



**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: March 31, 2009 "Amended"

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Marilyn Kinoshita PHONE: 685-3323						

SUBJECT: Agreement with the California Crop improvement Association for providing services related to seed certification.

- REQUEST(S):**
That the Board of Supervisors:
1. Ratify and approve an agreement between the California Crop Improvement Association and the Tulare County Agricultural Commissioner, providing supervision of seed certification, retroactive to April 1, 2008 through March 31, 2009.
 2. Find that the Board had authority to enter into the proposed agreement as of April 1, 2008, and that it was in the County's best interest to enter into the agreement on that date.
 3. Authorize the Chairman to sign Agreement between the California Crop Improvement Association and the Tulare County Agricultural Commissioner, effective April 1, 2008 through March 31, 2009.

SUMMARY:
This agreement is intended to render financial aid to the County for providing personnel to supervise the seed certification program, as well as other services necessary to maintain an effective seed certification program. This is an ongoing program, and will provide program funding for FY 2008/2009. The agreement is to

SUBJECT: Contract Agreement with California Crop Improvement Association

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be retroactively approved because it was received late from the California Crop Improvement Association and needed supplementary processing.

The following provisions of the Contract Agreement are deviations from County Contract Protocol:

- 1) Section 4 of the agreement states CCIA may terminate only.
- 2) Section 15 of the agreement provides for attorney's fees.
- 3) The signatures from the California Crop Improvement Association do not comply with California Corporations Code Section 313, which requires that contracts with a corporation shall be signed by the (1) Chairman of the Board, the president or any vice-president and (2) the secretary, any assistant secretary, the chief financial officer, or any assistant treasurer.

FISCAL IMPACT/FINANCING:

The agreement was prepared by the California Crop Improvement Association and will result in receipt of financial aid to the County. The County will receive \$600.00 for FY 2008/2009 if this agreement is approved, with one half being paid upon receipt of the signed document. The second payment will be received immediately following the first payment. Revenues and the associated expenditures for these inspections have been included in the Agricultural Commissioner/Sealer's FY 2008/2009 budget. There is no net county cost in performing this seed certification program.

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 between the California Crop Improvement Association and the Tulare County Agricultural Commissioner will insure timely continuance of a long-standing program of protecting the County's agriculture-based economy by supervising the harvesting, cleaning, and packaging of any seed which is eligible for certification.

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ALTERNATIVES:

No action or disapproval would mean that the Agricultural Commissioner would not be able to receive financial aid from the California Crop Improvement Association to offset costs incurred in carrying out this program.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

County Counsel has approved the agreement as to form.

ADMINISTRATIVE SIGN-OFF:

Gary Kunkel
Agricultural Commissioner
Sealer of Weights and Measures

By: Bill Appleby, Assistant
Agricultural Commissioner
Sealer of Weights and Measures

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

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

IN THE MATTER OF)
Contract Agreement with California) RESOLUTION NO. _____
Crop Improvement Association) AGREEMENT NO. _____

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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That the Board of Supervisors:

1. Ratified and approved an agreement between the California Crop Improvement Association and the Tulare County Agricultural Commissioner, providing supervision of seed certification, retroactive to April 1, 2008 through March 31, 2009.
2. Authorized the Board Chairman to sign an agreement with the California Crop Improvement Association, providing supervision of seed certification, retroactive to April 1, 2008 through March 31, 2009.
3. Found that the Board had authority to enter into the proposed agreement as of April 1, 2008, and that it was in the County's best interest to enter into the agreement on that date.

