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July 23, 2015

The Honorable Marie Sovey Silveira, Presiding Judge
Stanislaus County Superior Court
PO Box 3488
Modesto, CA 95253

RECEIVED

JUL 27 2015

Civil Grand Jury

**SUBJECT: Stanislaus LAFCO's Invited Response to the 2014-2015 Civil Grand Jury Report
Case 15-05C – East Side Mosquito Abatement District**

Dear Judge Silveira:

The Stanislaus Local Agency Formation Commission ("Stanislaus LAFCO") is in receipt of the Stanislaus County Civil Grand Jury's Final Report Case 15-05C concerning the East Side Mosquito Abatement District. On behalf of the Stanislaus LAFCO, this letter constitutes the Commission's invited response to the Civil Grand Jury Report, specifically in regards to the following finding:

R4. *The Stanislaus County Board of Supervisors should prepare a study to examine the feasibility of consolidating the ESMAD and TMAD by LAFCO.*

In 2013, a Municipal Service Review (MSR) and Sphere of Influence (SOI) Update was last prepared for the East Side and Turlock Mosquito Abatement Districts. By state law, Stanislaus LAFCO prepares MSRs and SOI updates for each independent special district every five years. These documents contain, among other things, an agency's ability to provide services within its boundaries. MSR's are also required to be adopted and/or prepared if an agency intends to request a change or modification to its sphere of influence.

As mentioned in the 2013 document (attached for your reference), there have been past discussions regarding the consolidation of the two mosquito abatement districts, with the conclusion that consolidation would not produce any sizeable efficiencies or savings. In part, this is due to the size of the County, and multiple field offices would be required in either case. Further complicating the matter is that the Districts were formed under different principal acts, with each having different authorities, including how the Districts are governed (6 Trustees v 8 Trustees) and/or appointed (by the Board of Supervisors or by the residents within the District's respective cities and the Board of Supervisors).

Stanislaus LAFCO is hopeful that the Civil Grand Jury will find the above invited response helpful. Should you or the Civil Grand Jurors have any questions, please feel free to contact the LAFCO Staff at (209) 525-7660.

Sincerely,



Jim DeMartini, Chairman
Stanislaus Local Agency Formation Commission

Attachment: 2013 Municipal Service Review and Sphere of Influence Update for the East Side and Turlock Mosquito Abatement Districts, Adopted July 24, 2013

cc: Judy Navarro, Foreperson, 2014-2015 Stanislaus Civil Grand Jury
Lloyd Douglass, General Manager, East Side Mosquito Abatement District
David Heft, General Manager, Turlock Mosquito Abatement District

**STANISLAUS COUNTY CIVIL GRAND JURY LETTER
DATED JUNE 17, 2015**

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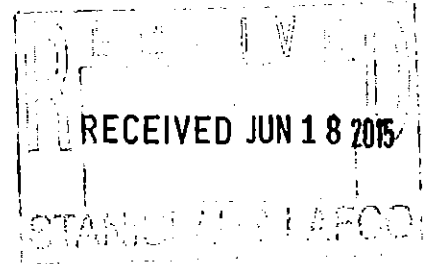
Case No. 15-00000



STANISLAUS COUNTY CIVIL GRAND JURY

Post Office Box 3387 • Modesto, California 95353 • (209) 558-7766 • Fax (209) 558-8170

June 17, 2015



CONFIDENTIAL

Ms. Marjorie Blom
Executive Officer
Stanislaus LAFCO
1010 10th Street, 3rd Floor
Modesto, CA 95354

Dear Ms. Blom:

The Civil Grand Jury is providing you a copy of the section of the Civil Grand Jury final report relating to the East Side Mosquito Abatement District. The Grand Jury will release the report to the public two working days after you receive your copy. The Penal Code prohibits you from disclosing any contents of the report prior to its public release (Penal Code Section 933.05 (f)).

You are invited to respond to the findings and recommendations. Your response should be submitted to the Presiding Judge of the Superior Court, the Honorable Marie Sovey Silveira, at PO Box 3488, Modesto, CA 95353. Please submit a hard copy of your response and an electronic copy in Word or PDF format. We are enclosing guidelines that may be helpful as you prepare your response.

Sincerely,

Judy Navarro
Foreperson
2014-2015 Civil Grand Jury

Attachment: Report 15-05C

By hand delivery

HOW TO RESPOND TO FINDINGS & RECOMMENDATIONS

Responses

The California Penal Code §933(c) specifies both the deadline by which responses shall be made to the Civil Grand Jury Final Report recommendations, and the required content of those responses.

Deadline for Responses

All agencies are directed to respond to the Presiding Judge of the Stanislaus County Superior Court,

- Not later than 90 days after the Civil Grand Jury submits a final report on the operations of a public agency, the governing body of that agency shall respond to the findings and recommendations pertaining to the operations of that agency.
- Not later than 60 days after the Civil Grand Jury submits a final report on the operation of a County agency, the elected head governing that agency shall respond to the findings and recommendations pertaining to the operations of their agency.
- Information copies of responses pertaining to matters under the control of a county officer or agency are to be sent to the Board of Supervisors.
- A copy of all responses to the Civil Grand Jury reports shall be placed on file with the clerk of the public agency and the Office of the County Clerk, or the city clerk when applicable.
- One copy shall be placed on file with the applicable Civil Grand Jury by, and in the control of, the currently impaneled Grand Jury, where it shall be maintained for a minimum of five years.

Content of Responses

For each Civil Grand Jury findings and recommendations, the responding person or entity shall report one of the following actions:

- The respondent agrees with the finding
- The respondent disagrees wholly or partially with finding and shall include an explanation.
- The recommendation has been implemented, with a summary regarding the implemented action.
- The recommendation has not been implemented, but will be implemented in the future, with a time frame for implementation.
- The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame if it is to be implemented later.

METHODOLOGY

The investigation included interviews with:

- District manager
- Full-time and seasonal technicians
- Biologist
- Foreman
- Board members
- Stanislaus County Public Health Officer.

Members of The SCCGJ attended a board meeting, consulted with the Stanislaus County Auditor, and conducted a site visit after the seasonal workers returned to work. For comparative purposes, a tour of the Turlock Mosquito Abatement District (TMAD) was also conducted and our observations were used to evaluate operations of ESMAD.

Requests were made for Board minutes, technician logs, staffing and pay scale information, job descriptions, budgetary information, and preliminary audit reports. ESMAD was very accommodating in providing the requested information.

DISCUSSION

During the course of the investigation, some issues were discovered that were not listed in the original complaint. The SCCGJ concluded these items were significant enough to be included in the findings and recommendations. During the interviews, it became apparent that there were two perspectives of the working conditions in the District. The Board members and management conveyed one viewpoint, while the supervised seasonal and year round employees presented another. The lack of oversight by the Board, and the intimidation the employees feel in dealing with the foreman, have both contributed to the situation. The two Board members interviewed gave the SCCGJ the impression that the Board takes a "hands off" approach and allows the Manager great latitude in the day to day operation of the District. The Board members also expressed they were generally satisfied with how the District is being managed, and they did not see the need to make any changes to the current operations. However, according to the County Health Officer, the job of mosquito abatement is an ever-changing one and requires adapting to the current conditions and having the ability to evolve as needed, particularly given the challenges presented by the West Nile virus and changing climate. As a comparison, TMAD has a larger year-round staff and is more forward thinking and proactive in their abatement methods. For an example, TMAD concentrates on treating with larvicide early in the mosquito life cycle whereas ESMAD utilizes more adulticide spraying. The review of ESMAD's budget shows they are fiscally conservative with a \$5,000,000.00 reserve. Expanding the year round staff would allow a more proactive approach toward mosquito abatement without significant cost increase.

**2014-2015 FINAL REPORT CASE 15-05C –
EAST SIDE MOSQUITO ABATEMENT DISTRICT**

2014-2015 Stanislaus County Civil Grand Jury

Case 15-05C

EAST SIDE MOSQUITO ABATEMENT DISTRICT

SUMMARY

The 2014-2015 Stanislaus County Civil Grand Jury (SCCGJ) received a complaint concerning working conditions at the East Side Mosquito Abatement District (ESMAD) citing numerous examples of both poor management and outdated human resources practices. The full panel of the SCCGJ reviewed and accepted the complaint.

Following an investigation that included a review of documents provided by the District, interviews with County officials, District employees and Board members, and a tour of ESMAD offices, the SCCGJ found that while some allegations were unsubstantiated, there are widespread human resources and management problems within the District. The SCCGJ believes the problems are significant and pervasive enough to require wholesale examination by outside experts to recommend corrective actions.

While investigating ESMAD, the SCCGJ looked at the Turlock Mosquito Abatement District as a basis of comparison with ESMAD. The panel found that there may be significant advantages in consolidating the two districts.

GLOSSARY

ESMAD	East Side Mosquito Abatement District
HR	Human Resources
LAFCO	Local Agency Formation Commission
SCCGJ	Stanislaus County Civil Grand Jury
TMAD	Turlock Mosquito Abatement District

BACKGROUND

East Side Mosquito Abatement District was founded in 1939, and is overseen by a Board of Directors appointed by the County Board of Supervisors. The District currently has eighteen employees (nine seasonal) who cover over 540 square miles, in the northern portion of Stanislaus County. The communities within the District include Modesto, Empire, Waterford, Knights Ferry, Valley Home, Oakdale, Riverbank, and Salida. ESMAD, being a non-enterprise, independent Special District with a yearly budget of approximately \$2,000,000.00 was formed from the need to control the mosquito population in Stanislaus County and is funded through property taxes.

Complaints

- C1. Poor management
- C2. Foreman difficult to approach and makes subordinates and co-workers feel intimidated
- C3. Path to year round employment not communicated to seasonal employees
- C4. Personal use of district equipment
- C5. Board members have exceeded their term limits and provide no oversight

FINDINGS

- F1. The current management practices at ESMAD are in need of evaluation and review by an outside entity. Clearly, problems do exist and need to be addressed. The concerns and issues raised in the complaint are ones that should be handled within the District, by allowing employees to communicate their issues. Employees are entitled to a work environment free of intimidation, malice, and discrimination of any kind. Subordinates should be able to air their grievances to management without fear of retribution. Information conveyed to the SCCGJ by the employees about management, was consistent with items listed in the original complaint.
- F2. The District's current HR system is outdated and does not appear to be adequate. For example, a blank employee annual review form was provided on request, but the interviewed employees were unaware of the existence of the document. The District Policies and Procedures handbook is in need of updating. The policy on filing an employee grievance provided was last updated in the late 1980's and still referenced union representation; however, the employees have not been part of a union in years.
- F3. The Board members are appointed by the County Board of Supervisors to a three year term, with a two term limit. The current tenure of the Board is an average of 20 years.
- F4. The observations of the SCCGJ during our investigation indicate differing views from each of the Districts, one is more preemptive, and the other is more reactive in their approach the control of the mosquito population. Merging the two Districts would utilize the strengths of each and streamline operations.

RECOMMENDATIONS

- R1. An audit of ESMAD's management practices by an outside firm to identify deficiencies and corrective actions needed. All employees should attend ethics and diversity training administered by a third party. Both the District Manager and Foreman would benefit from

further training in regards to supervision and management of employees. The change needs to happen from the top down.

- R2. An audit of ESMAD's HR procedures by an outside firm specializing in HR management practices to identify deficiencies and suggest corrective actions needed.
- R3. The ESMAD needs a Board that is more involved in the oversight of the District. The Stanislaus County Board of Supervisors should expand public awareness of ESMAD Board vacancies to increase interest in Board membership.
- R4. The Stanislaus County Board of Supervisors should prepare a study to examine the feasibility of consolidating the ESMAD and TMAD by LAFCO.

REQUEST FOR RESPONSES

Pursuant to California Penal Code section 933.05, the SCCGJ requests responses.

From the following individuals:

- ESMAD Manager
- ESMAD Board of Directors

From the following governing bodies/entities:

- Stanislaus County Board of Supervisors

INVITED RESPONSES

Executive Director of LAFCO

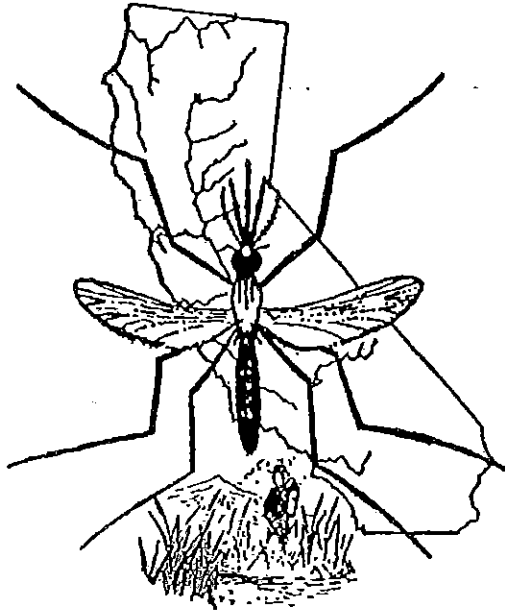
**2013 MSR AND SOI UPDATE FOR THE
EAST SIDE AND TURLOCK
MOSQUITO ABATEMENT DISTRICTS**



LOCAL AGENCY FORMATION COMMISSION

MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATES FOR

EAST SIDE MOSQUITO ABATEMENT DISTRICT



TURLOCK MOSQUITO ABATEMENT DISTRICT

Prepared By:

*Stanislaus Local Agency Formation Commission
1010 Tenth Street, Third Floor
Modesto, CA 95354
Phone: (209) 525-7660*

Adopted: July 24, 2013

STANISLAUS

LOCAL AGENCY FORMATION COMMISSION

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Amy Bublak, Vice Chair, City Member

Jim DeMartini, County Member

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STAFF

Marjorie Blom, Executive Officer

Sara Lytle-Pinhey, Assistant Executive Officer

Dean Wright, Commission Counsel

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Municipal Service Review and Sphere of Influence Updates for the East Side and Turlock Mosquito Abatement Districts

Introduction

The Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000 Act (CKH Act) requires the Local Agency Formation Commission (LAFCO) to update the spheres of influence (SOI) for all applicable jurisdictions in the County. A sphere of influence is defined by Government Code 56076 as "...a plan for the probable physical boundary and service area of a local agency, as determined by the Commission." The Act further requires that a municipal service review (MSR) be conducted prior to or, in conjunction with, the update of a sphere of influence (SOI).

The legislative authority for conducting a municipal service review is provided in Government Code Section 56430 of the CKH Act. The Act states, that "in order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area..." MSRs must have written determinations that address the following factors in order to update a Sphere of Influence. These factors were recently amended to include the consideration of disadvantaged unincorporated communities¹ within or contiguous to the sphere of influence of an agency.

Municipal Service Review Factors to be Addressed

1. Growth and Population Projections for the Affected Area
2. The Location and Characteristics of Any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence
3. Present and Planned Capacity of Public Facilities, Adequacy of Public Services, and Infrastructure Needs or Deficiencies Including Needs or Deficiencies Related to Sewers, Municipal and Industrial Water, and Structural Fire Protection in Any Disadvantaged, Unincorporated Communities Within or Contiguous to the Sphere of Influence
4. Financial Ability of Agencies to Provide Services
5. Status of, and Opportunities for, Shared Facilities
6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies
7. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy

State Guidelines and Commission policies encourage cooperation among a variety of stakeholders involved in the preparation of a municipal service review. This MSR will analyze both the East Side and Turlock Mosquito Abatement Districts, with regards to existing and future services. The MSR will also provide a basis for each of the Districts and LAFCO to evaluate, and if appropriate, make changes to the Districts' Spheres of Influence.

¹ Under Government Code Section 56033.5, "disadvantaged unincorporated community" is defined as an inhabited territory (12 or more registered voters), or as determined by commission policy, with an annual median household income that is less than 80% of the statewide annual median household income.

Sphere of Influence Update Process

A special district is a government agency that is required to have an adopted and updated sphere of influence. Section 56425(g) of the CKH Act calls for spheres of influence to be reviewed and updated every five years, as necessary. Stanislaus LAFCO processes municipal service reviews and sphere of influence updates concurrently to ensure efficient use of resources. For rural special districts, which do not have the typical municipal-level services to review, this document will be used to determine what type of services each district is expected to provide and the extent to which they are actually able to do so. For these special districts, the spheres will delineate the service capability and expansion capacity of the agency, if applicable.

Spheres of Influence for the East Side and Turlock Mosquito Districts were originally adopted by the Commission in 1984. The most recent update, adopted in 2008, proposed no changes to either District's SOI. The current update serves to comply with Government Code Section 56425 and will reaffirm the SOIs for both Districts.

Background

During California's pioneering and modern development, mosquitoes have been recognized for their seasonal attacks outdoors and their association with diseases such as encephalitis and malaria. Early mosquito control efforts began in the salt marshes in the San Francisco Bay area and in the Central Valley where malaria mosquitoes were on the attack, leading to localized disease transmission. These control efforts were creating a drain on the local economies and were affecting the health and welfare of residents. As a result, the Mosquito Abatement Act of 1915 was adopted by the California Legislature to provide for the creation, function, and governing powers of mosquito abatement districts.

Today, there are more than 60 agencies that provide mosquito control in California, including the East Side and Turlock Mosquito Abatement Districts in Stanislaus County. These agencies act as guardians against epidemics, public health emergencies and economic disasters. Since the formation of the first mosquito abatement districts in 1915, these local governments have battled malaria, encephalitis, plague, and other vector-borne diseases. Californians now face new threats from the spread of the West Nile virus and the possibility of virus carried by the Asian tiger mosquito. With the growing population, California needs the protection these districts provide.

Classification of Services

As part of the original MSR completed for the Districts, each District provided a listing of the services provided within their boundaries. Both are authorized to provide the functions or classes of mosquito control services as identified in this report. Due to recent changes in the Cortese-Knox-Hertzberg Act, the Districts would have to seek LAFCO approval to exercise other latent powers not currently provided.

Municipal Service Review - East Side Mosquito Abatement District

Authority

The District is a single purpose special district and is organized as a "Pest Abatement District", under Chapter 8, Division 3 of the Health and Safety Code Section 2800 et. seq. Under the code, the District has the ability to control "pests", identified as "any plant, animal, insect, fish, or other matter or material, not under human control, which is offensive to the senses or interferes with the comfortable enjoyment of life, or which is detrimental to the agricultural industry of the State, and is not protected under any other provision of law."

Formation

The East Side Mosquito Abatement District was formed on June 26, 1939, for the sole purpose of mosquito control.

Purpose

The District was established to provide mosquito abatement/control, as unabated outbreaks of mosquitoes pose a serious threat to the public health and safety.

Location and Size

The District encompasses approximately 555 square miles, serving the northern portion of Stanislaus County, north of the Tuolumne River. The District boundaries include four cities (Modesto, Oakdale, Riverbank and Waterford); the unincorporated communities of Empire, Knights Ferry, Salida, and Valley Home; as well as the unincorporated areas within the northern portion of the County.

Sphere of Influence

The District's Sphere of Influence is coterminous with its current boundaries.

Governance

A "Board of Trustees", appointed by the Board of Supervisors, governs the District. Meetings are held on the second Tuesday of each month at 7:00 p.m. at the District offices, located at 2000 Santa Fe Avenue, Modesto, CA.

Personnel

There are currently 19 employees in the District.

Support Agencies

The District maintains a positive collaborative relationship with other local, state and federal agencies, as necessary. These agencies include: the cities within the District boundaries (Modesto, Oakdale, Riverbank and Waterford); Irrigation Districts, Fire Districts; County Public Works and Environmental Health Departments; County Agricultural Commissioner; County West Nile Task Force; UC Davis Cooperative Extension; California Department of Public Health; California Department of Fish & Wildlife; USDA Natural Resources Conservation Service; and the US Fish & Wildlife Service. The District also works with bordering Mosquito Abatement Districts (Turlock, Merced and San Joaquin).

Funding Sources

The District is allocated its share of the County's property tax revenue.

Services

The District provides the following mosquito control services:

- Surveillance programs, studies, prevention and abatement of mosquitoes and mosquito-borne diseases.
- Public education and outreach.

The East Side Mosquito Abatement District facilities, located on Santa Fe Avenue, include an airstrip and two airplanes used for aerial spraying of mosquitoes. The District also has an on-site laboratory to assist in identifying the species of a variety of insects brought in by homeowners or the field staff, allowing staff the ability to determine if the species are dangerous or destructive. Field staff work within a specific geographic area so that staff members are familiar with problem areas.

Determinations – East Side Mosquito Abatement District

The following are determinations related to the seven factors required by Section 56430 for a Municipal Service Review for the East Side Mosquito Abatement District:

1. Growth and Population Projections for the Affected Area

The Stanislaus Council of Governments (StanCOG) recently released a regional growth forecast, projecting the population for the County and 9 cities. Based on StanCOG's forecast, the area of the County covered by the East Side Mosquito Abatement District could experience an estimated increase in population of up to 26% (or 77,730 additional persons) by the year 2030.

2. The Location and Characteristics of Any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence

There are a number of areas which could meet the definition of "disadvantaged unincorporated community" within the Sphere of Influence of the East Side Mosquito Abatement District. However, the existence of these communities does not impact the District's ability to provide services, nor do the District's services impact the status of these communities as "disadvantaged".

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies Related to Sewers, Municipal Water and Industrial Water, and Structural Fire Protection in Any Disadvantaged, Unincorporated Communities Within or Contiguous to the Sphere of Influence

At the present time, the District has both the ability and the capacity to serve its service area, and has no unmet infrastructure needs or deficiencies. The District has adequate staff and equipment to provide efficient and effective services to its residents. The District's equipment, vehicles, aircraft and facilities appear to be sufficient and well maintained.

4. Financial Ability of Agencies to Provide Services

At present time, the District appears to have the necessary financial resources to fund consistent levels of service within the District's boundaries. The District uses to its best advantage all cost-avoidance opportunities on an on-going basis. The District does not charge user fees, but may charge service fees to businesses, farms, golf clubs, parks and individuals to help defray the cost of mosquito abatement on a case-by-case basis. The District receives the majority of its funding through levied property taxes collected by Stanislaus County. In recent fiscal years, a decline in property tax revenues has caused expenses to exceed revenues. According to the District's audit for the 2010/2011 fiscal year, the District has over \$3 million in unrestricted fund balance. The audit also shows that the District has budgeted conservatively with actual expenditures being lower than those budgeted for the fiscal year.

5. Status of, and Opportunities for, Shared Facilities

The District owns and operates two airplanes for aerial spraying of mosquitoes. The use of aerial spraying is a valuable resource for the District and also provides an opportunity for shared resources with neighboring districts. The Turlock Mosquito Abatement District does not have such facilities, and, on the occasion that aerial spraying is necessary, may contract with the East Side Mosquito Abatement District for such services.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

The District's Trustees are appointed by the County Board of Supervisors and are residents of the northern portion of the County. The District holds regular meetings on a monthly basis, which are open to the public and subject to the Brown Act. The District also maintains a website with information regarding its services, West Nile Virus, and contact information.

In the past, there have been discussions regarding the consolidation of the two Districts, with the conclusion that consolidation would not produce any sizeable efficiencies or savings. In part, this is due to the size of the County, as multiple field offices would be required in either case.

7. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy

None.

Municipal Service Review - Turlock Mosquito Abatement District

Authority

The District is a "single purpose special district" organized as a "Mosquito Abatement District", under Chapter 1, Division 3 of the Health and Safety Code (commencing with Section 2000). Under the code, the District has the authority to conduct effective programs for the surveillance, prevention, abatement, and control of mosquitoes and other vectors. The specific powers that the District may exercise are:

- Conduct surveillance programs and other appropriate studies of vectors and vectorborne diseases.
- Take any and all necessary or proper actions to prevent the occurrence of vectors and vectorborne diseases.
- Take any and all necessary or proper actions to abate or control vectors and vector borne diseases.
- Take any and all actions necessary for or incidental to the powers granted by Chapter 1, Division 3 of the Health and Safety Code (Section 2000 et. seq.).

The District may also levy special benefit assessments to raise revenues if there are inadequate revenues to meet the costs of providing facilities, programs, projects, and services (including vector control projects or programs).

Formation

The Turlock Mosquito Abatement District was formed on January 28, 1946, to control mosquitoes.

Purpose

The primary goal of the District is to control mosquitoes to protect the public health and safety. The control of mosquitoes enhances the public's quality of life, as it greatly reduces the threat of mosquito borne diseases to people and animals, as well as reduces the annoyance that is created by mosquito feeding activities.

Location and Size

The Turlock Mosquito Abatement District territory includes the southern portion of Stanislaus County, south of the Tuolumne River and encompasses approximately 966 square miles. The District boundaries include five cities (Ceres, Hughson, Newman, Patterson, and Turlock) in addition to unincorporated areas within the southern portion of the County.

Sphere of Influence

The District's Sphere of Influence is coterminous with its current boundaries.

Governance

The District is governed by a Board of Trustees, consisting of residents appointed by the city councils of five member cities (Ceres, Hughson, Newman, Patterson, and Turlock) and three

members appointed by the Board of Supervisors. Meetings are held on the third Monday of each month at 7:00 p.m. at the District offices, located at 4412 North Washington Road, Turlock.

Personnel

There are currently 16 employees (13 full time and 3 part time) in the District.

Support Agencies

The District maintains a positive collaborative relationship with other local, state and federal agencies, as necessary. Some of these agencies include: local city departments served by the District (Ceres, Hughson, Newman, Patterson, and Turlock); Irrigation Districts, County Public Health Department; County Public Works; County Agricultural Commissioner; County West Nile Virus Task Force; UC Davis Cooperative Extension; California Department of Public Health; California Department of Fish & Wildlife; USDA Natural Resources Conservation Service; Army Corps of Engineers; and the US Fish & Wildlife Service.

The District also works with bordering Mosquito Abatement Districts (East Side, Merced and San Joaquin). For example, the District often coordinates its control efforts with Merced due to bordering wetland areas.

Funding Sources

The District receives a portion of the shared property tax revenues from Stanislaus County. It also has the ability to collect a special tax assessment as outlined in the Turlock Mosquito Abatement District Board of Trustees Resolution 5-81. The District Board recently re-implemented this special tax as part of its fiscal year 2012-2013 budget in response to declining property tax revenue, depletion of District reserves, and added regulatory burdens.

Services

The District provides mosquito control services within its service area based upon an "integrated approach" to insect pest management. The components of this approach are: source reduction, physical control, chemical control and public education. The primary components for long-term mosquito control are source reduction and public education. Short-term control measures used to reduce mosquito population include biological control followed by chemical control.

Mosquito control is accomplished primarily by spraying. However, the District offers "mosquito fish" to residents at no charge to put in ponds and other water bodies for the natural control of mosquitoes. Occasionally, the District contracts for aerial spraying services.

Determinations – Turlock Mosquito Abatement District

The following are determinations related to the seven factors required by Section 56430 for a Municipal Service Review for the Turlock Mosquito Abatement District:

1. Growth and Population Projections for the Affected Area

The Stanislaus Council of Governments (StanCOG) recently released a regional growth forecast, projecting the population for the County and 9 cities. Based on StanCOG's forecast, the area of the County covered by the Turlock Mosquito Abatement District could

experience an estimated increase in population of up to 40% (or 86,920 additional persons) by the year 2030.

2. The Location and Characteristics of Any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence

There are a number of areas which could meet the definition of "disadvantaged unincorporated community" within the Sphere of Influence of the Turlock Mosquito Abatement District. However, the existence of these communities does not impact the District's ability to provide services, nor do the District's services impact the status of these communities as "disadvantaged".

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies Related to Sewers, Municipal Water and Industrial Water, and Structural Fire Protection in Any Disadvantaged, Unincorporated Communities Within or Contiguous to the Sphere of Influence

At the present time, the District has both the ability and the capacity to serve its service area, and has no unmet infrastructure needs or deficiencies. The District has adequate staff and equipment to provide efficient and effective services to its residents. The District's equipment, vehicles and facilities appear to be sufficient and well maintained.

4. Financial Ability of Agencies to Provide Services

The District appears to have the necessary financial resources to fund high levels of service within the District's boundaries. The District uses to its best advantage all cost-avoidance opportunities (including participation in the pooled Worker's Compensation Program with the Vector Control Joint Powers Agency for shared insurance to reduce costs). The District does not charge user fees, but may charge service fees to businesses, farms, golf clubs, parks, and individuals to help defray the cost of mosquito control on a case-by-case basis.

5. Status of, and Opportunities for, Shared Facilities

The District shares facilities with other agencies as necessary and continually reviews new opportunities to continue these efforts. For example, the District may, on a short-term basis, offer its services (staff, equipment, and expertise) to control other pests and insects that could invade the region in order to maximize the availability of local resources.

On the occasion that aerial spraying is necessary, the District contracts with the East Side Mosquito Abatement District, as well as the Merced County Mosquito Abatement District. Both districts have aerial facilities and provide the opportunity for shared government resources.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

The Turlock Mosquito District's Trustees are appointed by local jurisdictions within the District boundaries. The District holds regular meetings on a monthly basis, which are open to the public and subject to the Brown Act. The District recently redesigned its website that now includes agendas, minutes, the District's current budget, and a variety of informational documents. Additionally, the public is able to make requests for service and make reports online.

In the past, there have been discussions regarding the consolidation of the two Districts, with the conclusion that consolidation would not produce any sizeable efficiencies or savings. In part, this is due to the size of the County, as multiple field offices would be required in either case.

7. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy

None.

Sphere of Influence Update

In determining a sphere of influence (SOI) of each local agency, the Commission shall consider and prepare determinations with respect to each of the following factors, pursuant to Government Code Section 56425:

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

The following determinations are made consistent with Government Code Section 56425 and local Commission policy for the East Side and Turlock Mosquito Abatement Districts.

Determinations – East Side Mosquito Abatement District

The following determinations for the East Side Mosquito Abatement District's Sphere of Influence update are made in conformance with Government Code Section 56425 and local Commission policy.

Determinations

1. Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands

The District's boundaries and Sphere of Influence encompass approximately 555 square miles, serving the northern portion of Stanislaus County, north of the Tuolumne River. The District includes the four cities of Modesto, Oakdale, Riverbank, and Waterford, and the unincorporated areas within the northern portion of the County. The District's Sphere of Influence is coterminous with its boundaries.

Territory within the District's boundaries consists of rural and urbanized areas including agricultural, residential, commercial, industrial, and open space land uses. While some areas are projected to experience more development and growth than other areas, the need for mosquito abatement services will not diminish.

In addition, the District does not have the authority to make land use decisions, nor does it have authority over present or planned land uses within its boundaries. The responsibility for land uses decisions within the District boundaries is retained by the County and the Cities of Modesto, Oakdale, Riverbank and Waterford.

2. Present and Probable Need for Public Facilities and Services in the Area

The need for mosquito control is likely to increase as the population for the region increases. However, the continued existence of irrigation in agricultural uses and the preservation of wetland habitats actually promote the main developing ground for mosquitoes. Urban development can eliminate these types of areas and reduce the number of mosquitoes, yet, at the same time, preservation of wetlands and open space areas create the need for continued mosquito control.

There is also a need to monitor and ensure catch basins and drainage facilities constructed for urban development function properly to eliminate the need for potential standing water. Mosquito problems are particularly intense where there is a significant amount of standing water, such as in the agricultural areas (e.g. large irrigated areas), open space/wetland areas, and urban areas (storm drainage basins).

3. Present Capacity of Public Facilities and Adequacy of Public Services that the Agency Provides or is Authorized to Provide

The District operates and maintains the following facilities and equipment: a truck shed, chemical building, air craft hanger, shop building, office building, on-site laboratory, two airplanes, spraying equipment and numerous fleet vehicles. The District also provides many services and programs, such as providing "mosquito fish" without cost to residents and public outreach programs regarding mosquito control and West Nile Virus.

4. The Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines That They are Relevant to the Agency

There are no social and economic communities of interest affecting the District's ability to provide services to the communities within the District boundaries.

5. For an Update of a Sphere of Influence of a City or Special District That Provides Public Facilities or Services Related to Sewers, Municipal and Industrial Water, or Structural Fire Protection, the Present and Probable Need for Those Public Facilities and Services of Any Disadvantaged Unincorporated Communities Within the Existing Sphere of Influence

As the District does not provide services related to sewers, municipal and industrial water or structural fire protection, this factor is not applicable.

Determinations – Turlock Mosquito Abatement District

The following determinations for the Turlock Mosquito Abatement District's Sphere of Influence update are made in conformance with Government Code Section 56425 and local Commission policy.

Determinations

1. Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands

The Turlock Mosquito Abatement District territory includes the southern portion of Stanislaus County, south of the Tuolumne River and encompasses approximately 966 square miles. The District boundaries also include five cities (Ceres, Hughson, Newman, Patterson, and

Turlock) in addition to the unincorporated areas within the southern portion of the County. The District's Sphere of Influence is coterminous with its boundaries.

Territory within the District boundaries consists of rural and urbanized areas including agricultural, residential, commercial, industrial, and open space uses. While some areas are projected to experience more development and growth than other areas, the need for mosquito abatement services will not diminish.

In addition, the District does not have the authority to make land use decisions, nor does it have authority over present or planned land uses within its boundaries. The responsibility for land uses decisions within the District boundaries is retained by the County and the Cities of Ceres, Hughson, Newman, Patterson, and Turlock.

2. Present and Probable Need for Public Facilities and Services in the Area

The need for mosquito control is likely to increase as the population for the region increases. However, the continued existence of irrigation in agricultural uses and the preservation of wetland habitats actually promote the main developing ground for mosquitoes. Urban development can eliminate these types of areas and reduce the number of mosquitoes, yet, at the same time, preservation of wetlands and open space areas create the need for continued mosquito control.

There is also a need to monitor and ensure catch basins and drainage facilities constructed for urban development function properly to eliminate the need for potential standing water. Mosquito problems are particularly intense where there is a significant amount of standing water, such as in the agricultural areas (e.g. large irrigated areas), open space/wetland areas, and urban areas (storm drainage basins).

3. Present Capacity of Public Facilities and Adequacy of Public Services that the Agency Provides or is Authorized to Provide

The District operates and maintains the following facilities and equipment: shop building, office building, on-site laboratory, spray equipment, and vehicles. The District provides services and programs, in addition to its control efforts, such as providing "mosquito fish" without cost to residents and public outreach programs educating the public on the importance of mosquito control and West Nile Virus.

4. The Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines That They are Relevant to the Agency

There are no social and economic communities of interest affecting the District's ability to provide services to the communities within the District boundaries.

5. For an Update of a Sphere of Influence of a City or Special District That Provides Public Facilities or Services Related to Sewers, Municipal and Industrial Water, or Structural Fire Protection, the Present and Probable Need for Those Public Facilities and Services of Any Disadvantaged Unincorporated Communities Within the Existing Sphere of Influence

As the District does not provide services related to sewers, municipal and industrial water or structural fire protection, this factor is not applicable.

APPENDIX "A"
DISTRICT SUMMARY PROFILE

District: EAST SIDE MOSQUITO ABATEMENT DISTRICT

Location: 2000 Santa Fe Avenue, Modesto, CA

Service Area: Territory north of the Tuolumne River, within Stanislaus County

Square Miles: Approximately 555 square miles

Population (2010): 297,391*

Land Use: Varied land uses from residential, commercial, industrial, agricultural lands and open space

Date of Formation: June 26, 1939

Enabling Act: Chapter 8, Division 3 of the Health and Safety Code, Section 2800 et seq.

Governing Body: 6 Board of Trustees appointed by the County Board of Supervisors

Personnel: 19 employees

District Services: Mosquito Abatement

Total Budget: Operating Budget for Fiscal Year 2012-2013: \$2,348,827

Primary Revenue Sources: Property Tax, Interest

* Source: Estimated using U.S. Census 2010 data

APPENDIX "B"
DISTRICT SUMMARY PROFILE

District: TURLOCK MOSQUITO ABATEMENT DISTRICT

Location: 4412 N. Washington Road, Turlock, CA

Service Area: Southern portion of Stanislaus County, south of the Tuolumne River

Square Miles: Approximately 966 square miles

Population (2010): 217,062*

Land Use: Varied land uses from residential, commercial, industrial, agricultural lands and open space

Date of Formation: January 28, 1946

Enabling Act: Chapter 1, Division 3 of the Health and Safety Code Section 2000 et seq.

Governing Body: 8 Board of Trustees consisting of residents appointed by city councils of member cities (5) and the Board of Supervisors (3)

Personnel: 13 full time and 3 seasonal employees

District Services: Mosquito Abatement

Total Budget: Operating Budget for Fiscal Year 2012-2013: \$1,649,446

Primary Revenue Sources: Property Tax, Special Assessment, Service Fees

* *Source:* Estimated using U.S. Census 2010 data

APPENDIX "C"

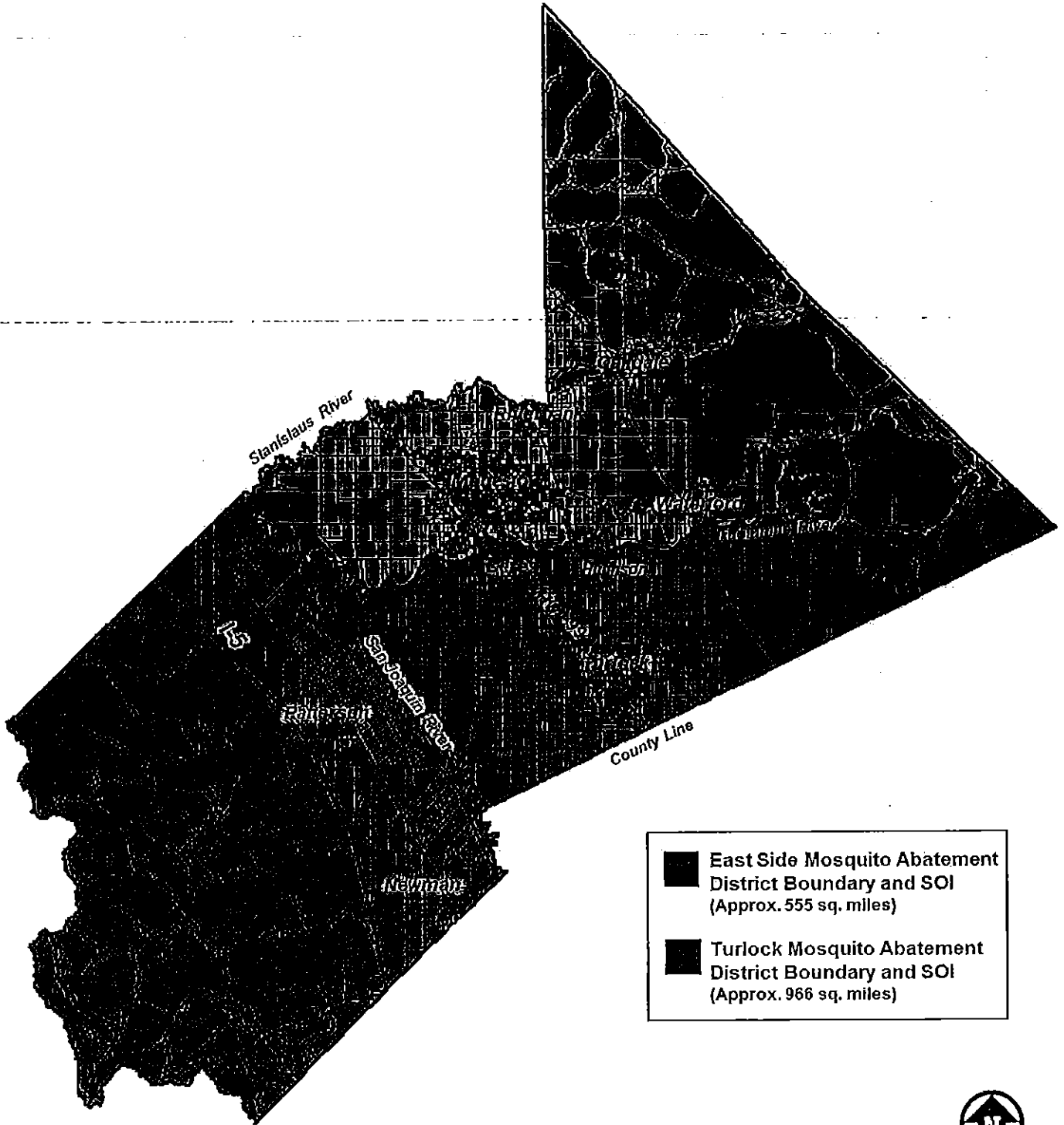
REFERENCES

1. American Mosquito Control Association Website (www.mosquito.org).
2. California Department of Water Resources. *Disadvantaged Communities (DAC) Mapping Tool* (www.water.ca.gov/irwm/grants/resourceslink.cfm). Accessed May 15, 2013.
3. California State Controller. *Special Districts Annual Report (Fiscal Year 2010-2011)*. October 30, 2012.
4. Eastside Mosquito Abatement District. *Financial Report*. June 30, 2011.
5. East Side Mosquito Abatement District Website (www.eastsidemosquito.com).
6. Mosquito and Vector Control Association of California (MVCAC) Website (www.mvcac.org).
7. Stanislaus Council of Governments. *Technical Errata to the 2040 Regional Growth Forecast*. March 12, 2013.
8. Stanislaus County West Nile Virus Taskforce. *West Nile Virus in Stanislaus County - 2005 Summary & 2006 Strategic Plan*. 2005.
9. Stanislaus LAFCO. *Executive Officer's Agenda Report: Consideration and Adoption of Spheres of Influence for Priority Group 10: Mosquito Abatement Districts*. November 28, 1984.
10. Stanislaus LAFCO. *Municipal Service Review and Sphere of Influence Update for the East Side Mosquito Abatement District and Turlock Mosquito Abatement District*. August 27, 2008.
11. Turlock Mosquito Abatement District. *2012 Annual Report*.
12. Turlock Mosquito Abatement District. *Financial Statements*. June 30, 2012.
13. Turlock Mosquito Abatement District Website (www.turlockmosquito.org).
14. United States Census Bureau. 2010.

INDIVIDUALS AND AGENCIES CONTACTED

1. David Heft, General Manager, Turlock Mosquito Abatement District.
2. Lloyd Douglass, East Side Mosquito Abatement District.

Map 1: East Side & Turlock Mosquito Abatement Districts Spheres of Influence

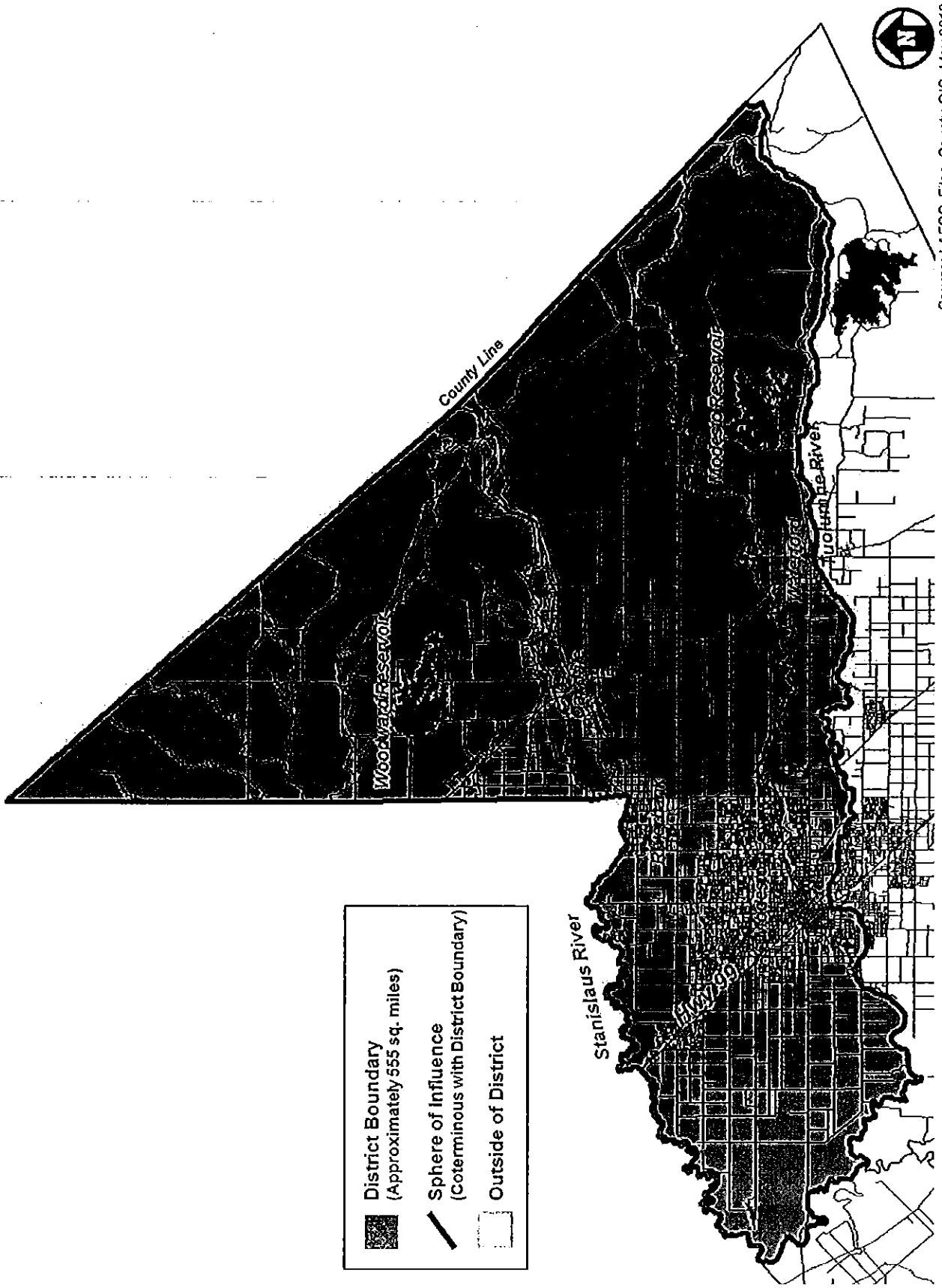


East Side Mosquito Abatement District Boundary and SOI (Approx. 555 sq. miles)
 Turlock Mosquito Abatement District Boundary and SOI (Approx. 966 sq. miles)



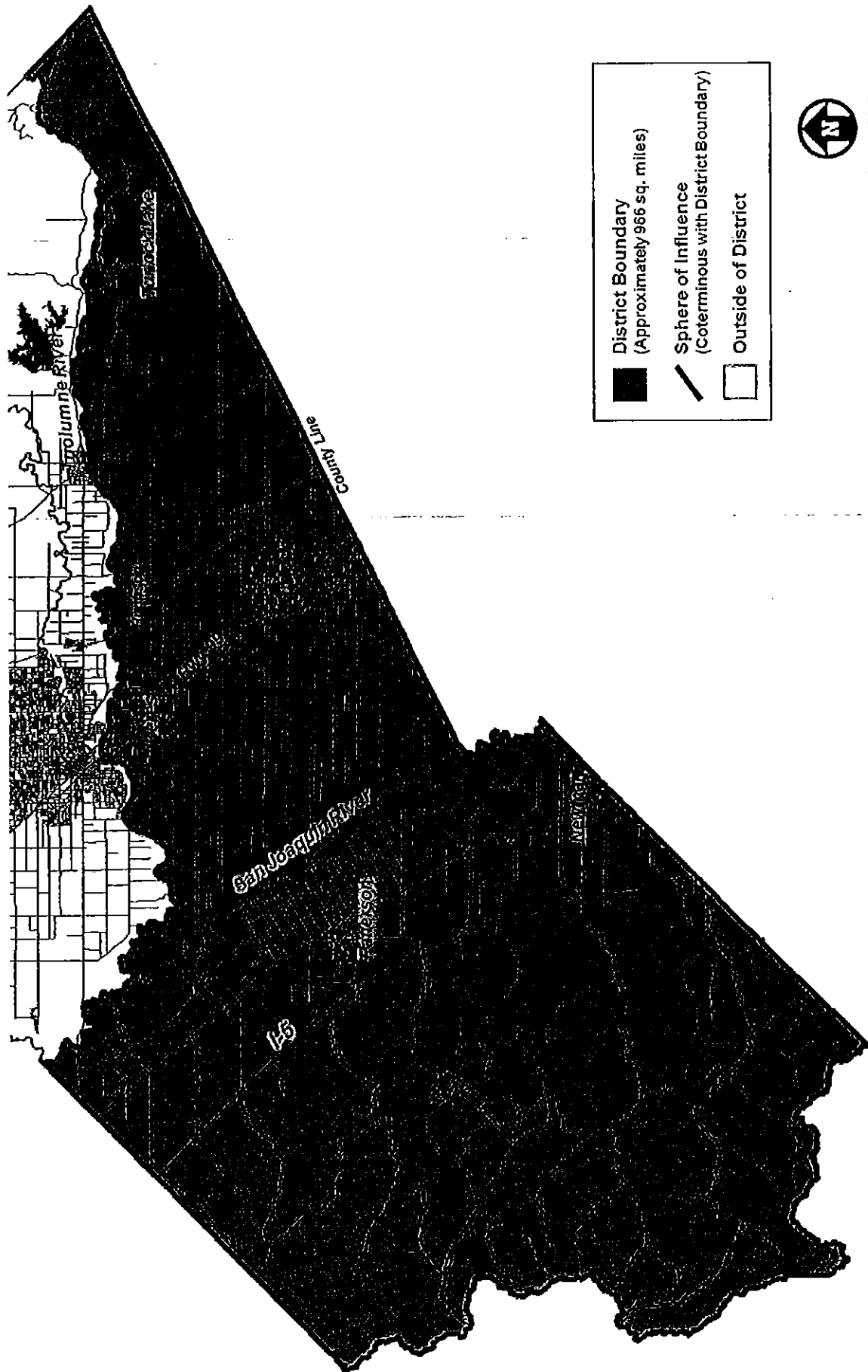
Source: LAFCO Files, County GIS, May 2013




**Map 2: East Side Mosquito Abatement District
Sphere of Influence**



Source: LAFCO Files, County GIS, May 2013

**Map 3: Turlock Mosquito Abatement District
Sphere of Influence**



	District Boundary (Approximately 966 sq. miles)
	Sphere of Influence (Coterminous with District Boundary)
	Outside of District



Source: LAFCO Files, County GIS, May 2013