



TOWN OF FAIRFAX

STAFF REPORT

January 13, 2016

TO: Mayor and Town Council

FROM: Michele Gardner, Town Clerk *GR*

SUBJECT: Interview and appointment of Fairfax Representative to the Marin/Sonoma Mosquito & Vector Control District Board of Trustees

RECOMMENDATION

Interview and appoint a Fairfax representative to serve on the Marin/Sonoma Mosquito & Vector Control District Board of Trustees ("MSMVCD").

DISCUSSION

This is a scheduled vacancy due to the expiration of Mr. Frank Egger's term at the end of last month. The Town has received the attached two applications for the vacancy; one from Mr. Egger and one from Mr. David James.

The MSMVCD is governed by a board of trustees, each representing his or her city (or county) of residence at large. Trustees are appointed by their city council (or county board of supervisors) and serve a two- or four-year term. Trustees are not compensated, but are provided with an allowance to defray expenses while on official business (not to exceed \$100 per month).

The Council has several options for this appointment. It may appoint one of the applicants, or one of the Council members or another individual, or choose not to appoint anyone. If the Council does choose to appoint a trustee to the MSMVCD, it may do so for either a two- or a four-year term.

ATTACHMENTS

1. Application of Frank Egger
2. Application of David James



RECEIVED

NOV 25 2015

TOWN OF FAIRFAX

TOWN OF FAIRFAX

APPLICATION FOR APPOINTMENT TO BOARD/COMMISSION/COMMITTEE

TO: Mayor and Fairfax Town Council

Date: NOV 24, 2015

Please consider this as an application for appointment to:

2 YEAR TERM

- Affordable Housing Committee
- Design Review Board
- General Plan Advisory Committee
- Measure F Oversight Committee
- Measure K Oversight Committee
- Open Space Committee
- Planning Commission
- Parks and Recreation Commission
- Volunteer Board

Other MARIN/SONOMA MOSQUITO & VECTOR CONTROL DISTRICT
 (Your completed application will become a public record upon submittal to the Town)

Name: FRANK EGGER

Address: _____

Telephone: (Office) _____ Home: _____

Email Address: fegger@pacbell.net

Number of Years in Fairfax: SINCE MARCH, 1963

Education GRADUATED; ST IGNATIUS

COLLEGE PREP AND SANTA ROSA JUNIOR

COLLEGE. ATTENDED: COLLEGE OF MARIN AND UNIVERSITY OF SAN FRANCISCO

Please list the names of professional societies, clubs, and other organizations to which you belong.

ENVIRONMENTAL ACTION COMMITTEE OF WEST MARIN; SIERRA CLUB; PESTICIDE FREE ZONE

MARIN CONSERVATION LEAGUE
STOP THE SPRAY MARIN

ATTACHMENT 1

Briefly describe your employment background. MY DAY JOB WAS SALES REP AND COMMERCIAL DRIVER FOR THE ORIGINAL KILPATRICK'S BAKERY, PLUS TEAMSTER UNION PRESIDENT. SERVED ON LOCAL, COUNTYWIDE, REGIONAL, STATE & FEDERAL BOARDS COMMISSIONS & COUNCILS FOR DECADES.

What is your vision for the Town of Fairfax? RETAIN FAIRFAX'S SMALLTOWN CHARM AND CHARACTER. CONTINUE TO PROTECT THE HEALTH, SAFETY AND WELFARE OF FAIRFAX RESIDENTS. KEEP FAIRFAX THE #1 TOWN IN MARIN.

Please describe possible areas of conflict of interest. RONITA & I OWN ^A FAIRFAX BUSINESS, CAZADERO WINERY & LOCAL ACCOUNTS INCLUDE THE MEADOW CLUB, DEER PARK VILLA AND GOOD EARTH FOODS. WE OWN NO PROPERTY OTHER THAN OUR HOME OF 20 YEARS ON MEADOW WAY IN THE FAIRFAX AREA.

Briefly explain your interest in serving on this Board, Commission, or Committee.

I HAVE SERVED FOR 11 YEARS ON THE W/S M+VCO BOARD AND HAVE CONSISTENTLY WORKED FOR THE SAFEST METHOD OF CONTROLLING MOSQUITOES. MANY MARIN COMMUNITIES, WEST MARIN AND FAIRFAX, ARE VERY CONCERNED ABOUT THE ADVERSE EFFECTS OF PESTICIDES & MY GOAL TO IS PROTECT OUR TOWN BY USING ONLY OMRI APPROVED PRODUCTS.

Signature [Handwritten Signature]

Please return this completed, signed form to:

**Town Clerk, Town of Fairfax
142 Bolinas Road
Fairfax, CA 94930**

Your completed application will become a public record upon submittal to the Town.

Nov 24, 2015

TO: Fairfax Town Council

SUBJ: Fairfax, a leader in reducing and where possible eliminating pesticide use by governmental agencies and recent history including Fairfax's ban on pesticides on the commons.

FROM: Frank Egger, Fairfax trustee to the Marin-Sonoma Mosquito & Vector Control District (M/SM&VCD) and author of Fairfax's ban on the use of pesticides on the commons and applicant for appointment to a two year term.

Fairfax adopted its ban on the use of pesticides on the commons and pesticide neighbor notification law in 2001. The California Department of Pesticide Regulation challenged Fairfax's ordinance and sent its then director, Paul Helliker, to Fairfax to advise the state had pre-empted Fairfax over any town action on pesticides. That was followed up by a letter from the Attorney General giving Fairfax 60 days to repeal its ordinance banning pesticide use on the commons. Fairfax stood its ground, challenging the state and pretty much said, due what you have to do, we are not backing down. In the end the state agreed that a general law city/town had the right to control or even outright ban the use of pesticides on the commons. We prevailed.

In 2004, with the threat of West Nile Virus (WNV) centered around mosquitoes and possible pesticide fogging by the M/SM&VCD and given the high rates of both prostate and breast cancer rates in the Fairfax area, the Fairfax town council became very concerned about what governmental agencies were doing or not doing to address our high rates of cancer.

That is when the Fairfax town council appointed me to the M/SM&VCD board of trustees. About the same time it came to the attention of the Fairfax town council the Marin Municipal Water District (MMWD) was spraying Roundup type pesticides in the Fairfax watershed.

There were two meetings taking place that could impact Fairfax, M/SM&VCD and MMWD. The town council sent councilmember Lew Tremaine to the MMWD board meeting in Corte Madera calling for an end to pesticide spraying in Fairfax's watershed and me, the then mayor, to the M/SM&VCD meeting in Cotati to seek protections for Fairfax from potential fogging of pesticides because a crow tested positive for WNV.

There was a highly contentious meeting in Fairfax where Fairfax's ban on pesticide use on the commons was being challenged by the M/SM&VCD. In the end, Fairfax was not sprayed. And today, 11 years later, the MMWD is actually looking to formalize the process to take Roundup type pesticides (Glyphosates) off the table as a means of controlling invasive plants in the watershed.

Then in 2007, Monterey and Santa Cruz counties were sprayed with pesticides to eradicate the Light Brown Apple Moth (LBAM) and there was talk of also aerial spraying the SF Bay Area because of LBAM. Given Fairfax's history of resistance to pesticides in our community, in 2008

Fairfax wrote a letter to the California Department of Food and Agriculture (CDFA) outlining our ban on the use of pesticides on the commons and asking the CDFA how they intended to reconcile their proposed aerial spraying in Fairfax (and all of Marin) with Fairfax's pesticide ordinance. Evidently the CDFA never answered Fairfax.

I had traveled to Santa Cruz to meet with Santa Cruz city councilmembers to investigate how the CDFA justified aerially spraying of Santa Cruz. From there I came back to Marin, met with a number of folks concerned about what might happen in Marin and since I had retired from my day job became a full time SF Bay Area volunteer coordinator to stop the spray. I traveled to over 30 city and town council meetings throughout the SF Bay Area seeking resolution support to stop aerial pesticide spraying in the SF Bay Area to eradicate LBAM. I organized elected officials and environmental groups that eventually went into both federal and state courts challenging the eradication and aerial spray program.

We, Stop the Spray Marin, Alameda, San Mateo and Santa Cruz along with the California Alliance to Stop the Spray (CASS), North Coast Rivers Alliance and mayors and councilmembers from Fairfax, Richmond, Albany and Santa Cruz lost at the trial court level in Sacramento 5 years ago and filed an appeal with the 3rd District Court of Appeal in 2010. 2&1/2 years ago we briefed the issue and then last Fri oral arguments were made at the 3rd District in Sacramento. Larry Bragman and I along with other plaintiffs traveled to Sacramento to observe in the courtroom first hand. We await the decision.

The experience I bring in dealing with governmental agencies that regularly spray pesticides is important to Fairfax as we grapple with current and future threats from invasives to mosquitoes. Fairfax has been a leader in reducing and where possible eliminating pesticide use and given Fairfax's high cancer rates Fairfax must be vigilant in protecting its residents.

I continue to fight to have the inert ingredients in pesticides disclosed. For too long pesticide manufacturers have refused to disclose the inerts, up to 95% of pesticide ingredients, and what they call "other" ingredients on the basis of trade secrets. The health of Fairfax residents trump trade secrets. I am also seeking out Organic Materials Research Institute (OMRI) approved and even organic pesticide (non-poisonous) solutions.

Thank you,



Frank Egger



TOWN OF FAIRFAX

NOV 18 2015

RECEIVED

TOWN OF FAIRFAX

APPLICATION FOR APPOINTMENT TO BOARD/COMMISSION/COMMITTEE

TO: Mayor and Fairfax Town Council

Date: 11/14/2015

Please consider this as an application for appointment to:

- Affordable Housing Committee
- Design Review Board
- General Plan Advisory Committee
- Measure F Oversight Committee
- Measure K Oversight Committee
- Open Space Committee
- Planning Commission
- Parks and Recreation Commission
- Volunteer Board

Other MARIN/SONOMA MOSQUITO & VECTOR CONTROL DISTRICT
 (Your completed application will become a public record upon submittal to the Town)

Name: David K. James

Address: _____, Fairfax

Telephone: (Office) _____ Home: _____

Email Address: _____

Number of Years in Fairfax: 27 years

Education High School: St. Ignatius College Prep. San Francisco

San Francisco State Univ. BA Biology (Ecology & Systematics)

University of California, Riverside MA Psychology

Please list the names of professional societies, clubs, and other organizations to which you belong.

Mosquito and Vector Control Association of California (MVCAC)

Pacific Coast Entomological Society

California Environmental Health Association

Briefly describe your employment background. For the last 22 years, I have worked for Alameda Co. Environmental

Health, Vector Control Services District. I inspected restaurants briefly as a REHS, but since 1998 I have been the Vector Ecologist primarily

studying Lyme disease and other vector-borne diseases (Hantavirus, WNV). I am also the IPM & bed bug specialist and entomologist.

What is your vision for the Town of Fairfax? To kept it small town "Fairfax".

Fairfax is unique that it has kept its character as a small town and community. The social, economic and philosophical

diversity and history of Fairfax play an important role in the development of the younger generation as well as its residents.

Changes should not only enhance the character and community of our unique town, but take into account the diversity of thought and opinion.

Please describe possible areas of conflict of interest. _____

None.

Briefly explain your interest in serving on this Board, Commission, or Committee. _____

I have enjoyed working with Alameda Co. Vector Control District. There's always a new challenge, new bug, a new problem

to solve, a disease investigation, a new approach to take, and the fascinating interaction with the diverse public.

I plan to retire in the near future and would very much like to still be active in this field. With my wide experience

with pests, mosquitoes and other vectors as well as my knowledge of the many aspects of integrated pest management,

and with an understanding of my community, I feel I could be of some benefit to the Marin/Sonoma MVCD and Fairfax.

Signature _____

Please return this completed, signed form to:

Town Clerk, Town of Fairfax, 142 Bolinas Road, Fairfax, CA 94930



DAVID K. JAMES

Curriculum Vitae

EDUCATION

SAN FRANCISCO STATE UNIVERSITY

Bachelor of Arts, Biology: Ecology & Systematics, 1972 - 1976

Chosen to be part of NSF-funded research group. Favorite subjects: Entomology, Entomology & Public Health, Insect Taxonomy, Invertebrate Behaviour, Field Entomology, Toxicology.

UNIVERSITY OF CALIFORNIA, RIVERSIDE

Master of Arts, Psychology, 1978 - 1980

Two scientific publications. Research assistant (fish & bird habituation, reproductive success experiments) & student teacher.

EXPERIENCE

ALAMEDA COUNTY, VECTOR CONTROL SERVICES DISTRICT (1131 Harbor Bay Pkwy., Alameda CA)

Senior Environmental Health Specialist

Vector Ecologist, 1998 - present

Disease surveillance and disease risk assessments e.g. Lyme, Hantavirus, Leptospirosis, plague.

Insect and pest identifications and control recommendations and regulatory compliance.

IPM program coordinator and pest management consultant for staff.

Staff training and public and continuing education (MVCAC, CEHA & PAPA) presentations. Expert witness in 2 contaminated food cases and one bedbug case.

D.K. JAMES PEST MANAGEMENT (LIC# 2357)

Owner and operator, 1993 - 2003

Owned and ran part-time post-harvest commodity fumigation business. DPR qualifying applicators license, Structural pest control Board operator's license in Branch I, II, & III. Perform fumigations of various commodities using methyl bromide, aluminum & magnesium phosphide.

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

Environmental Health Specialist, 1995 - 1998

Inspection and regulatory enforcement of food facilities and swimming pools.

ALAMEDA COUNTY, VECTOR CONTROL SERVICES DISTRICT

Vector Control officer, 1993 - 1995

Inspection and advice to public concerning vectors, district-initiated programs. Pest identification.

Designed, implemented, & maintained database. Maintained network and PC's.

AMERICAN FUMIGATION & WAREHOUSE CO. (OAKLAND)

Fumigation & training supervisor, qualifying manager of pest and termite, 1989 - 1991

Responsibilities: commodity fumigation operations, employee training, regulatory updates, manage pest and termite operations. Fumigations included USDA Aphis & CDFA regulated fumigations & vacuum fumigations. Fumigants used: methyl bromide (100%), aluminum phosphide & magnesium phosphide

WESTERN EXTERMINATORS (OAKLAND)

Termite inspector, 1987-1989; Pest Control technician, 1992 - 1993

TERMINIX INTERNATIONAL INC. (SAN FRANCISCO)

Service Manager & Licensed Structural fumigator, 1985 - 1987

Managed pest control routes, termite inspectors, termite crews, & the fumigation crew. Handled complaints, trouble jobs, training, pesticide disposal, and unusual jobs such as aeroplane fumigations. Started fumigation operations at this branch office. Pest identifications. Fumigants used: Vikane, methyl bromide (w/chloropicrin), Carboxide

BOPHUTHATSWANA DEPARTMENT OF EDUCATION (REPUBLIC OF SOUTH AFRICA)

Teacher, matriculation biology, Bathaping High School, 1982 - 1985

Lecturer, University of Bophuthatswana, Taung, 1985

Accomplishments: Initiated & published bat research project. Responsibilities: Prepare students for Matriculation biology exam. Lecturer; college botany & microbiology.

Travel to Namibia, Botswana, Zimbabwe, Seychelles.

PROFESSIONAL LICENSES & MEMBERSHIP

- Senior Registered Environmental Health Specialist, Cert. # 6645
- Structural Pest Control Operators License OPR 8502 Branch I (Structural fumigations), Branch II (Pest control) & Branch III (Termite)
- DPR Qualified Applicators license QA 31272 categories A & B
- California Dept. of Health Services certification for Public Health Pest Control
- Mosquito and Vector Control Association of California
- Pacific Coast Entomological Society

SCIENTIFIC PUBLICATIONS

1. A Baseline Study of the Sierra Valley Marsh, Plumas County, California. SFSU Biology Department, NSF student-originated study, Grant # SMI-76-08071. Arthropod Section (1976)
2. Patterson, T. L., L. Petrinovich, & D. K. James. REPRODUCTIVE VALUE AND APPROPRIATENESS OF RESPONSE TO PREDATORS BY WHITE-CROWNED SPARROWS. Behavioral Ecology & Sociobiology, 7, 227-231 (1980).
3. James, D. K., L. Petrinovich, T. L. Patterson, A.H. James. PREDATION OF WHITE-CROWNED SPARROW NESTLINGS BY THE WESTERN TERRESTRIAL GARTER SNAKE IN SAN FRANCISCO, CA. Copeia 1983(2), pp 551-513
4. James, A.H., J. P. O'Brien, & D. K. James. *DIPDOMYS CALIFORNICUS* IN SIERRA VALLEY, PLUMAS CO., CALIFORNIA. Calif. Fish & Game 70(1):58-64 (1984)
5. James, D. K., NOTES ON BATS (MAMMALIA: MICROCHIROPTERA) FOUND IN THE TAUNG DISTRICT, BOPHUTHATSWANA, SOUTH AFRICA. Bull. Zool. Mus. Univ. Amsterdam. Vol. 10 No. 26, 1986
6. James, D. K., Harry A. Scott. AN UNUSUAL INVASION OF A RESIDENTIAL NEIGHBORHOOD BY THE CHEESE SKIPPER, *PIOPHILA CASEI* (DIPTERA: PIOPHILIDAE). Proc. Mosq. and Vector Control Assoc. of CA, 64:102-104 (1996)
7. Nash, P., D. K. James, L. Hui & L. Miller. FERTILITY CONTROL OF CALIFORNIA GROUND SQUIRRELS USING GNRH IMMUNOCONTRACEPTION. Proc. 21st Vertebr. Pest Conf. 2004 pp 274-278

8. Brant, Sara V., Andrew N. Cohen, David James, Lucia Hui, Albert Hom, and Eric S. Loker. CERCARIAL DERMATITIS TRANSMITTED BY EXOTIC MARINE SNAIL. *Emerging Infectious Diseases*, www.cdc.gov/eid , Vol. 16, No. 9, September 2010 pp. 1357-1365
9. Conroy, Chris et al. CRYPTIC GENETIC DIVERSITY IN *RATTUS* OF THE SAN FRANCISCO BAY REGION, CALIFORNIA. *Biological Invasions* (2013) 4:741-758
10. Fedorova, Natalia, Joyce E. Kleinjan, David James, Lucia T. Hui, Hans Peeters, Robert S. Lane. REMARKABLE DIVERSITY OF TICK OR MAMMALIAN-ASSOCIATED BORRELIÆ IN THE METROPOLITAN SAN FRANCISCO BAY AREA, CALIFORNIA. *Ticks Tick-borne Dis.* (2014), <http://dx.doi.org/10.1016/j.ttbdis.2014.07.015>

ADDENDUM I

CV – David K. James

WORKSHOPS, PUBLIC PRESENTATIONS AND INTERVIEWS

Mosquito and Vector Control Association of California Continuing Education workshops

3/19/03 Bedbugs (1 hr)

3/18/04 Biology and Control of cockroaches (1 hr)

1/28/2011 Rodent Control techniques for Public Agencies

1/27/2014 Survey of fleas & ticks from rodents in Alameda Co.

California Environmental Health Association

Oct 2010 Bed bugs – Biology & Control (Annual Conference)

Feb 2011 Bed bug Mania (CE)

10/19/2011 Cockroaches of the Bay Area – Biology & Control techniques (CE)

10/23/14 (SF), 4/2/14 (Napa) Rodent vectors in Food Facilities (Know your Rodent)

CACEO

1/23/14 (Fremont) 1) Cockroach biology and control. 2) Delusional Parasitosis

Bed bug Certification Workshop 8/13/2012

Bed bug Action Plan (1/2 hr)

San Francisco IPM workshop

1/28/2009 Flies – coming to an office near you (1/2hr)

Pesticide Applicator's Professional Association

10/17/2007 Immunocontraception control for ground squirrels

West Nile Virus Seminar for Environmental Managers

11/22/02 Rat Control in Alameda Co. Sewers (1hr)

Interagency Presentations

Head Start 3/25/94 - Bees and wasps (1hr)

Alameda Co Animal Control Advisory Committee 9/12/02 - Stinging Insects (1hr)

Cal Trans - Vector Control Overview - Hantavirus & safety - Lyme Disease (1hr ea)

Albany Women's League of Voters - Vector Control Overview (2 hrs)

Alameda Co Public Health Safety Workshop - Lyme Disease

Highland Hospital staff – Bed bugs – Biology & Control (2/19/2011)

East Bay Regional Parks – Hantavirus and Lyme disease prevention

Television and Newspaper interviews

Rodents & rodent control- Channel 2 - Dan Fowler

Hantavirus - Channel 2 - Dan Fowler

Ticks & Lyme Disease - Channel 4

Immunocontraception in ground squirrels - Channel 4 & 13

A number of interviews for newspaper articles by various newspapers concerning vectors.