

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: The Honorable City Council

FROM: Jennifer Mellon, Senior Management Analyst 

DATE: October 8, 2010 (CC meeting of October 20, 2010)

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

BACKGROUND

Each year the State Department of Health Services Cooperative Agreement is renewed 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.

DISCUSSION

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 more stringent 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
October 8, 2010
Page 2

STAFF RECOMMENDATION

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

Attachment "A" – Cooperative Agreement

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

Date _____

This Agreement between the California Department of Public Health and

(name and address of local vector control agency)

is effective on January 1, 2011 or on the subsequent date shown above, and expires December 31, 2011. 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 2011:

Operator ID # _____ License # _____

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