



**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 7, 2020

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 for the Fuels, Lubricants and Automotive Products Program

REQUEST(S):

That the Board of Supervisors:

1. Approve an Agreement with the California Department of Food and Agriculture in the amount of up to \$12,075 for the Fuels, Lubricants and Automotive Products Program retroactive from July 1, 2020 through June 30, 2021. The Agreement is retroactive because the document was not received from the state until June 17, 2020.
2. Find that the Board had the authority to enter into the proposed agreement as of July 1, 2020, 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 2020/21.

A prior agreement, identical except for the time period, was approved as to form by County Counsel and was approved by the Board of Supervisors on June 18, 2019. The deviations from the County contract protocol included in the prior agenda item was the following: Mutual Liability – parties agree to be liable for their own wrongful

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or negligent action, neither party indemnifies the other.

The only changes from the prior agreement are to the time period of the agreement. This agreement is from July 1, 2020 to June 30, 2021.

FISCAL IMPACT/FINANCING:

There will be no net county cost in performing this service. The County will receive \$12,075 for the FY 20/21 if this Agreement is approved.

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 continue a longstanding program that provides 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 fuels, lubricants and automotive products.

ADMINISTRATIVE SIGN-OFF:

/s/ David Case
David Case
Deputy Sealer of Weights and Measures

cc: County Administrative Office

Attachment(s) California Department of Food and Agriculture Agreement 20-0102-000-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 FOR THE FUELS,)
LUBRICANTS AND AUTOMOTIVE)
PRODUCTS PROGRAM

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

* * * * *

That the Board of Supervisors:

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2. Found that the Board had the authority to enter into the proposed agreement as of July 1, 2020, 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.