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AUG 21 2012

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SONOMA  
BY: *[Signature]* DEPUTY CLERK

Approved: *[Signature]*  
Superior Court Judge  
Date: AUG 21 2012

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Philip D. Smith  
District Manager

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August 14, 2012

The Honorable Rene Auguste Chouteau  
Presiding Superior Court Judge  
Foreperson Steve Larsen  
Sonoma County Grand Jury  
P.O. Box 5109  
Santa Rosa, CA 95402

Re: The Marin/Sonoma Mosquito & Vector Control District – Under the  
Microscope  
Grand Jury Report Date: June 27, 2012

Dear Judge Chouteau & Foreperson Larsen:

As the new District Manager of the Marin/Sonoma Mosquito and Vector Control District, I appreciate the Grand Jury's work on the above-named Grand Jury Report and the opportunity to respond to the Findings and Recommendations 1, 2, 4, 5, 6 and 7.

The District's prior Manager retired on December 31, 2011 and I was not contacted by the Grand Jury until just before the publication of the report in June 2012. That being the case, I do not have direct knowledge of some of the instances referred to in the Grand Jury's report. Nevertheless, I have tried to respond in as full a way as possible using the sources of information available to me.

Please contact me if I can supply any further information.

Sincerely,

*[Signature]*

Philip D. Smith  
District Manager



## RESPONSE TO GRAND JURY REPORT FORM

Report Title: The Marin/Sonoma Mosquito and Vector Control District – Under the Microscope

Report Date: June 29, 2012

Response by: Philip D. Smith. Title: District Manager

Agency/Department Name: Marin/Sonoma Mosquito and Vector Control District

### FINDINGS:

I agree with the findings numbered: F1, F2, and F6

I disagree wholly or partially with the findings numbered: F3, F4, and F5

(See attached statement specifying portions of the findings that are disputed and an explanation of the reasons therefor).

### RECOMMENDATIONS:

Recommendations numbered R1, R4, R5, R6, & R7 have been implemented.

(See attached summary describing the implemented actions.)

Recommendation R2 requires further analysis.

(Attached is an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)

Date: August 14, 2012 Signed: 

Number of pages attached: 2



**FINDINGS:**

*F3 MSMVCD puts minimal emphasis on vectors other than mosquitoes and yellowjackets in its educational outreach.*

**Response:**

The current Manager began employment with the District at the end of 2011. The prior Manager retired on December 31, 2011. Based on staff testimony, the current Manager agrees that at the time of the Grand Jury's investigation, the main emphases of the educational program were mosquitoes and yellowjackets. Since the curriculum is science-based and time in the classroom is limited by various factors, there are sound educational reasons for teaching the mosquito life-cycle. It is relatively straightforward and illustrative of the principles of insect reproduction, development and metamorphosis while clearly demonstrating the potential for transmission of diseases to humans and animals.

The educational program has been revised and now includes age-appropriate information on ticks and rodents as well as mosquitoes and yellowjackets. A tick education packet for use by parents and teachers is currently under development. The packet will help the organizers of field and camping trips protect children from tick-borne diseases.

*F4. Although MSMVCD appears financially sound, at times transparency is lacking.*

**Response:**

The current Manager entered employment with the District at the end of 2011 and therefore does not have direct knowledge concerning this issue. However, based on discussions with the prior Manager, Board Members, staff and a review of the Board minutes and press articles it is reasonable to conclude that during the time of the Grand Jury's investigation, there were isolated instances where the transparency of financial information could have been improved.

For fiscal year 2012/13, a new budget narrative presents an overview, explanation and analysis of the approved budget, including a review of the District's income, operational expenditures, capital projects, reserves and balances. The approved budget now depicts three years of income and expenditure for comparison purposes. To enhance the clarity and transparency of the annual budget, staff extensively revised the budget format and provided simpler and clearer nomenclature for many of the categories. This format will be continued and expanded upon in future budget years.

**F5.** *There is at times a lack of professionalism in dealing with the public.*

**Response:**

The current Manager began employment with the District at the end of 2011 and therefore does not have the first-hand knowledge necessary to form a judgment concerning this issue. See response to Recommendation 7 for an explanation of the organizational changes that may have a bearing on this Finding.

**RECOMMENDATIONS:**

**R1.** *Maintain up-to-date tick information on the District's web site.*

**Response:**

This recommendation has been implemented. The District's web site has been completely redesigned and now contains current information on ticks and tick-borne diseases. Topics covered include: tick identification, life cycle & habitats, impacts to human health, tick control measures, exposure prevention measures and links to authoritative resources such as the CA Department of Public Health and the Centers for Disease Control.

**R2.** *Expand the educational staff.*

**Response:**

This recommendation requires further analysis. The Manager agrees that, in principle, it would be desirable to enhance the Educational Outreach and Public Relations programs. It is noteworthy that the Marin/Sonoma District is one of only a handful of similar Districts in the state to operate a full-time education program in K-12 school classrooms. Each year, as part of its educational efforts, the District maintains a booth stocked with educational materials and exhibits at dozens of public events such as fairs, festivals and farmer's markets. At these events, staff members provide information and education to tens of thousands of visitors each year.

Additionally, all the District's technicians incorporate an educational approach when providing vector control services to the public, especially in residential settings.

District staff is in the process of examining the feasibility of adding a part-time position to assist the Education Specialist and Public Relations Director.

Factors under examination include the current and forecast demand for classroom presentations, the cost of employing an additional staff member, the level of supervision required of such an employee and the capacity of existing staff to supervise and direct the work of an additional employee. The approved budget for fiscal year 2012/13 does not anticipate an excess of income over expenditures sufficient to

support a full-time employee. Following analysis, staff will make a recommendation to the Board of Trustees for their consideration. The analysis will be presented to the Board at, or before its scheduled meeting on November 14, 2012.

**R4. *Provide copies of budgets to anyone who requests them.***

**Response:**

This recommendation has been implemented. The Manager agrees that transparency with respect to the District's financial documents is imperative.

District staff has been instructed to provide a printed or electronic copy of the Budget upon request to anyone. The Approved Budget for FY 2012/13 is posted on the District's enhanced web site and was provided to Board members and the public at meetings of the Board of Trustees. A new, explanatory Budget Narrative section provides a detailed discussion of the overall budget, including a retrospective look at the accomplishments and spending patterns of the prior Fiscal Year. At the Board President's request, side by side comparisons showing three years of income and expenditure patterns are now provided.

**R5. *Educate the MSMVCD Board on the way the various taxes are assessed***

This Recommendation has been partially implemented and further measures will be taken.

Missing from the Grand Jury's report was any mention of the two Engineer's reports that are prepared and presented to the Board each year prior to the Board's ordering of the levy for the coming fiscal year. These reports contain detailed information concerning the assessment of benefits accruing to property owners as a result of the District's provision of vector control services. These reports form a key part of the District's annual budget and also refer to the District's yearly share of the ad valorem property taxes. The Assessment Engineer and his staff made several visits to the Board of Trustees meetings during 2012. A presentation summarized the District's income from property taxes and invited questions from Board members.

The Manager is working with the Board's Vice-President to prepare a Policy Manual for the Board of Trustees that will include detailed information on how the District receives its income. Supplementing this document is a recently-released and informative Trustee Reference Manual prepared by the Mosquito and Vector Control Association of California. During 2012, the Board President and a member of the Budget Committee attended specialized training entitled "The Board's Role in Finance and Fiscal Accountability." This training module will be offered again in 2012 in Northern California by the California Special Districts Association.

**R6. Schedule the MSMVCD Board Members to spend time in the field with a technician during each term of office.**

**Response:**

This recommendation has been implemented. A memorandum has been issued to Board Members inviting them to spend time in the field with a Vector Technician. To date, several Trustees have availed themselves of this opportunity.

**R7. Foster professionalism in being open and responsive to the public.**

**Response:**

This recommendation has been implemented. The Manager agrees that professionalism, openness to public comment and responsiveness are key tenets of good governance. The Board has formed a Public Outreach Committee, whose charge is to examine new ideas and concepts from the public and interest groups; be attentive to public comment at meetings and to follow-up and make recommendations to the full Board of Trustees.

Additionally, at the beginning of 2012, the Board and staff worked together to retain the services of a General Counsel, who now attends all meetings of the Board. The General Counsel is immediately available to advise on matters of a legal nature, and to ensure compliance with applicable statutes such as the Ralph M. Brown Act.

The District Manager and the Scientific Programs Director have attended public meetings of tick-borne disease support groups in Sebastopol and Santa Rosa. The tick advisory group referred to on the second page of the Grand Jury Report now meets quarterly and has been renamed the Tick-borne Disease Advisory group. It is comprised of three Trustees, certain community advocates and District staff. From time to time, staff from other agencies such as the Sonoma County Public Health Department participates in the meetings.