



**Agricultural
Commissioner/Sealer
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: August 8, 2017 – REVISED

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: David Case PHONE: 559-684-3363

SUBJECT: Approve an Agreement with the California Department of Food and Agriculture

REQUEST(S):

That the Board of Supervisors:

1. Approve an Agreement with the California Department of Food and Agriculture in the amount up to \$12,075 for the Petroleum Products Program retroactive to July 1, 2017 through June 30, 2018. The Agreement is retroactive because the document was not received from the State until June 23, 2017.
2. Find that the Board had the authority to enter into the proposed Agreement as of July, 1, 2017, and that it was in the County's best interest to enter into the Agreement on that date.
3. Authorize the Chairman of the Board to sign the Agreement.

SUMMARY:

This Agreement is intended to subvent costs incurred by the County for inspections and sampling relating to the advertising and labeling of petroleum and automotive products at establishments selling or distributing petroleum and/or automotive products. This Agreement will allow for the continuation of this long-standing program during fiscal year 2017/18

We would like to bring to the Board's attention the following substantive deviations from the standard County boilerplate: Mutual Liability – parties agree to be liable

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for their own wrongful or negligent action, neither party indemnifies the other.

FISCAL IMPACT/FINANCING:

There will be no net county cost in performing this service. The County will receive \$12,075 for FY 17/18 if this Agreement is approved.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Tulare County's five year strategic plan includes Strategic Initiative #2: Economic Well-Being – Promote economic development opportunities, effective growth management and a quality standard of living. Approval of this agreement would continue a longstanding program that promotes a quality of standard of living by ensuring equity in the marketplace for all transactions involving weight, measure or count by enforcing laws and regulations regarding petroleum products.

ADMINISTRATIVE SIGN-OFF:

David Case
Deputy Agricultural Commissioner/
Deputy Sealer of Weights and Measures

cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment(s) California Department of Food and Agriculture Agreement 17-0269-000-SA

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF)
AN AGREEMENT WITH THE CALIFORNIA) Resolution No. _____
DEPARTMENT OF FOOD AND) Agreement No. _____
AGRICULTURE)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: MICHAEL C. SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

That the Board of Supervisors:

1. Approved an Agreement with the California Department of Food and Agriculture in the amount up to \$12,075 for the Petroleum Products Program retroactive to July 1, 2017 through June 30, 2018. The Agreement is retroactive because the document was not received from the State until June 23, 2017.
2. Found that the Board had the authority to enter into the proposed Agreement as of July, 1, 2017, and that it was in the County's best interest to enter into the Agreement on that date.
3. Authorized the Chairman of the Board to sign the Agreement.