



**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: June 7, 2011

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: Agreement to provide up to \$9,435 from the California Department of Food and Agriculture for Organic inspections

REQUEST(S):
That the Board of Supervisors:

1. Approve an agreement with the California Department of Food and Agriculture (CDFA), providing state subvention of \$9,435.00 to offset costs of regulating the California Organic Foods Act in the county.
2. Authorize the Board Chairman to sign an agreement for July 1, 2011 through June 30, 2012.

SUMMARY:
This agreement is intended to render financial aid to 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 2011/2012. The effective date of the agreement is July 1, 2011 through June 30, 2012. The deviations from the County contract protocol included in this agreement are as follows:

- 1) Exhibit C (General Terms and Conditions) (Form 11-0064-SA):
 - a. Indemnification: Contractor indemnifies State only.
 - b. Settlement of Disputes: If there is a dispute, the decision of the Agency Secretary or Designee shall be final.
 - c. Potential Subcontractors: County will be responsible to the State for acts/omissions of County's subcontractors.

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- d. Right to Terminate: State may terminate without cause with 30 days written notice to the County. The County may not unilaterally terminate the contract without cause. Either party may terminate the contract for cause immediately.

FISCAL IMPACT/FINANCING:

The County will receive up to \$9,435.00 for fiscal year 2011/2012 if this agreement is approved. Revenues and the associated expenditures for this program will be included in the Agricultural Commissioner/Sealer's Proposed Budget for fiscal year 2011/2012. There is no net county cost in performing this inspection 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 with the CDFA for the county registration and inspection of organic producers, handlers, retailers, and complaint investigations 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.

ALTERNATIVES:

No action or disapproval would mean that the Agricultural Commissioner would not be able to receive financial aid from the CDFA 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:

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)
Agreement to provide up to \$9,435.00) RESOLUTION NO. _____
from the California Department of Food) AGREEMENT NO. _____
and Agriculture for Organic inspections)

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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