



**COOPERATIVE
EXTENSION
COUNTY OF TULARE
AGENDA ITEM**

Revised 01/03/11

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: January 11, 2011

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input 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 checked="" type="checkbox"/>	N/A	<input 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 checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input 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: Bob Hamlin PHONE: 684-3308

SUBJECT: Tulare County Weed Management Area (TCWMA) and California Department of Food and Agriculture (CDFA) Base Funding Agreement 2011

REQUEST(S):

That the Board of Supervisors:

1. Ratify and approve an agreement with the California Department of Food and Agriculture (CDFA) in the amount of up to \$16,758 for providing services in the support of Tulare County Weed Management Area for Detection, Eradication and Containment of Yellow Starthistle (YST) at the Eastern Leading Edge of the Sierra Nevada Foothills of Tulare County, retroactive to January 1, 2011 through December 31, 2011. This is a retroactive request due to timing of receipt of documents from the State, resignation of support personnel and Holiday/end of year schedules.
2. Find that the Board had authority to enter into the proposed agreement as of January 1, 2011 and that it was in the County's best interest to enter into the agreement on that date.
3. Authorize the Chairman to sign the Agreement with the California Department of Food & Agriculture and Form CCC-307 (Contractor Certification Clauses), retroactive from January 1, 2011 through December 31, 2011.

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DATE: January 11, 2011

SUMMARY:

The funds provided by this grant will enable the TCWMA to offer services at a reduced cost to the participants. This funding will be used for labor, equipment, supplies, transportation and education. This funding is for the third consecutive year of a continuing grant that is awarded on a year to year basis. This grant will enhance the outreach and education effort of the TCWMA, provide site treatment services at a reduced cost to participating property owners and will fund follow up survey work in a continuing effort for containment and eradication of Yellow Starthistle in the designated area of Tulare County.

Background:

Tulare County Weed Management Area (TCWMA) was originally formed in 2001. The goal is to bring together all interested and willing agencies and entities interested in controlling and stopping the spread of noxious and invasive weeds within the county of Tulare. The TCWMA has now established a core group of people who have been able to initiate change in the public perception of invasive species. Through outreach and education, they have been able to make noxious weeds a prime subject.

The TCWMA has published a weed brochure that has been distributed throughout the county. They have also been able to provide a spray program (over 1,900 acres treated) that is a great value to many people and has been very successful for participants. The TCWMA has been in the media on several occasions, spreading the word about invasive plant species. While excited about their accomplishments, they realize there is much work ahead. With continued funding, many more goals can be reached.

Tulare County Program - Yellow Starthistle Containment

Goal: Control of Yellow Starthistle (YST) is an ongoing effort by the TCWMA in Tulare County with success in rangelands through proper herbicide use, biological controls, and grazing management changes. However, small ranchettes on high traffic corridors serve as an ongoing seed source that needs to be addressed. The goal of this project is to contain further spread of YST through a collaborative effort with landowners (landowners share cost). The program strategy is to start at highest and furthest reach and work back toward valley attempting to identify 100% of infested lands in these corridors and recruit 75% for participation.

A prior agreement, identical except for the time period, was approved as to form by County Counsel in December 2009. Per County Counsel, the following provisions of the Contract Agreement are deviations from County Contract Protocol:

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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:

This grant funding has been appropriated by the CDFA and contingent on County acceptance will result in an overall net savings to the County. Potential revenues of up to \$16,758 to offset expenses are budgeted to be split across two fiscal periods with \$13,462 in FY 10/11 and \$3,296 in FY 11/12. The \$13,462 for FY 10/11 was included in the regular departmental budget. There is no net cost to Tulare County.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Economic Well Being – Continue to protect the County's agriculture based economy

Quality of Life – Natural resource management

Yellow Starthistle proliferation is a serious threat to the biodiversity and the productive potential of Tulare County and California's rangelands. YST colonizes susceptible habitats including several thousand acres of Tulare County foothill range reducing the grazing and habitat value.

ALTERNATIVES:

The Board could choose to not approve this grant agreement. County loses potential offsetting revenue and Landowners bear the full cost of program. Multiple year projects are not continued or completed.

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INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

Departments:

Agricultural Commissioner / Sealer – Weights & Measures
Resource Management Agency


Agencies:

Tulare County Weed Management Area (TCWMA) active agency partners include:

- Tulare County Agricultural Commissioner / Sealer
- United States Forest Service
- UC Cooperative Extension Tulare County
- Bureau of Land Management
- USDA Natural Resources Conservation Service
- Tulare County Resource Conservation District
- National Park Service
- US Geological Service
- US Army Corps of Engineers
- CA Department of Transportation

The group is lead by the University of California, Cooperative Extension, Tulare County and United States Department of Agriculture, Natural Resource Conservation Service.

ADMINISTRATIVE SIGN-OFF:



Jim Sullins
Tulare County
Cooperative Extension

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

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ATTACHMENT(S)

Attachment A – CDFA Agreement Number 10-0682

- CDFA Cover letter and signature pages
- Exhibit A - Scope of Work
- Exhibit B - Budget detail and payment provision
- Exhibit C - General terms and conditions
- Exhibit D - Special terms and conditions
- Exhibit E – Additional Provisions
- CCC-307 Contractor certification

Attachment B – Grant Management Statement

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

IN THE MATTER OF Tulare County Weed)
Management Area (TCWMA) and California)
Department of Food and Agriculture (CDFA))
Base Funding Agreement 2011)

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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