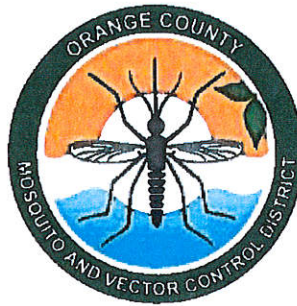


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November 13, 2017

Honorable Charles Margines
Presiding Judge
Orange County Superior Court
700 Civic Center West
Santa Ana, CA 92701

Re: Grand Jury Report "Is Orange County Ready for Zika?"

Dear Judge Margines:

Attached please find the revised response of the Orange County Mosquito and Vector Control District to the above entitled report. The original response was initially submitted to your office on June 19, 2017.

Respectfully submitted,

Barbara D. Kogerman
OCMVCD Board President

"An Independent Special District Serving Orange County Since 1947"

The mission of the Orange County Mosquito and Vector Control District is to provide the citizens of Orange County with the highest level of protection from vectors and vector-borne diseases.

FINDINGS

In accordance with California Penal Code Sections §933 and §933.05, the 2016-2017 Grand Jury requires (or, as noted, requests) responses from each agency affected by the findings presented in this section. The agencies included in the Grand Jury Report are the Orange County Mosquito and Vector Control District (OCMVCD, or VCD) and the Orange County Health Care Agency (HCA). The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation titled "*Is Orange County Ready for Zika? It Takes a Village to Handle Mosquito-Borne Viruses*," the 2016-2017 Orange County Grand Jury has arrived at 9 principal findings, as follows:

F1. The VCD and HCA have primarily responded to vector outbreaks in a reactive manner in the past. The VCD wants to be more proactive in the future.

OCMVCD Response: OCMVCD disagrees with this finding. Since its formation in 1947, OCMVCD has always taken a proactive response to control mosquitoes and other vectors. OCMVCD staff routinely treat known areas of mosquito breeding to reduce mosquito biting complaints and the threat of mosquito-borne disease transmission. For all vectors and their diseases, OCMVCD utilizes Integrated Vector Management (IVM) principles, where source reduction, biological, and public education practices are blended together in a comprehensive control strategy for mosquitoes, ticks, fleas, and rodents. These efforts are proactive and make up approximately 90% or more of OCMVCD's activities.

F.2 The VCD relies on the public to help identify new sources of infestation. This cooperation is essential for future success.

OCMVCD Response: OCMVCD partially agrees with this finding. OCMVCD is staffed by a team of Vector Control Inspectors, laboratory technicians, entomologists, and others. These teams work tirelessly at locating and treating known sources of mosquito breeding throughout the county. OCMVCD does, however, rely on the public to notify the agency when needed. Resident reports allow vector staff to respond to resident requests for inspections and treatments. Many times, these reports become a part of the routine treatment process, especially for neglected swimming pools in neighborhoods.

F.3 The VCD uses multiple media, including print materials, their website, email and social media, as well as in-person activities, as part of their outreach efforts. The HCA focuses on print and opt-in email alerts and bulletins to medical professionals.

OCMVCD Response: OCMVCD would concur with this finding. OCMVCD relies on multiple media, including print materials, its website, email, outreach events and social media to reach the county's 3.2M residents. The agency also has relationships with news media resources and leverages those contacts when appropriate. Additionally, OCMVCD coordinates information feeds to the 34 cities in the county as well as the County itself in helping to disseminate the message.

F.4. The presence of undocumented storm drains in Orange County cities makes control of mosquito vectors more difficult.

OCMVCD Response: OCMVCD would concur with this finding. It is widely known that significant sources of mosquito breeding take place in underground water conveyance systems, specifically underground storm drain systems. OCMVCD presently treats approximately 700 miles of underground storm drains

throughout the county on a regular basis. The ability to treat all breeding sites is difficult by their nature, and the more sites that OCMVCD is unaware make protecting the public from mosquito-borne disease even more problematic. As more and more sites become known, those locations are added to the OCMVCD's treatment schedule. OCMVCD is currently coordinating with city and County agencies and investigating new technologies, such as small remote-controlled vehicles, to survey and treat these hard-to-reach mosquito breeding sources.

F.5 Communication about vector diseases directed to treatment facilities such as private and public clinics, hospitals, nursing homes and doctor offices has not translated into timely and effective public education about the prevention and avoidance of infectious diseases.

OCMVCD Response: OCMVCD defers to HCA as this recommendation is addressed to matters not included within OCMVCD's purview. It should be noted that the OCMVCD does not have jurisdictional authority to engage the health care community; however, both HCA and VCD engage in public information strategies to educate the community about prevention and avoidance of disease on a routine basis.

F.6 Mosquito control and education efforts in the County are concentrated on historical areas of infestation and illness in North County.

OCMVCD Response: OCMVCD would partially concur with this finding. OCMVCD has an aggressive public outreach program to educate Orange County residents about mosquitoes and the diseases they transmit, and what they can do to reduce mosquitoes around their homes. OCMVCD staff attends over 100 meetings, festivals, fairs and other community based activities annually. While these activities are spread throughout the County, OCMVCD does, however, focus activities and outreach in many of the high-risk areas of the County.

F.7 The VCD Board of Trustees' spending authorization has not been sufficient to accomplish VCD's current goals.

OCMVCD Response: OCMVCD partially agrees with this finding. In 2004 Orange County voters approved the formation of an assessment district (AD#2) to provide enhanced levels of funding for vector-related services to the residents of the County. At the time AD#2 was formed, the OCMVCD Board of Directors set the FY 2004-05 assessment at the maximum authorized assessment rate of \$5.42/single family equivalent (SFE). However, in each of the subsequent 10 years, the assessment was reduced gradually to \$5.02/SFE. In Fiscal 2015-16 the OCMVCD Board raised assessment district fees from \$5.02/SFE to \$6.02/SFE to provide additional funding to fight West Nile virus after two consecutive outbreak years during 2014-2015. In Fiscal 2016-17 the assessment was again increased by \$0.70 to \$6.72/SFE. The maximum fee capacity for 2016-17 is \$7.10/SFE. This increase resulted in revenues of approximately \$850,000. These funds were used to address areas of high West Nile virus transmission as well as responding to newly-found infestations of the invasive Aedes aegypti and Aedes albopictus mosquitoes. The funds were used to increase outreach, including the establishment of door-to-door teams that visited over 26,000 Orange County households in 2016.

The OCMVCD Board of Directors has taken proactive steps in the preceding two fiscal years by increasing AD#2 by 25% over that same period of time. For Fiscal 2017-18, the assessment was not increased from FY 2016-17 levels of \$6.72/SFE. OCMVCD's ability to not increase AD#2 for FY 2017-18 is due to the

receipt of a federal Zika grant that it received in the amount of \$225,000. The grant resulted in not having to increase rates in FY 2017-18 by \$0.28/SFE.

OCMVCD and its Board of Trustees recognize the need to maintain an adequate funding source to meet its financial needs for vector-borne disease threats of the future. Global trade and the world-wide movement of people makes these threats all the more certain.

F.8 In delineating responsibilities of each agency, the existing MOUs between VCD and HCA do not adequately promote effective communications about mosquito-borne diseases and their remediation to the public, including medical professionals and their patients.

OCMVCD Response: *OCMVCD disagrees with this finding. The MOU does not provide information that is available for public dissemination. The information conveyed between the agencies as a part of the terms of the MOU is confidential patient data and not open to public review.*

F.9. Despite significant scientific and experiential evidence that aerial spraying is effective and safe, the regional public and the VCD Board of Trustees are reluctant to support the use of aerial spraying when recommended by VCD.

OCMVCD Response: *OCMVCD partially agrees with this finding. There are undoubtedly members of the public who are opposed to any aerial applications of insecticides to control adult mosquitoes (adulticiding) by OCMVCD. OCMVCD staff also acknowledges that there are possibly members of the Board of Trustees who also question the need to conduct an aerial adulticide campaign. However, OCMVCD also believes that most Orange County residents do support increased mosquito control efforts, up to and including, an aerial adulticide campaign, should disease conditions warrant.*

Penal Code §933 and §933.05 require governing bodies and elected officials to which a report is directed to respond to findings and recommendations. Responses are requested from departments of local agencies and their non-elected department heads.

RECOMMENDATIONS

In accordance with California Penal Code Sections §933 and §933.05, the 2016-2017 Grand Jury requires (or, as noted, requests) responses from each agency affected by the recommendations presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation titled "Is Orange County Ready for Zika? It Takes a Village to Handle Mosquito-Borne Viruses," the 2016-2017 Orange County Grand Jury makes the following 9 recommendations:

R.1 VCD must continue to prioritize its funding allocations for communicating with the public. To increase this effort, the Grand Jury recommends that the district ask their Board of Trustees to authorize maximizing the District 2 assessment for the benefit of VCD by June 30, 2017. These funds should be used first by the VCD for more proactive outreach efforts throughout the county.

OCMVCD Response: *As noted in Finding #7, above, and while the OCMVCD is appreciative of the Jury's desire to maximize funding opportunities by June 30, 2017, OCMVCD must respectfully disagree with this recommendation. In Fiscal 2015-17 the OCMVCD Board of Trustees raised AD#2 charges from \$5.02/SFE to \$6.72/SFE. The maximum fee allowable fee for 2016-17 is*

\$7.10/SFE. This increase resulted in revenues of approximately \$850,000. These funds were used to address areas of high West Nile virus transmission as well as responding to Aedes aegypti and Aedes albopictus infestations. The funds were used to increase outreach, including the establishment of door-to-door teams that visited over 26,000 Orange County households in 2016.

The maximum AD#2 allowable fee for FY 2017-18 is \$7.27/SFE. The OCMVCD Board of Trustees on May 18, 2017, adopted the FY 2017-18 budget with an assessment rate of \$6.72, which is the same rate as FY 2016-17. OCMVCD applied for and received a Federal Zika grant in the amount of \$225,000. This grant represents \$0.28/SFE in assessments.

It is important that OCMVCD only fund those programs deemed necessary for operational needs and to maintain a funding cushion. The current established rate of \$6.72/SFE, coupled with other sources of funding and the receipt of the Federal Zika grant, allows OCMVCD to operate at a higher level of service than the current fiscal year (2016-17).

R.2 The Grand Jury recommends that efforts focusing on early education information of school children be expanded in content and reach by December 30, 2017.

OCMVCD Response: OCMVCD agrees with this recommendation. OCMVCD's school education program has been expanded for FY 2017-18. The Education Coordinator position was fully funded and the limited term status was removed, allowing the program to continue unabated. Additionally, the program has been expanded in FY 2017-18 with the addition of a part-time program coordinator. This new position will be responsible for gaining access into Orange County schools.

R.3 Getting information to vulnerable populations (seniors, the chronically ill, pregnant women, etc.) is critical. The Grand Jury recommends that detailed plans for implementing new or expanded programs targeting vulnerable populations all over the county should be in place by VCD and HCA by June 30, 2017, for implementation no later than March 31, 2018.

OCMVCD Response: OCMVCD defers to HCA as this recommendation is addressed to matters not included within OCMVCD's purview.

R.4 The Grand Jury recommends that the VCD provide the Orange County Board of Supervisors with a ranked list of cities that represent primary concern for storm drain mosquito infestation, as soon as possible to facilitate remediation efforts by the next mosquito season, but no later than June 30, 2017.

OCMVCD Response: OCMVCD will not implement this because it is not warranted or is not reasonable. OCMVCD has initiated dialogue with cities to provide GIS and other infrastructure data that is crucial to treating underground storm drain systems that routinely harbor and breed mosquitoes. This task is ongoing and is occurring. The Grand Jury recommends that, by June 30, 2017, the Orange County Board of Supervisors notify each city of concern in their Supervisorial Districts that their storm drains represent significant sources of mosquito breeding grounds.

OCMVCD Response: OCMVCD defers to the County of Orange as this recommendation is addressed specifically to the County.

R. 5 The Grand Jury recommends that the Orange County Board of Supervisors advise cities of concern to schedule by September 30, 2017, and fund by December 31, 2017, thorough mapping of storm drains within city limits, as well as assessment of the condition and need for storm drain repairs. The Grand Jury recommends the Board of Supervisors financially support this effort.

OCMVCD Response: *OCMVCD defers to the County of Orange as this recommendation is addressed specifically to the County.*

R.7. The VCD must work with HCA to expand efforts to proactively reach clinics, nursing homes and medical agencies with communications that will protect patients from mosquito-borne illnesses. The Grand Jury recommends that the MOU between the VCA and the HCA regarding such communications be updated by June 30, 2017.

OCMVCD Response: *OCMVCD disagrees with this recommendation. The MOU is a document that addresses communications between OCMVCD and HCA relating to confidential patient information that is not intended for public review. Information provided to OCMVCD from HCA pursuant to the information contained within the communications does direct OCMVCD's mosquito response efforts.*

R. 8 The HCA should be more active in communicating with medical professionals using targeted and opt-out alerts and bulletins, as well as instituting measures of effectiveness in these targeted messages. Where possible, they should take advantage of mobile technology to immediately reach physicians and others in the health care trenches earlier in the cycle of mosquito infestation, even before illness is reported. An HCA Communications Plan that addresses these issues should be completed by June 30, 2017, and implemented by December 31, 2017.

OCMVCD Response: *OCMVCD defers to HCA as this recommendation is addressed to matters not included within OCMVCD's purview.*

R. 9 The VCD needs new, valid and reliable qualitative and quantitative measures of outreach effectiveness to guide their communications program and make best use of their resources. This element should be added to the VCD Communications Plan by June 30, 2017, and implemented by March 30, 2018.

OCMVCD Response: *OCMVCD will not implement this because it is not warranted or is not reasonable. The OCMVCD has a robust communications and outreach program that uses data analytics and multi-media tracking services to assist the District in targeted outreach and communications relative to the District's core services.*