

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: The Honorable City Council

FROM: John Brand, Senior Management Analyst

DATE: November 6, 2006 (CC meeting of November 15, 2006) 

SUBJECT: Consider an Agreement with the State Department of Health Services Regarding Applying Pesticides for Public Health Purposes

DISCUSSION

This Cooperative Agreement must be renewed annually to meet certain reporting and certification requirements for the activities of the City Mosquito and Vector Control Division. It primarily concerns staff authority to handle and apply pesticides. This Agreement has the same language and terms as the previous Agreements. This Agreement complies with state Health & Safety Code provisions for public vector control agencies such as the City of Moorpark. The Agreement was established between the state and local public agencies to streamline some of the more costly and time-consuming regulations that are more appropriate for other pesticides uses, such as agricultural application and commercial pest control.

The Cooperative Agreement (Attachment "A") requires the City to adhere to certain standards for calibration, record keeping, record retention, and staff certification. It also allows the County Agricultural Commissioner to review records and inspect the City's mosquito and vector control facilities. The alternative to the Cooperative Agreement would be for the City to follow a much stricter standard for application of pesticides, one that may exceed the standards deemed necessary and appropriate for the control of vector-borne disease by the state Department of Health Services and other public health agencies.

STAFF RECOMMENDATION

Authorize the Mayor to execute the cooperative agreement, subject to final language approval by the City Manager and City Attorney.

Attachment "A": Cooperative Agreement

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COOPERATIVE AGREEMENT
(PURSUANT TO SECTION 116180, HEALTH AND SAFETY CODE)

Date _____

This Agreement between the California Department of Health Services and
City of Moorpark, 799 Moorpark Avenue, Moorpark, CA 93021
(name and address of local vector control agency)

is effective on January 1, 2007 or on the subsequent date shown above, and expires December 31, 2007. It is subject to renewal by mutual consent thereafter.

Part I. Pesticides

This part may be canceled for cause by either party by giving 30 days advance notice in writing, setting forth the reasons for the termination.

The vector control agency named herein agrees:

1. To calibrate all application equipment using acceptable techniques before using, and to maintain calibration records for review by the County Agricultural Commissioner.
2. To maintain for at least two years for review by the County Agricultural Commissioner a record of each pesticide application showing the target vector, the specific location treated, the size of the source, the formulations and amount of pesticide used, the method and equipment used, the type of habitat treated, the date of the application, and the name of the applicator(s).
3. To submit to the County Agricultural Commissioner each month a Pesticide Use Report, on Department of Pesticide Regulation form PR-ENF-060. The report shall include the manufacturer and product name, the EPA registration number from the label, the amount of each pesticide used, the number of applications of each pesticide, and the total number of applications, per county, per month.
4. To report to the County Agricultural Commissioner and the California Department of Health Services, in a manner specified, any conspicuous or suspected adverse effects upon humans, domestic animals and other non-target organisms, or property from pesticide applications.
5. To require appropriate certification of its employees by the California Department of Health Services in order to verify their competence in using pesticides to control pest and vector organisms, and to maintain continuing education unit information for those employees participating in continuing education.
6. To be inspected by the County Agricultural Commissioner on a regular basis to ensure that local agency activities are in compliance with state laws and regulations relating to pesticide use.

For California Department of Health Services

For Local Agency

Chief, Vector-Borne Disease Section

Signature Title
Patrick Hunter, Mayor

Part II. Environmental Modification

This part may be canceled for cause by either party by giving 30 days advance notice in writing, setting forth the reason for the termination.

The vector control agency named herein agrees:

To comply with requirements, as specified, of any general permit issued to the California Department of Health Services as the lead agency, pertaining to physical environmental modification to achieve pest and vector prevention.

For California Department of Health Services

For Local Agency

Chief, Vector-Borne Disease Section

Signature Title
Patrick Hunter, Mayor

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