



**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: April 5, 2011 Second Revision

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 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: Marilyn Kinoshita PHONE: 684-3350						

SUBJECT: Revision to Agreement with the California Department of Food and Agriculture for exotic pest detection funding.

REQUEST(S):

That the Board of Supervisors:

1. Ratify and approve a revision to Agreement 10-0279 with the California Department of Food and Agriculture (CDFA), providing State subvention funding up \$179,510 to offset costs of pest detection trapping for exotic insect pests retroactive to July 1, 2010 through June 30, 2011. Increased funding is provided for the placing and servicing of additional traps.
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 Revised Agreement Number 10-0279 with the California Department of Food and Agriculture, effective July 1, 2010 through June 30, 2011.
4. Approve the budget adjustments as shown on the attached aud308 form (4/5ths vote required).

SUBJECT: Revision to Agreement with the California Department of Food and
DATE: Agriculture for exotic pest detection funding.
April 5, 2011

SUMMARY:

This agreement is intended to render financial aid to the county for the performance of its program of Target Insect Detection Trapping. The early detection of detrimental exotic insect pests is critically important to both our county and the state. The effective date of the agreement is July 1, 2010 through June 30, 2011. The agreement was retroactively approved because it was amended after the original was signed to increase the amount of the contract by \$25,293.

This revised agreement, was approved as to form by County Counsel on February 3, 2011.

The deviations from the County contract protocol included in the prior agenda item are:

- 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.

The proposed revision to the Agreement does not include any additional deviations from the County contract protocol.

The only change from the approved agreement is the dollar amount of the revised Agreement, \$179,510.

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.

FISCAL IMPACT/FINANCING:

The County will receive up to \$179,510 for FY 2010/2011 if this revised Agreement is approved. Revenues and the associated expenditures up to \$154,217 for this program have already been included in the Agricultural Commissioner/Sealer's FY 2010/2011 budget. The remaining \$25,293 is represented on an AUD308 adjustment.

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

SUBJECT: Revision to Agreement with the California Department of Food and
DATE: Agriculture for exotic pest detection funding.
April 5, 2011

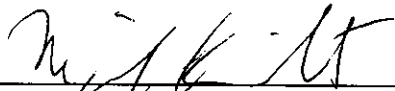
quality standard of living. This request to authorize a contract agreement with CDFA will allow timely continuance of a long-standing program of protecting the County's agriculture-based economy by prompt detection and delimitation of exotic insect pests that would threaten our agricultural industry and our ability to export products from our county.

ALTERNATIVES:

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

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

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

Revision to Agreement with the California) RESOLUTION NO. _____
Department of Food and Agriculture for) AGREEMENT NO. _____
exotic pest detection funding)

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

* * * * *

That the Board of Supervisors:

1. Ratified and approved a revised Agreement with the California Department of Food and Agriculture (CDFA), providing State subvention funding to offset costs of pest detection trapping for exotic insect pests retroactive to July 1, 2010 through June 30, 2011. Increased funding was provided for the placing and servicing of additional traps.
2. Found that the Board had authority to enter into the proposed revised 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. Authorized the Chairman to sign Agreement Number 10-0279 with the California Department of Food and Agriculture, effective July 1, 2010 through

June 30, 2011.

4. Approved the budget adjustments as shown on the attached aud308 form (4/5ths vote required).

