



**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: July 13, 2010

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: 684-3350

SUBJECT: Contract Agreement with California Department of Food and Agriculture for \$983.86 for survey and control of Japanese Dodder

REQUEST(S):

That the Board of Supervisors:

1. Ratify and approve agreement Number JD10-6954 with the California Department of Food and Agriculture (CDFA), for providing services in support of the eradication of Japanese Dodder within the County of Tulare, retroactive to July 1, 2010 through June 30, 2011.
2. Find that the Board had authority to enter into the proposed agreement as of July 1, 2010 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 Number JD10-6954, effective July 1, 2010 through June 30, 2011.
4. Authorize the Chairman to sign Form CCC-307 (Contractor Certification Clauses).

SUMMARY:

Japanese Dodder, or *Cuscuta japonica*, is an invasive plant. Native to Asia, Japanese Dodder has a broad host range, starting with agricultural crops, ornamentals, woody, herbaceous plants, and wild plants. Infestations in California have occurred on trees and shrubs, therefore, all plants should be regarded as potential hosts until research is

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conducted.

Japanese Dodder infestations can weaken the host plant, making it susceptible to other pests and diseases, and may eventually kill its host. Japanese Dodder is believed to be a vector for various plant pathogens including several "yellowing" viral diseases and may possibly be a vector for Citrus Tristeza Virus, Citrus Stubborn Disease, and Huanglongbing (Citrus Greening Disease). Japanese Dodder is known as a parasite of various woody and herbaceous crops, including, but not limited to: fruit trees, tomatoes, corn, soybean, eggplant, cucumber, peas, tobacco, and nursery stock.

The agreement will provide \$983.86 in financial aid to the county for fiscal year 2010/2011. The original agreement was first approved as to form by County Counsel on October 9, 2007 and approved by the Board of Supervisors. The only changes from the original contract are the term and dollar amount provided to the County under the agreement. There are no additional deviations from the County contract protocol.

Form CCC-307 (Contractor Certification Clauses) is a package that contains clauses and conditions that may apply to this agreement and to persons doing business with the State of California.

This agreement includes provisions, which deviate from the County contract protocol. They are the following:

- 1) Exhibit C (GTC 307):
 - a. (5) Indemnification: Contractor indemnifies State only.
- 2) Exhibit D Special Terms and Conditions:
 - a. (2) Settlement of Disputes: If there is a dispute, the decision of the Agency Secretary or Designee shall be final.
 - b. (4) Potential Subcontractors: County will be responsible to the State for acts/omissions of County's subcontractors.
 - c. (5) Right to Terminate: State may terminate without cause with 30 days written notice, or immediately with cause. County can terminate with cause with 60 days written notice if the County cannot perform or the State fails to perform. The State will be relieved of further payment if the agreement is canceled.

FISCAL IMPACT/FINANCING:

The County will receive \$986.00 in state subvention funds if this agreement is approved. There are no net county costs for this 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 a contract agreement with CDFA for the eradication of Japanese Dodder will continue the goal of protecting the County's

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agriculture-based economy from this exotic parasitic plant that has the potential to invade and damage both agricultural and ornamental plants.

ALTERNATIVES:

No action or disapproval would mean that the Agricultural Commissioner would not receive financial aid from CDFA to offset costs incurred in carrying out Japanese Dodder inspections.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

County Counsel has previously approved the agreement as to form.

ADMINISTRATIVE SIGN-OFF:



Marilyn Kinoshita
Agricultural Commissioner
Sealer of Weights and Measures

Cc: Auditor/Controller
County Counsel
County Administrative Office (3)

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

IN THE MATTER OF)
Contract Agreement with California)
Department of Food and Agriculture)
for \$983.86 for survey and detection of)
Japanese Dodder)

RESOLUTION NO. _____
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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