registered mail at the employee's last known address.

~~SECTION 4. DISMISSAL, SUSPENSION, OR DEMOTION FOR CAUSE~~

~~Disciplinary action will be handled in accordance with District Employee Manual Policy D-200 entitled "Disciplinary Action."~~

~~A. Post-Discipline Appeal~~

~~For post-disciplinary appeals of unpaid suspensions, demotion, disciplinary reduction in pay and disciplinary discharge, the District and employee may agree to voluntary mediation.~~

1. Request for Mediation

~~A regular, for-cause employee may appeal from a final notice of appealable discipline by delivering a written answer to the charges and a request for mediation to be conducted by the California State Mediation and Conciliation Service (CSMCS). Such requests shall be in writing to the District Manager within ten (10) working days of the date the notice of discipline. Mediation shall be by mutual agreement of the District and the employee.~~

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~~The CSMCS representative shall meet with the parties to hear presentations on the details of the case and work with the parties in an attempt to settle the disciplinary appeal. If no settlement is reached, the CSMCS representative may make a recommendation to the District Manager.~~

~~2. Appeal to Board of Trustees Panel:~~

~~a. Request for Appeal Hearing~~

~~If the parties are unable to reach a mutually satisfactory accord on the appeal through mediation, or if the parties do not mutually agree to mediate the appeal, a regular, for-cause employee may appeal from a final notice of appealable discipline by delivering a written answer to the charges and a request for appeal to the District Manager or designee, who will forward the appeal to the Board of Trustees. Such referral must be made to the President of the Board of Trustees only through the District Manager, within ten (10) working days of the mediation with the CSMCS, or of the notice of a party's refusal to mediate. The Appeal hearing shall be handled in accordance with the District Employee Manual Policy D-200 entitled "Disciplinary Action."~~

SECTION 56. GRIEVANCES

1. Definition of a Grievance

A grievance is any dispute which involves the interpretation, claimed violation or application of any provision of this Resolution, excluding however, those provisions of this Resolution which specifically provide that the decision of any District Manager shall be final, the interpretation or application of those provisions not being subject to the grievance procedure. Complaints of harassment, discrimination, and retaliation based on protected class or activity shall be handled in accordance with District's policy against Workplace Harassment, Discrimination and Retaliation and shall not be subject to the grievance procedure. In addition, a grievance does not include disciplinary actions.

All complaints involving or concerning the payment of compensation shall be initially filed in writing with the District Manager. Only complaints that allege that employees are not being compensated in accordance with the provisions of this Resolution shall be considered.

Grievances shall be processed in the following manner:

Informal Step - Immediate Supervisor:

Any employee who believes that a grievance exists may discuss the complaint with his/her immediate supervisor. If the issue is not resolved at this step or if the employee elects to submit the grievance directly to the District Manager, the procedures hereinafter specified may be invoked.

Step One - Formal Grievance to District Manager:

Any employee may notify the District Manager in writing that a grievance exists, stating the particulars of the grievance and if possible, the nature of the determination desired. In order to be considered as valid, such grievance must be submitted within ten (10) working days of the event giving rise to the grievance or the date that the employee had reasonable knowledge of the event. The District Manager shall investigate the issues, meet with the complainant and attempt to reach a satisfactory resolution of the problem. The District Manager shall respond to the complainant in writing within fifteen (15) working days of receipt of the grievance at this level. No grievance may

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be processed under paragraph (3) and (4) below which has not first been filed and investigated in accordance with this paragraph.

Step Two - Grievance Mediation:

Any grievance which has not been resolved by the procedures hereinabove set forth may be referred by the employee to grievance mediation to be conducted by the California State Mediation and Conciliation Service (CSMCS). Such referral shall be in writing to the District Manager within ten (10) working days of the date the District Manager's response was issued in Step 1 above. The CSMCS representative shall meet with the parties to hear presentations on the details of the case and work with the parties in an attempt to settle the grievance.

Step Three - Board Hearing:

If the parties are unable to reach a mutually satisfactory accord on any grievance which arises such grievance may be referred by the employee to a Board panel, appointed by the Board of Trustees, consisting of three (3) Board of Trustee members, for a hearing and advisory determination.

If an employee fails to file a letter requesting a grievance hearing within the time specified, the District Manager's decision shall become final without further action.

Such referral must be made to the President of the Board of Trustees only through the District Manager, within ten (10) working days of the' grievance mediation with the CSMCS. The letter requesting a grievance hearing before the Board must state the name of the employee, the date and nature of the decision appealed, the ground(s) of the appeal, and all specific facts or omissions upon which the appeal is made. This referral letter to the President as well as the written response from the District Manager in Step 2 will be the only information communicated to any Board member prior to the actual grievance presentation to the Board.

The Board-appointed, three-person panel shall hold a hearing not later than 60 days from the date of filing the appeal, unless otherwise agreed to by the parties. After hearing the grievance, the Panel will issue an advisory decision as to the grievance in writing.

Within thirty (30) working days of the Panel's advisory decision, the Board of Trustees will review the advisory decision and either adopt, modify, or reject that decision as a final decision on the grievance, to the extent permitted by the laws of the State.

Judicial review of any decision of the Board of Trustees may be had pursuant to Section 1094.5 of the California Code of Civil Procedure only if the petition for writ of mandate pursuant to such section is filed within the time limits specified in this section. Pursuant to Code of Civil Procedure 1094.6, any such petition will be filed not later than the ninetieth (90th) day following the date on which the Board of Trustees gives written notice of the final decision.

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EXHIBIT A:

INSERT CLASSIFICATIONS AND SALARY SCHEDULE

| <u>Position</u> | <u>Minimum Base Salary</u> | <u>Maximum Base Salary</u> |
|--|----------------------------|----------------------------|
| <u>Assistant Manager</u> | <u>\$151,200</u> | <u>\$174,960</u> |
| <u>Administrative Services Manager</u> | <u>\$140,000</u> | <u>\$162,000</u> |

Manager's Report

- A milestone occurred in the facilities expansion project last month when biologists from SOL Ecology performed a process known as a “wetlands delineation” in the areas of interest on the grounds. This process can only be performed at certain specified times of the year. While we await the results, we are discussing functions, seating and space needs with staff before the Architect prepares more detailed layout options.
- Following Cal/OSHA's promulgation of COVID-19 Prevention Non-Emergency Regulations, we met with the Western Council of Engineers and employee representatives to discuss the implications of the recent changes. Presently we are following up on some questions raised during the talks, and hope to reach agreement soon on a revised COVID-19 Prevention Plan (CPP).
- Following a successful recruitment process, we are looking forward to welcoming the new Administrative Services Manager to the District staff on June 1, 2023.
- Consistent with the Board's February 2023 approval of a part-time HR Specialist position, we are drafting minor revisions to the District Employee Policy Manual to bring its provisions into alignment with the creation of this new part-time regular hire position that is eligible for prorated medical benefits.
- As of press time, the balance in District's OPEB trust account for retiree future medical benefits had risen slightly to \$7.89M. Last year, the low point was \$7.3M. The pension prefunding trust (CEPPT) balance remains in positive territory at \$1.75M.
- District PIO Nizza Sequeira has commenced the advertising campaigns for 2023. These encompass a variety of media, including newspaper articles, digital advertising, billboards, bus shelter signs, and OTT. The term OTT (over-the-top) is a means of providing television and film content over the internet on request and to suit the requirements of the individual consumer. This method is conducive to allowing ads to be placed strategically.
- Upcoming public outreach events include the new “Touch Trucks Day” in Larkspur, at which we will display an amphibious Argo vehicle towed on a trailer by a standard District truck. Also, we will have a booth at the Marin County Fair.
- Working with the consulting firm of Ascent Environmental, we have made some incremental progress on initiating the project to prepare an Addendum to the District's Programmatic Environmental Impact Report (PEIR). The PEIR studied the District's comprehensive Integrated Vector Management Program. Ascent

hopes to release pricing for the project, the costs of which would be shared with six other Bay Area mosquito districts. We will make a further report to the Board at the June 14, 2023 meeting.

- President Snyder advises that the Board will hold its next regularly scheduled meeting on June 14, 2023. A short Special Meeting will be held in early June to comply with AB361 requirements.

Assistant Manager's Report

- The District is receiving a substantial amount of service requests related to treehole mosquitoes and biting pressure. The Administrative Clerk and Temporary Receptionist process the requests and provide information to residents. The Vector Control Technicians and Field Supervisors respond to the requests, educate residents, assist with source reduction when applicable, and control adult mosquito populations when possible.
- Many seasonal water sources, including wetlands, still contain substantial amounts of water and require mosquito surveillance and control. However, many of these sources are drying down rapidly. This is surprising given how full they were after the heavy winter rains.
- Field and laboratory staff are finding and identifying substantial populations of mosquito larvae in the genus *Culex*. The populations include *Culex tarsalis* (western encephalitis mosquito), which is the primary vector of West Nile virus in California. Staff are working diligently to control these mosquitoes in the aquatic, larval stage.
- Mosquito surveillance and control is occurring in tidal marsh habitats after high tides generally six feet and greater in magnitude.
- Laboratory staff are managing adult mosquito trap lines in Marin and Sonoma counties and performing tick surveillance. Dermacentor ticks, e.g., *Dermacentor variabilis* the American dog tick, have recently become prevalent. Staff are also working on mosquito larvicide efficacy trials in the laboratory.
- There is a substantial amount of water in the Laguna de Santa Rosa. The creeping water primrose (*Ludwigia spp.*) is growing and spreading rapidly. So far, we have not found mosquito production. However, it is likely that production will occur and larvicide treatment will be necessary.

- In April, we welcomed Danielle Wheeler to our team. Danielle is working in the Source Reduction/Wastewater Specialist position. Her primary focus will be carrying out the District's Integrated Vector Management Program relative to irrigation with recycled water on agency and privately owned ranchlands.
- We are in the final stages of recruitment for seasonal positions in the laboratory and operations departments. We anticipate onboarding staff in early May.
- Operations staff worked with a vendor to analyze and calibrate the droplet output for the District's ultra-low volume (ULV) handheld and vehicle mounted adult mosquito control equipment.