

RESOLUTION 2014-049
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE WEST NILE VIRUS MANAGEMENT POLICY
AND PROVIDING DIRECTION TO THE CITY MANAGER
REGARDING IMPLEMENTATION OF THE POLICY

WHEREAS, West Nile virus was first detected in the Fort Collins area in 2003 and poses a significant health risk to the citizens of Fort Collins; and

WHEREAS, West Nile virus is a mosquito-borne disease primarily prevented through the management of mosquito populations; and

WHEREAS, beginning in 2003, the City Manager has worked with the City Council to evaluate and develop an approach for managing West Nile virus exposures in Fort Collins; and

WHEREAS, during the intervening years, the City has continued to investigate and analyze alternatives and logistics for managing West Nile virus in Fort Collins; and

WHEREAS, it is generally accepted that West Nile virus will continue to be present in the Fort Collins area in the foreseeable future; and

WHEREAS, in 2007, the City Manager formed a Technical Advisory Committee (the "Committee") for the purpose of reviewing and making recommendations about the City's West Nile virus management policy and response plans; and

WHEREAS, in 2008, based on its review, the Committee recommended that the City employ a program response to manage the threat of West Nile virus using a series of actions, each of which is driven by a number of factors, with all decisions as to how best to deal with the threat of West Nile virus ultimately being subject to the discretion of the City Manager; and

WHEREAS, the Larimer County Department of Health and Environment (the "Health Department") has provided, and continues to provide, assistance to the City in evaluating West Nile virus risks and recommending the course of action for the City to take in managing those risks; and

WHEREAS, the Committee and the City Manager have recommended that the Health Department be consulted for recommendations regarding whether the relevant factors indicate that adulticiding should proceed; and

WHEREAS, in response to the Committee and City Manager's recommendations, the City Council adopted Resolution 2008-062, refining the policy of City's West Nile virus management program (the "WNV program") to incorporate evaluation of Health Department seasonal data by a West Nile Virus Advisory Panel to include a member of the Larimer County Medical Society; and

WHEREAS, the Committee and the City Manager recently recommended amendments to the City West Nile virus management policy to revisit the role and composition of the West Nile

Virus Advisory Panel, create adulticide treatment zones, and allow pesticide-sensitive persons and certain businesses to opt-out of adulticiding under the program; and

WHEREAS, at its regular meeting on May 6, 2014, the City Council considered the recommendations of the Committee and City staff, received input from members of the public, and directed the City Manager and City Attorney to prepare for its consideration a resolution making various changes to the existing West Nile Virus Policy (the "Policy"); and

WHEREAS, the City Council is, through adoption of this Resolution, approving various amendments to the Policy, based on the recommendations of the Committee and the City Manager and the citizen input received at the May 6, 2014, City Council meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby adopts an Amended West Nile Virus Management Policy, attached hereto as Exhibit A and incorporated herein by this reference, to govern and guide the management of West Nile virus in Fort Collins.

Section 2. That the City Manager is hereby directed to develop policies and procedures to eliminate City application of adulticide in areas such as HOAs where private adulticide application has previously occurred during mosquito season.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 3rd day of June, A.D. 2014.

Karen Weikbenat
Mayor

ATTEST:

Wanda Nelson
City Clerk



EXHIBIT A

West Nile Virus Management Policy

June 3, 2014

PURPOSE, GOAL, FOCUS:

The City of Fort Collins recognizes West Nile virus to be a public health issue. This West Nile Virus Management Policy has been developed to reduce the incidence of city residents contracting West Nile virus (a mosquito-borne virus). The overall goal of this Policy is to create a framework for execution of a program to reduce the risk of human West Nile virus infection, while limiting adverse human health and environmental impacts.

The City's West Nile virus management program ("WNV Program") focuses on the following:

1. Providing a wide range of public education and outreach
2. Ensuring extensive on-going mosquito population data collection and monitoring, including extensive testing of samples for West Nile virus infection.
3. Executing an aggressive larval control program focused on *Culex* mosquitoes. This program includes detailed mapping of larval habitat and ongoing monitoring and larvicide applications.
4. Periodic evaluation of the program for continued efficacy.

ROLE OF CITY MANAGER:

The WNV Program is implemented by the City Manager using practices, specifications and administrative systems determined by the City Manager to be appropriate in light of this Policy. The City Manager is also responsible for making recommendations to City Council regarding amendments and additions to this Policy

ADVISORY RESOURCES:

Public Health Authorities - The City recognizes the State of Colorado Department of Health and the Larimer County Department of Health and Environment as the authorities on local public health issues. The City's primary role in managing the threat of West Nile virus is to inform and educate Fort Collins residents, participate in regional public education and outreach efforts, and administer a prevention-oriented mosquito management program.

Technical Advisory Committee - The City Manager is to be assisted in determining appropriate Policy amendments or additions by a committee of up to ten (10) technical advisors. Such committee members shall be selected by the City Manager based on their technical expertise, and willingness and ability to diligently attend to Policy developments, in addition to supporting the City Manager's understanding of the impacts and interests of groups in the City affected by the WNV Program.

Among those appointed to the Committee, the City Manager shall appoint up to two members each from those currently or formerly serving on the City Air Quality Advisory Board and the Natural Resources Advisory Board, as well as a representative of the Larimer County medical community. In addition to their primary responsibilities to advise the City Manager regarding the recommendations of the Health Department, it is the Council's intent and expectation that the Committee representatives from the Air Quality Advisory Board and the Natural Resources Advisory Board will each act as a liaison to his/her respective advisory Board.

PROGRAM METHOD:

The City applies adulticides only as an emergency response to a demonstrated increase in West Nile virus risk. A recommendation to adulticide comes from the Larimer County Department of Health and Environment and is reviewed by the City Manager. The decision to adulticide lies solely with the City Manager.

Human Cases Consideration – In addition to a recommendation by Larimer County, prior to commencing adulticide treatment, the incidence of human WNV infection must be confirmed in the City. Confirmation will occur upon more than one human case being reported per week in Fort Collins OR more than one positive human blood donor reported for the season, in conjunction with evidence suggesting *Culex* mosquito populations are increasing at or above historical levels, in which case spraying will commence in any treatment zone where the vector index meets or exceeds .75.

Treatment Zones - Delivery of WNV Program services will be tailored to conditions existing in multiple treatment zones within the City, as determined by the City Manager relying on historical data and information from the Larimer County Department of Health and Environment. The specific number of treatment zones may fluctuate between and during treatment seasons, as the City Manager may determine appropriate based on available data.

Opt-Out Options - In deploying WNV Program treatments, the City will offer an opt-out from applications of adulticide treatments for those property owners whose names appear on the Colorado Department of Agriculture Pesticide-Sensitive Registry.

The City Manager will also develop a set of metrics to qualify business properties that can demonstrate specific hardships due to the impact of adulticide on their operations to request exclusion of their properties from areas treated with adulticide. Such metrics will include definition of the hardships that qualify for a business opt-out and how such business properties will be monitored throughout a treatment season, relative to the WNV Program goal to reduce the risk of human WNV infection.

Contractors - The City may use a contractor to carry out the majority of the program. When using a contractor, the City defines a comprehensive scope of services to be provided and selects a qualified contractor using an open bid and evaluation process.