

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** The Honorable City Council

**FROM:** Jennifer Mellon, Senior Management Analyst 

**DATE:** October 14, 2009 (CC meeting of November 18, 2009)

**SUBJECT:** Consider a Cooperative Agreement with the State Department of Public Health Regarding Applying Pesticides for Public Health Purposes

**DISCUSSION**

The State Department of Health Services Cooperative Agreement is renewed annually to meet certain reporting and certification requirements for the City Mosquito and Vector Control Division program. This Agreement has the same language and terms as the previous annual Cooperative Agreement. The standards adopted in the agreement exempt public vector control agencies, such as the City of Moorpark, from more onerous requirements for pesticide application under the state Health and Safety Code. The Cooperative Agreement was established between the state and local public agencies to streamline some of the costly and time-consuming regulations that are more appropriate for other pesticide 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.

**FISCAL IMPACT**

No Fiscal Impact

Honorable City Council  
November 18, 2009  
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**STAFF RECOMMENDATION**

Approve the cooperative agreement and authorize the Mayor to execute the Agreement on behalf of the City.

Attachment "A" – Cooperative Agreement

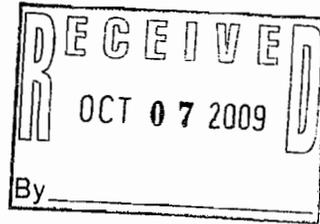


MARK B HORTON, MD, MSPH  
Director

State of California—Health and Human Services Agency  
California Department of Public Health



ARNOLD SCHWARZENEGGER  
Governor



October 1, 2009

TO: Agencies Signatory to the Cooperative Agreement with the California Department of Public Health

SUBJECT: COOPERATIVE AGREEMENT WITH THE DEPARTMENT OF PUBLIC HEALTH

Please find enclosed a copy of the Cooperative Agreement between local agencies applying pesticides for public health purposes and the California Department of Public Health. The current Cooperative Agreement between our agencies shall expire on December 31, 2009. If your agency is interested in renewing this Cooperative Agreement for another year (through December 31, 2010), please return the enclosed form by December 31, 2009 to the Vector-Borne Disease Section (VBDS). Include the agency manager's signature in the appropriate space and the operator ID and/or license number to be listed on Monthly Summary Pesticide Use Reports (PR-ENF-060) for 2010. Please send to:

Department of Public Health  
Vector-Borne Disease Section  
1616 Capitol Avenue, MS-7377  
P.O. Box 997377  
Sacramento, CA 95899-7377

VBDS shall endorse the Cooperative Agreement and return a copy to your agency immediately. If your agency is not interested in continuing the Cooperative Agreement, please notify VBDS as soon as possible.

Thank you for your cooperation in this matter. If you should require additional information or clarification, please contact your VBDS regional office or the Sacramento headquarters at (916) 552-9730.

Vicki L. Kramer, Ph.D., Chief  
Vector-Borne Disease Section

Enclosure

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

**ATTACHMENT A**

Date \_\_\_\_\_

This Agreement between the California Department of Public Health and

City of Moorpark, 799 Moorpark Avenue, Moorpark, CA 93021

(name and address of local vector control agency)

is effective on January 1, 2010 or on the subsequent date shown above, and expires December 31, 2010. It is subject to renewal by mutual consent thereafter.

Operator ID and/or license number to be listed on Monthly Summary Pesticide Use Reports (PR-ENF-060) for 2010:

Operator ID # 38 License # 200001501 and 240002068

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

Part I. Pesticides

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 seek the assistance of the County Agricultural Commissioner in the interpretation of pesticide labeling.
3. 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).
4. 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.
5. To report to the County Agricultural Commissioner and the California Department of Public Health, in a manner specified, any conspicuous or suspected adverse effects upon humans, domestic animals and other non-target organisms, or property from pesticide applications.
6. To require appropriate certification of its employees by the California Department of Public Health 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.
7. 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.

Part II. Environmental Modification

The vector control agency named herein agrees:

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

For California Department of Public Health

For Local Agency

\_\_\_\_\_  
Vicki Kramer, Ph.D.  
Chief, Vector-Borne Disease Section

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Signature