



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

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One
PETE VANDER POEL
District Two
PHILLIP A. COX
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: August 26, 2014

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: Gavin K. Iacono PHONE: 684-3350		

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 for providing State subvention in the amount of \$34,358 to offset costs of providing Nursery inspection services, retroactive to July 1, 2014 through June 30, 2015. This Agreement is retroactive because the document was not received from the State until July 25, 2014.
2. Find that the Board had the authority to enter into the proposed Agreement as of July 1, 2014, 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 render State financial aid to the County for providing Nursery inspection services and enforcement of nursery regulations. These services will protect the county's nursery industry by insuring that plant shipments are free of pests of concern, thus allowing them to continue shipping nursery plants out of Tulare county.

A prior Agreement, identical except for the time period and dollar value, was approved as to form by the County Counsel and was approved by the Board of Supervisors on July 23, 2013. The deviations from the County Contract Protocol

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included in the original agenda item were:

- a) Indemnification: Contractor indemnifies State only.
- b) Disputes: If there is a dispute, the decision is of the Agency Secretary or Designee shall be final.
- c) Potential Subcontractors: County must get CDFA approval before hiring contractors and must use an existing written policy or competitive bidding. County will be responsible to the State for acts/omissions of County's subcontractors.
- d) Right to Terminate: State may terminate without cause with 30 days written notice or immediately with cause. The County may submit a written request to terminate only if the State substantially fails to perform its responsibilities. CDFA can terminate if no funding is available.

FISCAL IMPACT/FINANCING:

This Agreement provides \$34,999 to the County to provide nursery inspection services. No additional net County cost to the General Fund. The costs and revenues are recurring for this program. Revenues and the associated expenditures for this program have been included in the Agricultural Commissioner/Sealer's Budget for fiscal year 2014/2015.

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 continued funding source that will allow the continuation of a program that protects the County's agricultural economy.

ADMINISTRATIVE SIGN-OFF:

Marilyn Kinoshita
Agricultural Commissioner
Sealer of Weights and Measures

By: Gavin K. Iacono
Deputy Agricultural Commissioner
Sealer of Weights and Measures

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

IN THE MATTER OF APPROVE AN) Resolution No. _____
AGREEMENT WITH THE CALIFORNIA) Agreement No. _____
DEPARTMENT OF FOOD AND)
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: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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