



**Tulare County 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:** December 4, 2018

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 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: Jonathan Bixler    PHONE: 684-3350

**SUBJECT:** Approve an Agreement with the California Department of Food and Agriculture for Pink Bollworm Cotton Plowdown.

**REQUEST(S):**  
That the Board of Supervisors:

1. Approve an Agreement with the California Department of Food and Agriculture for providing State subvention in the amount not to exceed \$3,194.00 to offset the costs of providing the Pink Bollworm Cotton Plowdown and Host-Free Monitoring program, from November 1, 2018 through March 31, 2019. The Agreement is retroactive because the document was not received from the State until October 24, 2018.
2. Find that the Board had authority to enter into the proposed Agreement as of November 1, 2018, 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 two (2) copies of the Agreement.

**SUMMARY:**  
This agreement is intended to render State financial aid to the County for providing enforcement of Pink Bollworm Cotton Plowdown and Host-Free Monitoring program. This is a continuing program that works to minimize the number of pests that can adversely impact the cotton industry in Tulare county.

This agreement has been approved as to form by County Counsel. The following

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terms deviate substantively from the standard County boilerplate:

- 1) Mutual Liability, parties agree to be liable for their own wrongful or negligent action, neither party indemnifies the other.
- 2) Attorney's Fees, in the case of breach of contract, recipient agrees to pay all costs incurred by CDFA including, but not limited to, reasonable attorney's fees, legal expenses, and costs.


**FISCAL IMPACT/FINANCING:**

No additional net County cost to the General Fund. This Agreement provides \$3,194.00 to the County to provide enforcement of Pink Bollworm Cotton Plowdown and Host-Free Monitoring program. The costs and revenues are recurring for this program. The revenue and associated expenditures for this detection program have been included in the Agricultural Commissioner's Fiscal Year 2018/2019 budget.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year strategic plan includes the Economic Well-Being Initiative to promote economic development opportunities, effective growth management and a quality standard of living. The request to approve this Agreement will provide a funding source that will allow the continuation of a program that protects the County's agricultural economy.

**ADMINISTRATIVE SIGN-OFF:**

  
\_\_\_\_\_  
Jonathan Bixler  
Deputy Agricultural Commissioner/  
Sealer of Weights and Measures

cc: County Administrative Office

Attachment(s) CDFA Pink Bollworm Cotton Plowdown FY2018-2019 Agreement



**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 FOOD AND ) Agreement No. \_\_\_\_\_  
AGRICULTURE FOR PINK BOLLWORM )  
COTTON PLOWDOWN )

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: JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

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