



**Tulare County Agricultural
Commissioner
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: October 2, 2018 - **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"/>
County Counsel Sign-Off	Yes	<input checked="" type="checkbox"/>	N/A	<input 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 checked="" type="checkbox"/>	N/A	<input 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: Tom Tucker PHONE: 684-3350				

SUBJECT: Approve an Agreement with the California Department of Pesticide Regulation and Clean Harbors for a Pesticide Disposal Project

- REQUEST(S):**
That the Board of Supervisors:
1. Adopt the Categorical Exemption prepared pursuant to the provisions of the California Environmental Quality Act (CEQA) for a Pesticide Disposal Project.
 2. Authorize the Environmental Assessment Officer, or designee, to sign and file the Notice with the County Clerk.
 3. Approve an Agreement Number 18-C0005 with the California Department of Pesticide Regulation (CDPR) in the amount of \$119,000 for a Pesticide Disposal Project (PDP) effective October 2, 2018 through June 30, 2019.
 4. Approve an Agreement with Clean Harbors in the amount of \$369,000 to collect, safeguard, haul and properly dispose of pesticides collected during a Pesticide Disposal Project effective October 2, 2018 through June 30, 2019.
 5. Approve the necessary budget adjustments per the attached AUD 308 (4/5ths vote required).
 6. Authorize the Chairman of the Board to sign two (2) copies of each Agreement, including the Contractor Certification Clauses form CCC-307.

SUMMARY:
The Agreement with CDPR will allow the Tulare County Agricultural Commissioner to organize and hold a PDP, which will assist farmers and growers with proper disposal of unwanted or outdated pesticides that would otherwise go unattended. This is a new one-time event scheduled to take place in the fall of 2018. The Agreement with CDPR will provide \$119,000 to assist the County in removing and

SUBJECT: Approve an Agreement with the California Department of Pesticide
DATE: Regulation and Clean Harbors for a Pesticide Disposal Project
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disposing the unused pesticides.

The Tulare County Agricultural Commissioner, with help from the Purchasing Department, solicited proposals from interested entities through an RFP. The RFP was published specifically for this agricultural event but there were no applicants. Clean Harbors was contacted and a mutually beneficial Agreement was developed and now proposed to the Board of Supervisors.

The Agreement with Clean Harbors will authorize them as a vendor to come onto County property to receive and prepare for transport old pesticides that would otherwise pose a possible hazard to children and the environment. The event will be held at Sequoia Field in and near the south hangar. The pesticides will be collected from Tulare County farmers only, prepared for transport, and hauled to the vendor's incineration facility in Utah.

Clean Harbors is the County's current vendor for Household Hazardous Waste Transportation and Disposal Services.

This agreement has been approved as to form by County Counsel. The following terms deviate substantively from the standard County boilerplate:

Indemnification—both parties to the contract agree to indemnify the other.

FISCAL IMPACT/FINANCING:

The Agreement with CDPR provides up to \$119,000 in cost recovery for the reimbursement of vendor charges. The expenses and revenues for this project and agreement have been included in the Agricultural Commissioner's FY 2018/19 budget. There will be no additional net county cost from this Agreement.

The Agreement with the vendor, Clean Harbors, will allow for up to \$369,000, to be paid the vendor for costs incurred in disposing of the pesticides. The \$250,000 difference will come from the Agricultural Commissioner's FY 2018/19 budget. There will be no additional net county cost.

Approval of the attached AUD 308 will move budget into the Agricultural Commissioner's Pesticide Use Enforcement unit, Professional and Special Expenses budget line from other Agricultural Commissioner budget lines. There will be no additional net county cost.

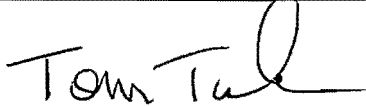
The PDP is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15308 because the proposed activities are intended to protect the environment, and section 15061 (B)(3) because it can be seen with certainty that there is no possibility that the proposed activities in question may have a significant impact on the environment.

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LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Strategic Initiative #2: Economic Well-Being. Approval of this Agreement will promote economic development opportunities, effective growth management and a quality standard of living. The program will provide a safe means for Tulare County Farmers to dispose of old and unwanted pesticides that would otherwise pose a hazard to our people and the environment.

ADMINISTRATIVE SIGN-OFF:



Tom Tucker
Assistant Agricultural Commissioner

cc: County Administrative Office

Attachment(s) Department of Pesticide Regulation Agreement NO. 18-C0005
Contractor Certification Clauses form # CCC-307
Clean Harbors Agreement
Notice of Exemption
AUD 308 Budget Adjustment

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

IN THE MATTER OF APPROVE AN)
AGREEMENT WITH THE CALIFORNIA) Resolution No. _____
DEPARTMENT OF PESTICIDE) Agreement No. _____
REGULATION AND CLEAN HARBORS FOR)
A PESTICIDE DISPOSAL PROJECT)

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. Adopted the Categorical Exemption prepared pursuant to the provisions of the California Environmental Quality Act (CEQA) for a Pesticide Disposal Project.
2. Authorized the Environmental Assessment Officer, or designee, to sign and file the Notice with the County Clerk.
3. Approved an Agreement Number 18-C0005 with the California Department of Pesticide Regulation (CDPR) in the amount of \$119,000 for a Pesticide Disposal Project (PDP) effective October 2, 2018 through June 30, 2019.
4. Approved an Agreement with Clean Harbors in the amount of \$369,000 to collect, safeguard, haul and properly dispose of pesticides collected during a Pesticide Disposal Project effective October 2, 2018 through June 30, 2019.
5. Approved the necessary budget adjustments per the attached AUD 308 (4/5ths vote required).
6. Authorized the Chairman of the Board to sign two (2) copies of each Agreement, including the Contractor Certification Clauses form CCC-307.

AUD-308 - Budget Adjustment Form

7:47 AM

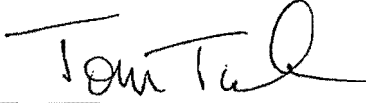
09/19/18		4/19	2019
Date	Document ID Number	Accounting Period	Budget Fiscal Year
Agricultural Commissioner		Tom Tucker	684-3397
Agency Name		Contact Person	Phone
			Extension

Action** A,C,D	Fund	Dept	Appr #		<u>LEVEL 1 Finish Here</u>	Current Amount	Revised Amount	Inc / Dec Amt	
C	001	015	015SSUP			1,084,328	1,084,328	-	
								-	
								-	
								-	
								-	
								-	
								-	
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								-	
Appropriations Total						<i>Need Not Equal Zero</i>	1,084,328	1,084,328	-

Action** A,C,D	Fund	Dept	Appr #	Unit	Object	Rev	<u>LEVEL 2 Start Here</u>	Current Amt	Revised Amount	Inc / Dec Amt
C	001	015	015SSUP	2111	7043			169,000	369,000	200,000
C	001	015	015SSUP	2104	7043			250,000	50,000	(200,000)
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Line Total							<i>Must Equal Zero</i>	\$ 419,000	\$ 419,000	\$ -

Reason for Adjustment (To Avoid Correspondence, State Reason in Detail)

To move budget, increasing unit 2111 Pesticide Use Enforcement, in order to pay for a Pesticide Disposal Project approved by the Board of Supervisors.



 Affected Dept Head Signature

 Other Affected Dept Head Signature

Checked By: _____ County Executive Office Action: No. _____ Date: _____ () Approved () Disapproved	Entered By: _____ Date: _____ Distribution: 1: BOS/CAO/Auditor
By: _____ Board of Supervisors Action: No. _____ Date: _____	

**** Action Codes: A=Add, C=Change, D=Deactivate**
 * Whenever a 93XX account budget is adjusted, a corresponding 94XX account budget must be adjusted in the billing agency, except for ISFs
 * Whenever a 95XX account budget is adjusted, a corresponding 96XX account budget must be adjusted in the billing agency, and vice versa
 * Whenever a 97XX account budget is adjusted, a corresponding 98XX account budget must be adjusted in the billing agency, and vice versa