

THE MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT - UNDER THE MICROSCOPE

SUMMARY

The Marin/Sonoma Mosquito and Vector Control District (MSMVCD) is charged with preventing, eliminating, and controlling a variety of vectors in our county. Vectors are pests that can carry and transmit diseases that are harmful to animals and humans. They include mosquitoes, rodents, yellowjackets, ticks, lice, and fleas. According to its website, the district monitors pest control for over 715,000 residents in an area of nearly 2,100 square miles.

The 2011-2012 Civil Grand Jury's investigation of the MSMVCD was prompted by a citizen complaint and numerous articles in The Press Democrat. The Grand Jury focused on three main concerns: tick and Lyme disease education; financial transparency; and district manager/board actions. Specific issues included: the size of the reserve fund; whether salaries were inflated; increased spending during a period when other county agencies were cutting back; accessibility of budget information to the board and public; tax assessment differences for different areas of the county; and accountability and oversight.

The MSMVCD is a special district with a volunteer board of 24 members, appointed by cities in both Sonoma and Marin Counties and by the two Boards of Supervisors. All special districts are governed only by their boards with little oversight by city or county agencies. Grand Jury investigations of special districts provide a level of accountability to the taxpayers. Available records indicate that the MSMVCD has not been reviewed previously by a Sonoma County Civil Grand Jury.

During the course of the investigation, we interviewed numerous members of the Board of Directors, district employees, staff of the Public Health Department, and members of the public who use the services of the district. We also reviewed relevant documents (see Bibliography).

The Grand Jury found that mosquito control is the primary emphasis of the district (tick control is not feasible). Due to citizen advocacy this past year, MSMVCD increased efforts for tick and Lyme disease education. The Grand Jury recommends that these efforts continue and that the educational staff be expanded to assist the well-run, popular general education program. The Grand Jury generally found that financial issues were in sync with industry standards. However, financial transparency and professionalism have at times been lacking. It is recommended that the district change auditors every five years for financial integrity, provide copies of budgets when asked by interested parties, and foster professionalism in being open and responsive to the public. Those we spoke with praised the field technicians and lab and educational staff. The district has just hired a new manager. After more than thirty-five years



of service in different capacities as an employee of MSMVCD, the former district manager has retired. The district is in excellent shape. It has modern facilities, state-of-the-art equipment, and the financing necessary to accomplish its goals.

APPROACH

During the course of the investigation, the Grand Jury interviewed 14 people, including past and present board members, staff members of various levels, members of the public with a vested interest, county tax assessors, and an administrator of the Public Health Department. A variety of documents were reviewed including four years of audit reports, six years of budgets, summaries of assessments, board meeting minutes, newspaper articles, state health and safety codes, and district manuals and educational materials. The Grand Jury conducted website research of other vector control districts in California. The Grand Jury also attended two board meetings and toured the facilities including the lab, mosquito fish production tanks, offices, and the garage/maintenance shop for all equipment and vehicles.

DISCUSSION

Tick and Lyme Disease Education

The educational outreach of the MSMVCD is accomplished through presentations in schools and to community groups, displays at public events, written materials, the district website, public service announcements, and with direct advice when contacted by the public. Two formal in-class programs are offered at no cost to schools in Marin and Sonoma Counties: Mosquito School (Kindergarten-8th grade) and Yellowjacket School (K-1st grade, and 4th grade). The education specialist on staff is responsible for over 250 presentations per year. He has a full workload and a standing list of teachers waiting for classroom presentations.

Mosquitoes have been and are the main MSMVCD priority. This is reflected as well in their education program. Ticks are mentioned as an example of a vector in the school presentations, but according to the education specialist, there is no time in the current curriculum for more.

A citizen advocacy group for tick and Lyme disease education attended the majority of board meetings in 2011. Individuals shared their personal experiences of Lyme disease and encouraged more public awareness and education. In the summer of 2011, the district manager founded a tick advisory group with some of these concerned citizens. MSMVCD also added tick information to their website in 2011 and tick education was introduced into the 2011 summer programs.

According to those interviewed, the district focuses on mosquitoes because public health risks for mosquito-borne diseases like West Nile can be fatal. Prevention (e.g., treating areas of standing water where mosquitoes breed) and control measures (e.g., targeted spraying) are clear and doable. Ticks are widely dispersed and cannot be controlled by the methods that work with mosquitoes. Therefore, citizen education is the main way to deal effectively with ticks.

Whereas it is true that mosquito control is of primary importance for the district, all other vectors common in this area, including ticks, pose health risks. Current efforts to keep the public informed about such pests could be expanded.

Financial Operations

The Grand Jury looked into why MSMVCD tax assessments varied for different parts of the county. The district's funding comes primarily from two types of tax revenues. Half comes from property taxes. The other half comes from direct charge assessments which all property owners pay, though not all owners pay the same amount. Parcels in Sonoma County are in one of two assessment areas. Those in the original district service area (effectively the more densely populated eastern portions of both Sonoma and Marin), pay an average annual direct charge of \$10.72. The voters living in the service areas annexed in 2004 due to Proposition 218 (the more rural and coastal areas of both counties) approved a direct charge assessment averaging \$19.36 a year. Within each assessment area, there is occasionally some variance of charge based on certain acreage and on the need for greater or lesser abatement servicing.

The County Tax Assessor's office has no authority to exercise checks and balances over the funding of any special district. The Assessor's office does not evaluate the numbers given to them by the district. The district provides exact numbers for the direct charge assessments, not percentages. The only oversight for funding is the MSMVCD's own board. The board votes on direct charge assessment amounts after public hearings, following the recommendations of an outside private assessment engineer.

The MSMVCD appears to be on sound financial ground. They have a fairly new building that they paid off in five years. They have a state-of-the-art lab and new trucks and equipment. Solar panels were installed last year to reduce energy costs. The facilities are in good repair and kept meticulously clean. The district maintains a sizable reserve fund to meet legislated requirements and future needs (including unpredictable mosquito and other vector infestations which can vary widely from one year to the next). Staff salaries are commensurate with those in other vector control districts.

The district board sets a budget based on the district's perceived needs. They can adjust the tax rate as necessary to support those needs after due legal process (see footnotes 1 and 2). The current direct charge assessments have not been raised or lowered for several years.

Past budgets were not always readily accessible, even to board members. The Press Democrat plus four of the people interviewed by the Grand Jury expressed an inability to get budget information from the district. Two of these cases occurred in board meetings. This past year complete figures were not included in the budget packet with the board agenda. The matter was explained as an oversight and was resolved. The Grand Jury itself was freely given detailed budget material as often as requested.

The Grand Jury examined four years of auditor reports. The 2007 audit cited these problems: there was no manual of accounting practices, payables and receivables were not separately handled, some checks were paid without accompanying invoices, and there were undocumented credit card payments. More of the same issues were identified in the 2008 and 2009 audits with a recurrent warning of the need to separate payables and receivables. The 2010 audit did not flag these issues.

The district manager is legally responsible for the district finances (see footnote 3). The day-to-day financial operations are controlled by the financial benefits manager. An administrative assistant has recently been trained to assist, but financial control continues to remain largely in the hands of one person.

The auditor for the MSMVCD has not been changed in ten years. In 2011 the district received bids from six

auditors. According to board and staff members, the district manager received a negative reference on one of them and ran out of time to pursue the others. The current auditor was retained for one more year.

District Manager/Board Actions

The MSMVCD's district manager retired in November of 2011 after over 35 years working for the district, the last 15 as manager. A new district manager was hired.

The MSMVCD board has 24 positions. Representation is mandated by law (see footnote 4). Two of the 24 board positions are unfilled (Cloverdale and Belvedere). Past and present board members interviewed cited the size of the board as a difficulty. There are approximately two board members for every three employees in the district (22 current members and roughly 35 full-time employees). Since the size of the board cannot be reduced and since the effectiveness of the board is hampered by its size, board committees are the logical place for most of the detailed work to be done.

Board members, including some longtime members, did not agree about the way revenues are actually generated. Each of the five board members interviewed gave a different explanation for differing zone 1 and zone 2 assessments. Clear understanding of the district's funding methodology was lacking.

Information from interviewees, board minutes, and direct observations by Grand Jury members at board meetings, revealed a need for greater professionalism in public meetings. The advocates for tick and Lyme disease information were sometimes targeted with negative comments at board meetings and were engaged in some heated exchanges. Public comments and board responses were not always restricted to agenda times.

One board member interviewed spent a day in the field with an abatement staff member, and found it to be both informative and useful. MSMVCD would profit if all board members had a similar experience in their terms.

Throughout the investigation, the Grand Jury examined numerous issues which had been raised in the public arena. While identifying some areas that could be improved, the Grand Jury concluded the Marin/Sonoma Mosquito and Vector Control District is a well-functioning public agency providing important services to the community. The board and staff are dedicated to the district and its mission.

FINDINGS

- F1. MSMVCD's tick educational efforts in 2011 were a result of citizen advocacy.
- F2. The current educational specialist has a full workload with a waiting list of teachers seeking classroom visits.
- F3. MSMVCD puts minimal emphasis on vectors other than mosquitoes and yellowjackets in its educational outreach.
- F4. Although MSMVCD appears financially sound, at times transparency is lacking.
- F5. There is at times a lack of professionalism in dealing with the public.
- F6. Board training could be improved.

RECOMMENDATIONS

- R1. Maintain up-to-date tick information on the MSMVCD website.
- R2. Expand the educational staff.
- R3. Change auditors this fiscal year and consider doing so every five years.
- R4. Provide copies of budgets to anyone who requests them.
- R5. Educate the MSMVCD board on the various ways taxes are assessed.
- R6. Schedule MSMVCD board members to spend time in the field with a technician during each term of office.
- R7. Foster professionalism in being open and responsive to the public.



REQUIRED RESPONSES

Pursuant to Penal Code Section 933.05, the Grand Jury requires responses from the following:

- MSMVCD District Manager - R1, R2, R4, R5, R6, and R7
- MSMVCD Board - R2, R3, R4, and R7

The governing body indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

BIBLIOGRAPHY

- MSMVCD Audit reports (2007-2010)
- MSMVCD Budgets (2006-2012)
- Historical Summaries of Assessments by County (Marin and Sonoma) for 2000-2012
- Minutes of all 2011 MSMVCD board meetings
- All local newspaper articles mentioning MSMVCD in 2011
- State health and safety codes (Sections 2871.7, 2871.8, and 2021)
- MSMVCD organizational chart
- MSMVCD employee and trustee roster
- MSMVCD salary schedule for 2010
- MSMVCD Trustee Reference Manual
- 2011 Tick and Tick-Borne Disease Prevention Outreach Update
- MSMVCD education specialist's presentation log (5 years)

Footnotes

1. California Health and Safety Code, Section 2871.7. After a public hearing, the district board shall determine the rate of the tax.

2. California Health and Safety Code, Section 2871.8.

(a) Whenever it appears to the district board that the amount of funds required during an ensuing fiscal year will exceed the amount available, the district board may call an election to submit to the electors of the district the question of whether a special tax shall be voted for raising the additional funds, pursuant to Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code.

3. California Government Code, Section 61051. The general manager shall be responsible for all of the following:

.....

(d) The supervision of the district's finances.

4. California Health and Safety Code, Section 2021. Within 30 days after the effective date of the formation of a [vector control] district, a board of trustees shall be appointed as follows:

.....

(d) In the case of a district that is located in two or more counties and contains both incorporated territory and unincorporated territory, the board of supervisors of each county may appoint one person to the board of trustees, and the city council of each city that is located in whole or part within the district may appoint one person to the board of trustees. If those appointments result in less than five persons, the board of supervisors of the principal county shall appoint enough additional persons to make a board of trustees of five members.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.