



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

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One  
PETE VANDER POEL  
District Two  
AMY SHUKLIAN  
District Three  
EDDIE VALERO  
District Four  
DENNIS TOWNSEND  
District Five

**AGENDA DATE:** July 30, 2019

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: 559-684-3350

**SUBJECT:** Approve an Agreement with the California Department of Food and Agriculture for the Industrial Hemp Cultivation Program – Without Registration

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

1. Approve an Agreement with the California Department of Food and Agriculture in the amount up to \$2,000 for the Industrial Hemp Cultivation Program – Without Registration retroactive from April 30, 2019 through June 30, 2020. The Agreement is retroactive since the Agreement was not received until June 14, 2019.
2. Find that the Board had the authority to enter into the proposed agreement as of April 30, 2019, 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:**  
The 2018 Farm Bill exempted Industrial Hemp from the definition of marijuana and put into place several requirements allowing for the cultivation, shipment and sale of Industrial Hemp. This exemption has allowed California and more specifically, the California Department of Food and Agriculture, to develop a program for Industrial Hemp.

On March 26, 2019 the Tulare County Board of Supervisors approved a 45 day

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moratorium on the cultivation of Industrial Hemp in the unincorporated areas of Tulare County. On April 30, 2019 that moratorium was extended an additional 22 months and 15 days.

This Agreement allows the Tulare County Agricultural Commissioner’s Office to be reimbursed up to \$2,000 for activities without registration of Industrial Hemp. With the county moratorium on the cultivation of Industrial Hemp in place, our office may be reimbursed for enforcement activities when Industrial Hemp is cultivated illegally in the unincorporated areas of Tulare County as well as training of staff preparing for the day when the moratorium is lifted and registration of Industrial Hemp will be allowed.

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

**FISCAL IMPACT/FINANCING:**

There is no net county cost in performing this service. The county may receive up to \$2,000 of reimbursement for enforcing, training and public outreach of the Industrial Hemp program. This funding has been included in the Agricultural Commissioner’s budget for FY 2019/2020 therefore an Aud 308 is not required.

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

Tulare County’s strategic plan includes the Economic Well Being initiative to promote economic development opportunities, effective growth management and a quality standard of living. Approval of this Agreement would allow the county to enforce the moratorium on Industrial Hemp while preparing for registration of Industrial Hemp when the moratorium and seeking reimbursement from the state to off-set costs.

**ADMINISTRATIVE SIGN-OFF:**



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David Case  
Deputy Agricultural Commissioner  
Deputy Sealer of Weights and Measures

cc: County Administrative Office

Attachment(s) California Department of Food and Agricultural Agreement 18-0730-000-SA

**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 INDUSTRIAL HEMP )  
CULTIVATION PROGRAM – WITHOUT  
REGISTRATION

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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