



**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: David Case    PHONE: 559-684-3363		

**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 providing state subvention of up to \$6,000 to offset costs of registering organic growers and conducting organic inspections. The agreement is retroactive to July 1, 2014 through June 30, 2015. The agreement was not received by our office until July 14, 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 subvent costs incurred by the County for registration and spot inspections of organic producers, handlers and retailers, soil and tissue sampling, and complaint investigations in the county for FY 14/15.

The deviations from the County contract protocol included in this agreement are as follows:

- 1) Exhibit C (General Terms and Conditions) (Form 14-0293-SA):
  - a. Indemnification: the County agrees to indemnify the State.
  - b. Contractors/Consultants: County must obtain CDFA permission before

**SUBJECT:** Approve an Agreement with the California Department of Food and Agriculture.

**DATE:** August 26, 2014

hiring contractors or consultants, and must use competitive bid process in the absence of an existing written policy.

- c. Right to Terminate: CDFA reserves the right to terminate subject to 30 days written notice to County. County may submit a written request to terminate only if CDFA substantially fails to perform. Agreement can be immediately terminated for cause.

**FISCAL IMPACT/FINANCING:**

The County will receive up to \$6,000 for FY 14/15 if this agreement is approved. The revenue and associated expenditures for this program are included in the Agricultural Commissioner/Sealer's budget for FY 14/15. There is no net county cost in performing this service.

**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. This request to authorize an agreement with CDFA for county registration and inspection of organic producers, handlers, retailers and complaint investigation in the county will insure timely continuance of a long-standing program of protecting the County's agriculture-based economy by enforcing state laws and regulations regarding the California Organic Foods Act.

**ADMINISTRATIVE SIGN-OFF:**

\_\_\_\_\_  
Marilyn Kinoshita  
Agricultural Commissioner  
Sealer of Weights and Measures

\_\_\_\_\_  
Tom Tucker  
Assistant Agricultural Commissioner/Sealer

Cc: Auditor-Controller  
County Counsel  
County Administrative Office (2)

Attachment(s): California Department of Food and Agriculture Agreement 14-0293-SA

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

IN THE MATTER OF APPROVING AN )  
AGREEMENT WITH THE CALIFORNIA ) Resolution No. \_\_\_\_\_  
DEPARTMENT OF FOOD AND ) Agreement No. \_\_\_\_\_  
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

\* \* \* \* \*

1. Approved an agreement with the California Department of Food and Agriculture providing state subvention of up to \$6,000 to offset costs of registering organic growers and conducting organic inspections.
2. Found 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. Authorized the Chairman of the Board to sign the agreement.