

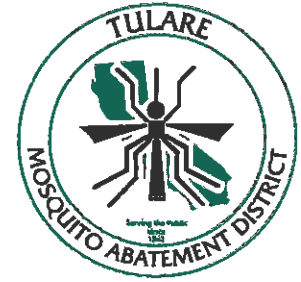
BOARD OF TRUSTEES

**Pat Nunes**  
City of Tulare  
**Robert Uchita**  
County of Tulare  
**Robert Clark**  
County of Tulare  
**Stan Creelman**  
County of Tulare  
**Charlie Pitigliano**  
County of Tulare  
**Charles Mayer**  
City of Visalia

**TULARE MOSQUITO ABATEMENT DISTRICT**

District Headquarters: Mefford Field - Tulare  
6575 Dale Fry Rd Tulare, CA 93274  
PH (559) 686-6628 FAX (559) 686-2013  
Email: TulareMosquito@gmail.com  
[www.tularemosquito.com](http://www.tularemosquito.com)

GENERAL MANAGER  
**John Avila**



The Tulare Mosquito Abatement District Board of Trustees regular Meeting will be held on Tuesday, July 14th at 1:00 p.m. at the District office located at Mefford Field 6575 Dale Fry Rd, Tulare CA.

**Agenda**

1. Citizen Comments: At this time the Board of Trustees will take input from citizens on items they wish to address that are within the Board's jurisdiction. However the Board cannot legally discuss or take action at this meeting on comments received.
2. Review Minutes of the June 9th, 2020 Board of Trustee Meeting
3. Payment of Check Numbers 6232 - 6269  
Electronic Fund Transfers (**EFTPS**) from Union Bank to the IRS and EDD for Social Security, Medicare, Federal and State Tax Payments. E Debit payments from the District's Union Bank account. Claim number **21917** Transfer of Funds from Tulare County Fund #778 to the District's Union Bank Account # \*\*\*\*\*4408.
4. Final FY 20/21 Budget submitted to Tulare County
5. June 24th meeting with Dr Debboun, DVCD's new General Manager
6. Report on July 7th's MVCAC Quarterly "Summer" Meeting
7. Implementation of FY 19/20 Audit - Letter from Adair & Evans
8. Experiment in Cemetery Vases with residual application
9. District Activity to date
10. Manager's Report
  - a. Sexual Harassment Avoidance Training for non supervisory employees
  - b. Manager's July 20th procedure update
  - c. Tulare County Fair contract and participation
  - d. CDPH Waiver of Live Units for CEU Training
11. Meeting Adjourned

## Agenda Item #2

**MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE TULARE MOSQUITO ABATEMENT DISTRICT, HELD AT THE OFFICES OF THE DISTRICT, MEFFORD FIELD, TULARE, CALIFORNIA ON THE 9<sup>th</sup> DAY OF JUNE 2020, AT THE HOUR OF 1:00 P.M. OF SAID DAY**

Present at the meeting called at 1:02 p.m. at the place above designated were: Charlie Pitigliano, presiding, Robert Clark, Pat Nunes, Stan Creelman and Chuck Mayer. Robert Uchita arrived at 1:06 p.m. Also present at the Board Meeting were John Avila, District Manager, and Chad M. Lew, counsel for the District.

**Agenda Item No. 1:** Citizen Comments.

Charlie Pitigliano opened the floor to citizen comments, but there were no comments from the public.

**Agenda Item No. 2:** Review Minutes of May 12, 2020, Board of Trustees Meeting and May 26, 2020, Board of Trustees Special Meeting.

The minutes of the meeting held on May 12, 2020, were presented to the board in writing and reviewed. Upon a motion made by Chuck Mayer, seconded by, Robert Clark, and unanimously carried, the minutes of the meeting held on May 12, 2020, were approved as presented. The special minutes of the special meeting held on May 26, 2020, were presented to the board in writing and review. Upon a motion made by Chuck Mayer, seconded by Robert Clark, and unanimously carried, the minutes of the special meeting held on May 26, 2020, were approved as presented.

Robert Uchita arrived at 1:06 p.m.

**Agenda Item No. 3:** Payment of Check Number 6190 - 6231, Electronic Fund Transfers (EFTPS) from Union Bank to the IRS for Social Security, Medicare and Federal Tax Payments, and Union Bank Charges and Credits.

The board members reviewed the District's Union Bank checking account, check numbers 6190 - 6231, the electronic fund transfers (EFTPS) for payment of Social Security, Medicare and Federal Tax Payments to the IRS, and the electronic debit payments from the District's Union Bank account. Upon a motion duly made by Pat Nunes, seconded by Robert Uchita, and unanimously carried, the Union Bank checking account, check numbers 6190 - 6231, the electronic fund transfers (EFTPS) for payment of Social Security, Medicare and Federal Tax Payments to the IRS, and the electronic debit payments from the District's Union Bank checking account were approved.

**Agenda Item No. 4:** Report on the WALs Summit "Virtual" Meeting on May 21, 2020.

John reviewed with the board his participation in the virtual WALs Summit and discussed the issues and topics covered.

**Agenda Item No. 5:** CalPERS Retirement Rates for FY 20/21.

John provided the board with copies of the CalPERS Annual Valuation Reports as of June 30, 2018 for the District and generally reviewed the information with the board.

**Agenda Item No. 6:** Hooper, Spuhler & Sturgeon Letter and Insurance Binder.

John reported to the board that the District's Worker's Compensation policy was bound and issued by Insurance Company of the West, effective July 1, 2020.

**Agenda Item No. 7:** District Activity to Date.

John advised the board that due to the Covid-19 pandemic the District started the season a little later than normal around May 1, 2020. The District has set 30 CO2 traps and 220 Gravid traps. John advised that Delta Vector has also reached out to the District to start discussions related to working cooperatively in coordination with one another. Finally, John advised that to date, the District has received 81 service request, and last year at the same time the District had received 41 service requests.

**Agenda Item No. 8:** Review Planned Budget for FY 20/21 and Take Action to Send Budget Forward to the Tulare County Auditor.

John reviewed the proposed budget for fiscal year 2020/2021 with the board and addressed questions from the board. After some questions and answers, upon a motion duly made by Chuck Mayer, seconded by Pat Nunes, and unanimously carried, the board approved the budget as presented and authorized and directed the District Manager to forward the approved District budget for fiscal year 2020/2021 to the Tulare County Auditor.

**Agenda Item No. 9:** Manager's Report.

- a) Manager's Pending Procedure - John advised the board that he will be undergoing a medical procedure in late July 2020 and will be off for approximately a week.
- b) Service Request Status - John advised the board that year-to-date service requests are up this year as compared to the same period last year.
- c) Status of City of Visalia Trash Can Recycle - No update.

**Agenda Item No. 11:** Meeting Adjourned.

There being no further business to come before the board, upon a motion duly made by Robert Clark, seconded by Robert Uchita, and unanimously carried, the special meeting was adjourned at 2:04 p.m.

---

SECRETARY

# Agenda Item #3

Expenses 6/15/2020

|                     |                                |                                                                                                        |                   | Union        |
|---------------------|--------------------------------|--------------------------------------------------------------------------------------------------------|-------------------|--------------|
|                     |                                |                                                                                                        |                   | Check #/s    |
| Full Time Employees |                                |                                                                                                        |                   | EFTPS        |
| 6001                | John Avila                     |                                                                                                        | 3,014.85          | DD1142       |
| 6001                | Michelle Dempsey               |                                                                                                        | 2,527.79          | DD1143       |
| 8001                | Andrew Conard                  |                                                                                                        | 1,847.99          | DD1144       |
| 8001                | Armando Gonzalez               |                                                                                                        | 1,925.29          | DD1145       |
| 6001                | Quirino Valencia               |                                                                                                        | 1,773.85          | DD1146       |
| 6001                | Sherry Laskie                  |                                                                                                        | 773.56            | 6232         |
| 6005                | Jesse Carver                   |                                                                                                        | 1,388.14          | 6233         |
| 6005                | John Coleman                   |                                                                                                        | 1,226.21          | 6234         |
| 6005                | Rene Rodriguez                 |                                                                                                        | 1,432.56          | 6235         |
| 6005                | David Servi                    |                                                                                                        | 1,335.91          | 6236         |
| 6005                | Johnathan Summers              |                                                                                                        | 890.02            | 6237         |
| 6005                | Quirino Valencia III           |                                                                                                        | 1,315.07          | 6238         |
| 6005                | Victor Zamora                  |                                                                                                        | 2,268.09          | 6239         |
| 6004                | CA Emp Dev Dept                | UI, ETT, SDI & PIT                                                                                     | <b>1,527.91</b>   | <b>EFTPS</b> |
| 6004                | Choice Builders                | Monthly premium for employee Dental Vision & Life Insurance                                            | 1,102.05          | 6240         |
| 6008                | Robert Clark                   | Board Meeting 06/09/2020                                                                               | 100.00            | 6241         |
| 6008                | Stan Creelman                  | Board Meeting 06/09/2020                                                                               | 100.00            | 6242         |
| 6008                | Charles Mayer                  | Board Meeting 06/09/2020                                                                               | 100.00            | 6243         |
| 6008                | Pat Nunes                      | Board Meeting 06/09/2020                                                                               | 100.00            | 6244         |
| 6008                | Charlie Pitigliano             | Board Meeting 06/09/2020                                                                               | 100.00            | 6245         |
| 6008                | Charlie Pitigliano             | Replacement check for lost check #'s 6082 (1/15/20) and 6159 (4/15/20)                                 | 200.00            | 6246         |
| 6008                | Robert Uchita                  | Board Meeting 06/09/2020                                                                               | 100.00            | 6247         |
| 6011                | CalPERS (Retirement)           | Unfunded Liability (Classic)                                                                           | <b>671.93</b>     | <b>EFTPS</b> |
| 6011                | CalPERS (Retirement)           | Unfunded Liability (Pepra)                                                                             | <b>156.55</b>     | <b>EFTPS</b> |
| 6011                | CalPERS (Employee)             | Employee Additional 457 Roth                                                                           | <b>400.00</b>     | <b>EFTPS</b> |
| 6011                | CalPERS (Employee)             | Employee Additional deferred contribution                                                              | <b>475.00</b>     | <b>EFTPS</b> |
| 6011                | CalPERS (Retirement)           | PERS Retirement contribution Employer & Employees                                                      | <b>2,483.29</b>   | <b>EFTPS</b> |
| 6012                | Union Bank                     | Federal Inc Tax, Empe, Empr Medicare & SS                                                              | <b>6,251.98</b>   | <b>EFTPS</b> |
| 7001                | Adapco                         | Teknar SC (264 GL Tote)                                                                                | 10,050.89         | 6248         |
| 7001                | Aerial Services                | Aerial swim pool photos                                                                                | 2,650.00          | 6249         |
| 7001                | Verizon (Wireless Fleet)       | GPS System monthly charge (Mar)                                                                        | 285.00            | 6250         |
| 7009                | Pricketts                      | Cleaning solution for ice machine                                                                      | 52.14             | 6251         |
| 7010                | SDRMA                          | Property & Liability Insurance for FY 20/21                                                            | 48,997.24         | 6252         |
| 7021                | G.V. Burrows, Inc              | Vehicle Fuel                                                                                           | 1,338.54          | 6253         |
| 7043                | McCormick, Kabot, Jenner & Lew |                                                                                                        | 420.00            | 6254         |
|                     |                                | Board meeting 6/09/2020                                                                                | 300.00            |              |
|                     |                                | E-mails to and from John Avila                                                                         | 20.00             |              |
|                     |                                | E-mails to and from John re T.C. HHS face mask notice; telephone conference with John re agenda item 8 | -                 |              |
|                     |                                | Review agenda for special meeting; e-mails to and from John re special meeting                         | 40.00             |              |
| 7062                | City of Tulare                 | Land Rent                                                                                              | 774.00            | 908.51 6255  |
| 7081                |                                | Water & Refuse Pickup Service                                                                          | 134.51            |              |
| 7036                | Union Bank                     | Direct Deposit Fee                                                                                     | <u>8.75</u>       | E debit      |
|                     |                                |                                                                                                        | <u>100,299.11</u> |              |

|                                        |                                                    | Union                                                 | Check #s               |
|----------------------------------------|----------------------------------------------------|-------------------------------------------------------|------------------------|
|                                        |                                                    | EFTPS                                                 | E Debits               |
| Full Time Employees                    |                                                    |                                                       |                        |
| 6001                                   | John Avila                                         | 3,014.86                                              | DD1147                 |
| 6001                                   | Michelle Dempsey                                   | 2,527.79                                              | DD1148                 |
| 6001                                   | Andrew Conard                                      | 1,847.99                                              | DD1149                 |
| 6001                                   | Armando Gonzalez                                   | 1,925.29                                              | DD1150                 |
| 6001                                   | Quirino Valencia                                   | 1,773.85                                              | DD1151                 |
| 6001                                   | Sherry Laskie                                      | 790.66                                                | 6256                   |
| 6005                                   | Jesse Carver                                       | 1,388.16                                              | 6257                   |
| 6005                                   | John Coleman                                       | 1,226.21                                              | 6258                   |
| 6005                                   | Rene Rodriguez                                     | 1,432.56                                              | 6259                   |
| 6005                                   | David Servi                                        | 1,335.91                                              | 6260                   |
| 6005                                   | Johnathan Summers                                  | 485.83                                                | 6261                   |
| 6005                                   | Quirino Valencia III                               | 1,315.08                                              | 6262                   |
| 6005                                   | Victor Zamora                                      | 2,268.10                                              | 6263                   |
| 6004                                   | CA Emp Dev Dept                                    | UI, ETT, SDI & PIT                                    | 1,383.19 EFTPS         |
| 6004                                   | CalPERS (Health)                                   | Monthly Health Premium                                | 13,449.78 EFTPS        |
| 6004                                   | AFLAC (Employee)                                   | Employee Additional Health pre-tax and Life after tax | 664.72 6264            |
| 6011                                   | CalPERS (Employee)                                 | Employee Additional 457 Roth                          | 400.00 EFTPS           |
| 6011                                   | CalPERS (Employee)                                 | Employee Additional deferred contribution             | 475.00 EFTPS           |
| 6011                                   | CalPERS (Retirement)                               | PERS Retirement contribution Employer & Employees     | 2,486.43 EFTPS         |
| 6012                                   | Union Bank                                         | Federal Inc Tax, Employee/Employer Medicare & SS      | 6,188.23 EFTPS         |
| 7001                                   | Verizon (Verizon Wireless Fleet)                   | GPS System monthly charge (Apr)                       | 285.00 6265            |
| 7021                                   | Battery Pro                                        | New battery for Truck #5                              | 120.08 6266            |
| 7021                                   | G.V. Burrows, Inc                                  | Vehicle Fuel                                          | 1,895.68 6267          |
| 7021                                   | MAS                                                | Truck #7 A/C Repair                                   | 150.00 6268            |
| <b>Union Bank Charges</b>              |                                                    | <b>6/30/2020 Statement</b>                            | <b>343.78 E debits</b> |
| 7081                                   | S.C. Edison                                        | 262.99                                                |                        |
| 7081                                   | SoCalGas                                           | 17.04                                                 |                        |
| 7036                                   | Direct Deposit Fee                                 | 8.75                                                  |                        |
| 7036                                   | Union Bank - Positive Pay monthly maintenance fees | 55.00                                                 |                        |
| <b>U.S. Bank Charges &amp; Credits</b> |                                                    | <b>6/18/2020 Statement</b>                            | <b>1,015.66 6269</b>   |
| 7001                                   | Digital Deployment                                 | Internet - May                                        | 200.00                 |
| 7001                                   | Amazon.com                                         | Battery chargers for traps                            | 125.05                 |
| 7001                                   | Amazon.com                                         | Dry yeast for traps                                   | 61.98                  |
| 7001                                   | BestBuy                                            | Freezer for trap collections                          | 249.54                 |
| 7001                                   | Tractor Supply                                     | Dog Bones/Surveillance                                | 5.40                   |
| 7001                                   | Tractor Supply                                     | Chicken Feed                                          | 55.92                  |
| 7001                                   | Tractor Supply                                     | Chicken Feed                                          | 44.97                  |
| 7005                                   | AT&T                                               | Monthly Faxline                                       | 10.60                  |
| 7009                                   | WalMart                                            | Household - Swiffers                                  | 21.04                  |
| 7009                                   | WalMart                                            | Household Misc.                                       | 12.59                  |
| 7009                                   | Costco                                             | Household, towels & tp                                | 71.58                  |
| 7009                                   | CULLIGAN                                           | Water                                                 | 38.75                  |
| 7021                                   | WalMart                                            | Washer Fluid for vehicles                             | 7.71                   |
| 7036                                   | UnWired                                            | Monthly Internet                                      | 135.97                 |
| 7036                                   | WalMart                                            | Office - Calculator                                   | 35.57                  |
| 7036                                   | CLINES                                             | Copier Maint & Support                                | 157.37                 |
| 7036                                   | Amazon.com                                         | Office - manilla env 6x9                              | 26.51                  |
| 7036                                   | Amazon.com                                         | Office Supplies Misc                                  | 9.73                   |
| 7036                                   | Microsoft Office                                   | Renewal f MS 365 family                               | 99.99                  |
| 7036                                   | Amazon.com                                         | Office Supplies - Toner                               | 91.93                  |
| 7036                                   | Amazon.com                                         | Office Supplies Misc                                  | 90.70                  |
| 7036                                   | Amazon.com                                         | Office Supplies Misc                                  | 26.13                  |
| 7036                                   | ACCO                                               | Manager Planner 2021                                  | 52.60                  |
| 7036                                   | Amazon.com                                         | Credit for Web Cam                                    | (59.53)                |
| 7062                                   | Amazon.com                                         | USA Flag - heavy duty                                 | 47.04                  |
| 7062                                   | Amazon.com                                         | CA Flag - heavy duty                                  | 46.52                  |
| 7066                                   | AMCA                                               | Credit for cancellation                               | (650.00)               |
|                                        |                                                    |                                                       | <b>50,189.85</b>       |

TULARE MOSQUITO ABATEMENT DISTRICT

FY 19/20 Budget

June 30, 2020

|                                                          | <i>Appropriations</i> | <i>Expenditures</i> | <i>Remaining</i>    |
|----------------------------------------------------------|-----------------------|---------------------|---------------------|
| <b>Salaries &amp; Employees Benefits ( 1000 )</b>        |                       |                     |                     |
| 6001 Regular Salaries *                                  | 385,000.00            | 393,833.16          | (8,833.16)          |
| 6004 Benefits                                            |                       |                     |                     |
| Health Insurance                                         | 180,000.00            | 165,256.51          | 14,743.49           |
| EDD Unemployment Insurance 6.2% X 7,000 of employees pay | 5,048.00              | 5,261.74            | (213.74)            |
| EDD Disability Insurance 1.0% X of employees salary      | 5,500.00              | 5,030.68            | 469.32              |
| EDD Employment Training Tax rate 0%                      | -                     |                     | -                   |
| Life Insurance                                           | 1,452.00              | 1,261.00            | 191.00              |
| 6005 Extra Help                                          | 123,500.00            | 109,219.76          | 14,280.24           |
| 6008 Directors Fees                                      | 7,200.00              | 6,200.00            | 1,000.00            |
| 6011 Retirement PERS                                     | 51,000.00             | 46,224.16           | 4,775.84            |
| Classic members 8.081% X Gross Salary                    |                       |                     |                     |
| New Public Employee Pension Reform Act (PEPRA)           |                       |                     |                     |
| members ( 6.985% X Gross Pay )                           |                       |                     |                     |
| 6012 Social Security ( 7.65% of employee pay )           | 45,000.00             | 38,361.34           | 6,638.66            |
| 6015 Workers' Compensation Insurance                     | 35,000.00             | 325.43              | 34,674.57           |
|                                                          | <u>838,700.00</u>     | <u>770,973.78</u>   | <u>67,726.22</u>    |
| <b>Services &amp; Supplies ( 2000 )</b>                  |                       |                     |                     |
| 7001 Agriculture                                         | 450,000.00            | 196,812.13          | 253,187.87          |
| 7005 Telecommunications                                  | 2,500.00              | 1,425.88            | 1,074.12            |
| 7009 Household Expense                                   | 5,000.00              | 2,248.35            | 2,751.65            |
| 7010 Insurance                                           | 50,000.00             | 49,479.02           | 520.98              |
| 7021 Maintenance of Equipment                            | 105,000.00            | 41,076.35           | 63,923.65           |
| 7024 Maintenance - Bldg & Improvements                   | 15,000.00             | 17,319.70           | (2,319.70)          |
| 7027 Memberships                                         | 14,000.00             | 14,350.00           | (350.00)            |
| 7036 Office Expense                                      | 13,500.00             | 9,494.12            | 4,005.88            |
| 7043 Professional & Special Expense                      | 19,500.00             | 18,740.00           | 760.00              |
| 7059 Publications and Legal Notices                      | 500.00                | -                   | 500.00              |
| 7061 Rents & Leases - Equipment                          | 500.00                | -                   | 500.00              |
| 7062 Rent & Leases - Bldg & Improvements                 | 12,500.00             | 9,996.26            | 2,503.74            |
| 7065 Small Tools & Instruments                           | 2,500.00              | 162.78              | 2,337.22            |
| 7066 District Special Expense                            | 25,000.00             | 3,841.68            | 21,158.32           |
| 7074 Transportation & Travel                             | 20,000.00             | 4,195.79            | 15,804.21           |
| 7081 Utilities                                           | 7,000.00              | 5,060.49            | 1,939.51            |
|                                                          | <u>742,500.00</u>     | <u>374,202.55</u>   | <u>368,297.45</u>   |
| <b>Other Charges ( 3000 )</b>                            |                       |                     |                     |
| 7407 Contributions to other Agencies                     | 2,500.00              | -                   | 2,500.00            |
| 7425 Taxes & Assessments                                 | 38,500.00             | -                   | 38,500.00           |
|                                                          | <u>41,000.00</u>      | <u>-</u>            | <u>41,000.00</u>    |
| <b>Fixed Assets ( 8000-8300 )</b>                        |                       |                     |                     |
| Purchase of One Ton Replacement                          | 40,000.00             | 32,829.41           | 7,170.59            |
|                                                          | <u>40,000.00</u>      | <u>32,829.41</u>    | <u>7,170.59</u>     |
| <b>Working Budget</b>                                    | <b>1,662,200.00</b>   | <b>1,178,005.74</b> | <b>484,194.26</b>   |
| * Appropriation for Contingencies                        | 249,330.00            | -                   | 249,330.00          |
| <b>Total Appropriations</b>                              | <b>1,911,530.00</b>   | <b>1,178,005.74</b> | <b>733,524.26</b>   |
| <b>** General Reserves</b>                               |                       |                     |                     |
| Reserve for Asphalt Removal & Replacement                | 125,000.00            |                     | 125,000.00          |
| Reserve for Emergency Invasive Aedes Outbreak            | 250,000.00            |                     | 250,000.00          |
| Reserve for Replacement of Vehicles/Tablets              | 200,000.00            |                     | 200,000.00          |
| <b>Total Budget</b>                                      | <b>7,871,030.00</b>   | <b>1,178,005.74</b> | <b>6,693,024.26</b> |
| Tulare County Account # 778 Balance                      | 6,668,829.95          |                     |                     |
| Union Bank Account # 2740034408 Balance                  | 72,534.36             |                     |                     |
| <b>TMAD Current cash balance</b>                         | <b>6,741,364.31</b>   |                     |                     |

\* 15% of our Working Budget ( Tulare County permits us to carry 15% of our working budget as Appropriations for Contingencies )

\*\* There is no requirement to fund General Reserves at any set amount to be in compliance with the CA Health and Safety Code.

| <b>TMAD Revenue &amp; Cash Balance Status</b> |                  |                  |                  |                  |                  | Date of   |
|-----------------------------------------------|------------------|------------------|------------------|------------------|------------------|-----------|
| <b>FY 19/20</b>                               |                  |                  |                  |                  |                  | last rcvd |
|                                               | FY 16/17         | FY 17/18         | FY 18/19         | FY 19/20         | FY 19/20         | revenue:  |
| Tax Income                                    |                  |                  |                  | <Estimated>      | Actual to Date   | May 31    |
| 4001 Property Tax Current Secured             | 1,196,569        | 1,263,060        | 1,316,348        | 1,377,620        | 1,347,296        |           |
| 4006 Property Tax Current Unsecured           | 68,463           | 74,679           | 78,374           | 79,247           | 81,806           |           |
| 4008 Property Tax Prior Secured               | 24,606           | 24,790           | 24,820           |                  | 20,153           |           |
| 4009 Property Tax Prior Unsecured             | 1,398            | 2,281            | 1,185            |                  | 1,246            |           |
| 4030 Supp Tax Current Secured                 | 15,852           | 22,729           | 24,962           |                  | 19,177           |           |
| 4033 Supp Tax Prior Secured                   | 2,496            | 2,405            | 3,509            |                  | 4,380            |           |
| 4055 Timber Yield                             | -                | -                | 0.12             |                  |                  |           |
| 4060 Residual Dist                            | 52,134           | 55,021           | 62,559           |                  | 65,992           |           |
| 4069 PT Facilities                            | 24,049           | 25,053           | 25,757           |                  | 27,299           |           |
| 4801 Interest                                 | 61,168           | 77,640           | 115,075          |                  | 106,990          |           |
| 5000 I/G Revenues                             | -                | 216              | 377              |                  | 174              |           |
| 5050 Property Tax Relief                      | 11,953           | 11,738           | 11,657           | 11,480           | 5,676            |           |
| <b>Property Tax (County) Revenue:</b>         | <b>1,458,688</b> | <b>1,559,612</b> | <b>1,664,623</b> | <b>1,468,347</b> | <b>1,680,189</b> |           |
| <b>Misc Income</b>                            |                  |                  |                  |                  |                  |           |
| 5805 Misc. Revenue                            | -                | 3,154            | -                |                  |                  |           |
| 5838 Insurance Proceeds/Rec                   | -                | 23,843           | -                |                  |                  |           |
| 7000 Miscellaneous Revenue                    | 6,193            | 6,424            | 62,428           |                  | 8222             |           |
| 7003 Tax Administration Fee                   |                  |                  |                  |                  |                  |           |
| Health Dept Funding                           |                  | 23,776           | 42,530           |                  |                  |           |
| <b>Total Revenue</b>                          |                  |                  | <b>1,471,281</b> | <b>1,468,349</b> | <b>1,688,411</b> |           |
| <b>CASH BALANCE</b>                           |                  |                  |                  |                  |                  |           |
| County Cash Balance (6/30/20)                 |                  |                  | <b>6,668,830</b> |                  |                  |           |
| Union Bank Balance (6/30/20)                  |                  |                  | <b>72,534</b>    |                  |                  |           |
| Cash Balance                                  |                  |                  | <b>6,741,364</b> |                  |                  |           |

DISTRICT NAME Tulare Mosquito Abatement District

FUND NO 778

(USE WHOLE DOLLARS ONLY-NO CENTS)  
 2019-2020 Budget/Actual  
 (OPTIONAL)\*

2020-2021 Budget

**AVAILABLE RESOURCES**

**CASH**

|    |                                                                 |    |           |
|----|-----------------------------------------------------------------|----|-----------|
| 1. | Cash Balance - July 1, 2020                                     | \$ | 6,500,000 |
|    | General Reserves                                                | \$ | 966,773   |
|    | Less Cash Reserves: (Specify)                                   |    |           |
| 2. | <u>Reserves for Asphalt Removal/Replacement</u>                 | \$ | 150,000   |
| 3. | <u>Reserves for OPEB Liability</u>                              | \$ | 1,216,776 |
| 4. | <u>Reserve for Property &amp; Building purchase</u>             | \$ | 3,500,000 |
| a  | <u>Reserve for Emergency Invasive Aedes outbreak</u>            | \$ | 300,000   |
| b  | <u>Reserve for Replacement of Vehicles/Tablets</u>              | \$ | 225,000   |
| 5. | Total Beginning Cash Available<br>(Line 1 minus Lines 2 thru 4) | \$ | 141,451   |

**BUDGETED REVENUES** (See your monthly BA-A203 report for a listing of your revenue accounts)

|     | ACCOUNT                                                   |          |                  |
|-----|-----------------------------------------------------------|----------|------------------|
| 6.  | Property Taxes-Current Secured                            | 4001     | 1,475,118        |
| 7.  | Property Taxes-Current Unsecured                          | 4006     | 75,000           |
| 8.  | Property Taxes-Prior Secured                              | 4008     | 20,000           |
| 9.  | Property Taxes-Prior Unsecured                            | 4009     | 500              |
| 10. | Supp. Property Taxes-Current Secured                      | 4030     | 20,000           |
| 11. | Supp. Property Taxes-Prior                                | 4033     | 500              |
| 12. | Other Taxes                                               | 4052     | 0                |
| 13. | Interest (in PPP)                                         | 4801     | 70,000           |
| 14. | Use of money and property                                 | 4800     | 0                |
| 15. | Rents and Concessions                                     | 4807     | 0                |
| 16. | Aid From Other Governmental Agencies                      | 5000     | 0                |
| 17. | St Homeowners Property Tax Relief                         | 5050     | 0                |
| 18. | St Aid-Supp. Subvention-SD                                | 5052     | 0                |
| 19. | Charges for Current Services                              | 5400     | 0                |
| 20. | Charges for Cur Serv-Water & Sewer                        | 5531     | 0                |
| 21. | Burial Fee                                                | 5542     | 0                |
| 22. | Miscellaneous Revenues                                    | 5805     |                  |
| 23. | Other Sales-Taxable                                       | 5816     | 0                |
| 24. | Other Revenue                                             | 5835     | 0                |
| 25. |                                                           |          | 0                |
| 26. |                                                           |          | 0                |
| 27. | Total Budgeted Revenues<br>(Lines 6 thru 26)              | Total \$ | 1,661,118        |
| 28. | <b>Total Available Resources</b><br>(Line 5 plus Line 27) | Total \$ | <b>1,802,569</b> |

\* Prior year budget/actual is optional as a reference only.



APPROVED BUDGET - SPECIAL DISTRICTS  
**FINAL BUDGET FOR FISCAL YEAR 2020-21**  
 PAGE 2 OF 3

DISTRICT NAME Tulare Mosquito Abatement District

FUND NO 778

(USE WHOLE DOLLARS ONLY-NO CENTS)  
 2019-2020 Budget/Actual  
 (Optional)\*

2020-2021 Budget

**APPROPRIATIONS**

**BUDGETED EXPENDITURES (See your monthly BA-A103 report for a listing of your expenditure accts.)**

|     | ACCOUNT                                                                     |          |         |
|-----|-----------------------------------------------------------------------------|----------|---------|
| 29. | Salaries and Employee Benefits                                              | 6000 **  |         |
| 30. | Regular Salaries                                                            | 6001     | 485,000 |
| 31. | Overtime                                                                    | 6002     |         |
| 32. | Benefits (i.e. Health Insurance, life Insurance,<br>Unemployment Insurance) | 6004     | 217,000 |
| 33. | Extra Help                                                                  | 6005     | 141,000 |
| 34. | Director's Fees                                                             | 7012     | 7,200   |
| 35. | Retirement-SD Portion                                                       | 6011     | 64,000  |
| 36. | Social Security                                                             | 6012     | 47,000  |
| 37. | Workers' Comp Ins                                                           | 6015     | 25,000  |
| 38. |                                                                             |          |         |
| 39. |                                                                             |          |         |
| 40. | Total Salaries and Employee Benefits<br>(Lines 29 thru 39)                  | Total \$ | 986,200 |
| 41. | Services and Supplies                                                       | 7000 **  |         |
| 42. | Agricultural                                                                | 7001     | 245,000 |
| 43. | Clothing and Personal Supplies                                              | 7004     | 0       |
| 44. | Telecommunications (phone bill)                                             | 7005     | 1,600   |
| 45. | Cost of Supplies Reissued                                                   | 7006     | 0       |
| 46. | Food                                                                        | 7007     | 0       |
| 47. | Household Expense                                                           | 7009     | 2,000   |
| 48. | Insurance                                                                   | 7010     | 54,000  |
| 49. | Maintenance-Equipment                                                       | 7021     | 54,000  |
| 50. | Maintenance-Bldg & Improvements                                             | 7024     | 8,000   |
| 51. | Memberships                                                                 | 7027     | 15,000  |
| 52. | Office Expense                                                              | 7036     | 10,000  |
| 53. | Professional and Specialized Expense                                        | 7043     | 20,000  |
| 54. | Publications and Legal Notices                                              | 7059     | 500     |
| 55. | Rent & Leases-Equipment                                                     | 7061     | 500     |
| 56. | Rent & Leases-Bldg & Improvements                                           | 7062     | 10,000  |
| 57. | Small Tools and Instruments                                                 | 7065     | 1,000   |
| 58. | District Special Expense                                                    | 7066     | 10,000  |
| 59. | Training                                                                    | 7073     | 0       |
| 60. | Transportation and Travel                                                   | 7074     | 10,000  |
| 61. | Utilities                                                                   | 7081     | 7,000   |
| 62. |                                                                             |          |         |
| 63. |                                                                             |          |         |
| 64. |                                                                             |          |         |
| 65. |                                                                             |          |         |
| 66. | Total Services and Supplies<br>(Lines 41 thru 65)                           | Total \$ | 448,600 |

\*\* Special Districts that keep their own books must use account numbers 6000, 7000, etc.; Special Districts whose books are maintained by the Tulare County Auditor use line item account numbers.





**BOARD OF DIRECTORS MEETING - AGENDA**

July 7, 2020  
Via Zoom  
9:00-noon

**Agenda Item #6**

| <u>Item</u>                                            | <u>Attachment/Page</u> |
|--------------------------------------------------------|------------------------|
| 1. Call to order and roll call                         |                        |
| 2. Announcements                                       |                        |
| 3. Approval of prior meeting minutes*                  |                        |
| 3.01 Minutes of the March 2, 2020 Meeting              | Page 3                 |
| 4. Approval of additional agenda items*                |                        |
| 5. President/Executive Committee Report                |                        |
| 5.01 COVID 19                                          |                        |
| 5.02 Policy Updates Vote *                             |                        |
| 5.03 Bylaws Update vote results *                      |                        |
| 5.04 Service Provider contract updates *               | Page 6                 |
| 6. Executive Director/Staff Report                     |                        |
| 6.01 Staff Report                                      |                        |
| 6.02 Meeting location updates                          |                        |
| 7. Treasurer's Report (Attachments) *                  | Page 24                |
| 7.01 MVCAC Financial Statements as of May 31, 2020     |                        |
| 7.02 NPDES Financial Statements and as of May 31, 2020 |                        |
| 7.03 Investment Matrix and as of May 31, 2020          |                        |
| 8. Legal Report                                        |                        |
| 9. Trustee Council Report                              |                        |
| 10. Committee Reports                                  |                        |
| 10.01 Information Technology                           |                        |
| 10.02 Integrated Vector Management                     |                        |
| 10.03 Lab Technologies                                 |                        |
| 10.04 Legislative                                      |                        |

- 10.05 Public Relations
  - 10.06 Training and Certification
  - 10.07 Vector and Vector-Borne Disease
  - 10.08 Vector Control Research
  - 10.09 Nominating
  - 10.10 NPDES/Regulatory Affairs/Trash Capture Devices
  - 10.11 Reeves New Investigator Award
  - 10.12 CalSurv Steering Committee
  
  - 11. Reports from MVCAC Regions
    - 11.01 Southern
    - 11.02 South San Joaquin
    - 11.03 North San Joaquin
    - 11.04 Sacramento Valley
    - 11.05 Coastal
  
  - 12. Reports from Other Agencies
    - 12.01 DART
    - 12.02 CDPH/VBDS
    - 12.03 VCJPA
    - 12.04 AMCA
    - 12.05 CSDA
    - 12.06 Vector Borne Disease Network
  
  - 13. Old Business
  
  - 14. New Business
    - 14.01 CEU Discussion
  
  - 15. Additional Approved Agenda Items
  
  - 16. Adjournment\*
- \*Requires Action



## ADAIR & EVANS

*an Accountancy Corporation*

Eric M. White, CPA  
Lance E. Morris, CPA  
David T. Eddy, CPA  
Tim A. Dodson, CPA  
Garry W. Riezebos, CPA  
Michael J. Semas, CPA

John M. Oppedyk, CPA  
Kathy L. Hamada, CPA  
Racquel Avila, CPA  
Amanda Burlingame, CPA  
Amy Deschenes, CPA  
Emily M. Dupree EA

June 12, 2020

Tulare Mosquito Abatement  
6575 Dale Fry Road  
Tulare, California 93274-9073

We are pleased to confirm our understanding of the services we are to provide Tulare Mosquito Abatement for the year ended June 30, 2020. We will audit the basic financial statements of Tulare Mosquito Abatement as of and for the year ended June 30, 2020. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement Tulare Mosquito Abatement's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statement in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to Tulare Mosquito Abatement's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by U.S. generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis.
2. Proportionate share of the Net Pension Liability
3. Schedule of Contributions

We have also been engaged to report on supplementary information other than RSI that accompanies Tulare Mosquito Abatement's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statement or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and we will provide an opinion on it in relation to the financial statements as a whole:

1. Property Tax Revenues
2. Services and Fees Revenue
3. Budgetary Comparison Schedules

### **Audit Objective**

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the State Controller's *Minimum Audit Requirements for California Special Districts*, and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions.

We will issue a written report upon completion of our audit of the District's financial statements. Our report will be addressed to the Board of Directors of the District. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or may withdraw from this engagement.

#### **Audit Procedures – General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the District or to acts by management or employees acting on behalf of the District.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will also require certain written representations from you about the financial statements and related matters.

#### **Audit Procedures – Internal Control**

Our audit will include obtaining an understanding of the District and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

#### **Audit Procedures – Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Alta Cemetery District's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

### **Other Services**

We will also assist in preparing the financial statements of Tulare Mosquito Abatement District in conformity with U.S. generally accepted accounting principles based on information provided by you. We will also prepare the State Controller's Report and Compensation Report as required by the California State Controller's Office, Division of Special Districts. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

### **Management Responsibilities**

Management is responsible for designing, implementing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including monitoring ongoing activities; for the selection and application of accounting principles; and for the preparation and fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware is relevant to the preparation and fair presentation of the financial statements, including identification of all related parties and all related-party relationships and transactions, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the District from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statement to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the District involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the District received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the District complies with applicable laws and regulations.

You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to make the audited financial statements readily available to users of the supplementary information no later than the date of the supplementary information that is issued with our report thereon. Your responsibilities include acknowledging to us in the representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) that you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

You agree to assume all management responsibilities for financial statement preparation services and any other nonattest services we provide; oversee the services by designating an individual, preferable from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them.



**Engagement Administration, Fees, and Other**

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

We expect to begin our audit on approximately July 30, 2020 and to issue our reports no later than December 31, 2020 after your fiscal year end. Garry W. Riezebos, CPA is the engagement partner and is responsible for supervising the engagement and signing the report.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses will not exceed \$7,500. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. We will also have to discuss whether a specialist is necessary for your OPEB liability. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to Tulare Mosquito Abatement and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



**ADAIR & EVANS**  
An Accountancy Corporation

**RESPONSE:**

This letter correctly sets forth the understanding of Tulare Mosquito Abatement.

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Board action on: \_\_\_\_\_ (board meeting date)



**State of California  
24th District Agricultural Association  
Tulare County Fair**

2020 Commercial Exhibit Space Contract

Agreement No. TCF-COM-IN-2020-010

GL No. 41510

THIS CONTRACT made and entered on **June 19, 2020**, into by and between the State of California, 24<sup>th</sup> District Agricultural Association, also known as the Tulare County Fair, hereinafter called Tulare County Fair, and **Tulare Mosquito Abatement District**, hereinafter called "Exhibitor", shall provide for Exhibitor's participation in the Tulare County Fair Commercial Exhibit program in accordance with the following conditions:

**Space(s) identified as 10X10 Corner**

1. Hereinafter called "premises", is hereby allocated Exhibitor for use under the terms of this contract.
2. Exhibitor shall have the non-exclusive right to exhibit, promote, demonstrate, and/or sell the following products or services on the grounds of the Tulare County Fair: **Informational materials on prevention of mosquitos, bookmarks and other small items with contact info**
3. Terms of this Contract is September 14, 2020 through September 21, 2020, which includes two days for preparation and one day for removal of Exhibitor's property.
4. Vendors and staff must always wear mask due to COVID

Exhibitor shall pay Tulare County Fair, the following nonrefundable amounts (unless the fair is cancelled) by company check, certified bank check, money order, cashier's check or via credit card; all payments are due by September 1, 2020. Signed and dated contracts with all forms are due back into the Fair office within 30-days of contract date stated above to Tulare County Fair. If mailed, please send to: Tulare County Fair, 620 South K Street, Tulare, CA 93274. Please write the contract number on all checks. Please remit all payments by September 1, 2020.

**Location Standard Pricing:**

| Space/Stand/Location | Rental of Premises | Health Fee | TOTAL    |
|----------------------|--------------------|------------|----------|
| 10X10 Corner         | \$575.00           |            | \$575.00 |

Failure to meet this deadline for payment shall be cause for immediate cancellation of this Agreement. Payment of the above fees shall be made as follows:

**\$575.00 due by September 1, 2020**

1. The "Tulare County Fair Commercial Exhibit and Concession Rules and Regulations", a copy of which is available on the website, is by this reference made a part of this Contract. Exhibitor acknowledges having received a copy of such Rules and having read and understood them. Exhibitor agrees to comply with such Rules and any addenda as may be issued thereto.
2. The person signing on behalf of the Exhibit hereby certifies and declares, under penalty of perjury under the laws of the State of California, that he/she/it has the authority to bind the Exhibitor to this contract and, further, that the information provided in this contract concerning the Exhibitor, including the address and other information listed below, is true, correct, and current.

3. Exhibitor is required to conform to the regulations, requirements and policies described in the following addendum's incorporated by this reference and made a part of this Contract.

Tulare County Fair Commercial Concessionaire Manual

Addendum A

Insurance Instructions

Addendum E

California State & Local Sales & Use Tax Law

4. The terms and conditions of this Contract may be changed only in writing. Acceptance of rent by Tulare County Fair after any breach by Exhibitor or any failure of Tulare County Fair to insist upon full and prompt performance of the terms and conditions of this Contract shall not constitute acceptance of any such breach by State and shall not constitute a waiver of and of Tulare County Fair's rights under this Contract.
5. Exhibitor hereby waives all claims and recourse against the Tulare County Fair including the right to contribution of loss or damage to persons or property arising from, growing out of, or in any way connected with incident to this Contract. Exhibitor shall indemnify and save harmless the State of California and Tulare County Fair, and all officers and employees thereof from all claims, suits, or action of every name, kind and description, brought forth from, or on account of, injuries to or death of any person including but not limited to workmen and the public, or damage to property resulting from the performance of this contract, except as otherwise provided by statute. The duty of the Exhibitor to indemnify and save harmless includes the duties to defend as set forth in Section 2778 of the Civil Code. Exhibitor waives any and all rights to any type of express or implied indemnity against the State, its officers, or employees.
6. It is the intent of the parties that the Exhibitor will indemnify and hold harmless the State, its officers and employees from any and all claims, suits or actions as set forth above regardless of the existence or degree of fault or negligence whether active or passive, primary or secondary on the part of the State, the Exhibitor, the subcontractor or employee of any of these.
7. In the event Tulare County Fair is named as co-defendant, Exhibitor shall notify Tulare County Fair of such fact and shall represent State in such legal action unless Tulare County Fair undertakes to represent itself as codefendant in such legal action, in which event Exhibitor shall bear Tulare County Fair's litigation costs, expenses, and attorney's fees.
8. Other than the payment of the rent and charges for in this Contract, Exhibitor waives any and all rights the Exhibitor may have by virtue of the provisions of Sections 1941 and 1942 of the Civil Code as may be amended.
9. The parties agree that any action at law or suit in equity, relating to this Contract or any provision thereof, shall only be instituted and maintained in a court of competent jurisdiction in the County of Tulare, State of California. Each party hereto waives the right to change of venue.
10. If any legal action, relating to this or any provision thereof, is brought, the parties expressly agree that service of process may be served by registered mail to the address listed at the bottom of this Contract in each party's name and personal service is expressly hereby waived.
11. This Contract is expressly governed by the laws of the State of California.
12. If any legal action is brought to enforce or interpret provisions of this Contract, the prevailing party shall be entitled to reasonable attorney's fees in addition to any other relief, which the party may be entitled.



If the party, who commenced the legal or equitable proceedings dismisses the action of proceeding with or without prejudice, the defending responding party for the purposes of recovery of attorney's fees.

13. The parties agree that this contract does not convey, demise or let any interest of the Tulare County Fair in any real property, and the occupancy of such premises by Exhibitor, the acceptance of rent by Tulare County Fair during the term of, or during any holdover under, this Contract shall not confer on Exhibitor any title, interest, or right in real property against Tulare County Fair.
14. Exhibitor shall take all reasonable steps necessary to assure satisfactory labor-management relations so that operation of Tulare County Fair or others on the grounds shall be in no way affected by strikes, picketing, boycotts, or other labor activities. Exhibitor shall consult with the Tulare County Fair upon such matters.
15. The parties agree that the Exhibitor, and any agents and employees of Exhibitor, in performance of this Contract, shall act and are acting in an independent capacity and not as officers or employees or agents of the Tulare County Fair.
16. Contractor is required to provide evidence of workers' compensation insurance as applicable. By signing this contract, contractor certifies that either: (1) It will provide evidence of worker's compensation insurance, prior to commencement of term; or (2) Contractor is independent and has no paid or volunteer employees. This certification does not alter or affect compliance with the workers' compensation requirements in the Labor Code of the State of California.
17. Drug-Free Workplace Certification: By signing this agreement, Exhibitor certifies compliance with Government Code Section 8355 in matters relating to providing a drug-free workplace. Contractor will:  
1) Publish a statement notifying employees that unlawful manufacturing, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355 (a). 2) Establish a Drug-Free Awareness Program as required by Government Code Section 8355 (b), to inform employees about all of the following: (a) dangers of drug abuse in the workplace, (b) The persons or organizations policy of maintaining a drug-free workplace, (c) any available counseling, rehabilitation and employee assistance programs, and (d) Penalties that may be imposed upon employees for drug abuse violations. 3) Provide as required by Government Code Section 8355 (c), that every employee who works on the proposed contract or grant: (a) Will receive a copy of the company's drug-free policy statement, and (b) will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant. I, the official signing this agreement, hereby swear that I am duly authorized legally to bind the Contractor to the above described certification. I am fully aware that this certification is made under penalty of perjury under the laws of the State of California.
18. The Exhibitor and Exhibitor's employees shall not discriminate because of race, religion, color, ancestry, sex, age, national origin, or physical disability against any person by refusing to furnish such person any accommodation, facility, service or privilege offered to or enjoyed by the general public. Nor shall the Exhibitor or Exhibitor's employees publicize the accommodation, facility, service or privilege in any manner that would directly or inferentially reflect upon or question the acceptability of the patronage of any person because of race, religion, color, ancestry, sex, age, national origin or physical disability.

In the performance of this Agreement, the Exhibitor will not discriminate against any employee or applicant for employment because of race, color, religion, color, ancestry, sex, age, national origin, or physical disability. The Exhibitor will take affirmative action to ensure that applicants are employed

and that employees are treated during employment without regard to their race, color, religion, color, ancestry, sex, age, national origin, or physical disability. Such action shall include, but not be limited to, the following employment, upgrading, demotion, or transfer; recruit mentor, recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Exhibitor shall post in conspicuous place, available to employees and applicants for employment, notices to be provided by the State setting forth the provisions of Government Code Section 12970 and 12974. Form 809, Equal Employment Opportunity Poster, may be used.

The Exhibitor will permit access to Exhibitor's records of employment, employment advertising, application forms, and other pertinent data and records by the Fair Employment and Housing Commission, or any other agency of the State of California designated by the awarding authority, for the purpose of investigation to ascertain compliance with the Tulare County Fair Employment and Housing Section of this Agreement.

The Tulare County Fair may determine a willful violation of the Fair Employment and Housing Act to have occurred upon receipt of a final judgment having that effect from a court in an action to which Exhibitor was a party, or upon receipt of a written notice from the Fair Employment and Housing Commission that it has investigated and determined that the Exhibitor has violated the Fair Employment and Housing Act and has issued an order, under Government Code Section 12970, which has become final or obtained an injunction under Government Code Section 12974. In the event of violation of this paragraph, the State will have the right to terminate this Agreement, and any loss of revenue sustained by the Tulare County Fair by reason thereof shall be borne and paid for by the Exhibitor.

- 19. Exhibitor, by signing this agreement, does swear under penalty of perjury that no more than one unappealable finding of contempt of court by a Federal Court has been issued against it within the proceeding two years because of failure to comply with an order of a Federal Court which orders the Permittee to comply with an order of the National Labor Relations Board.
- 20. The fair reserves the right to terminate any contract, at any time by giving the contractor notice in writing at least 30 days prior to the date when such termination shall become effective. Such termination shall relieve the fair of a further payment, obligations, and/or performances required in the terms of the contract.

IN WITNESS WHEREOF, the parties hereto have entered into this contract on the date first above written.

**EXHIBITOR**

Signed: \_\_\_\_\_

John Avila

Tulare Mosquito Abatement District

Title: General Manager

Date: 06/19/2020 State CA

Address:

6575 Dale Fry Rd  
Tulare CA 93274

Telephone: 559-804-5529

California Seller's Permit #:

Drivers License: \_

**TULARE COUNTY FAIR**

Signed: \_\_\_\_\_

Dena Rizzardo - CEO

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Mailing Address & Street Address

620 South K Street

Tulare, CA 93274

(559)686-4707 (559)686-7238 FAX

Exempt from DGS Approval