



**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: October 2, 2012

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
CONTACT PERSON: Gavin K. Iacono PHONE: 684-3350		

SUBJECT: Approve an Agreement with the California Department of Food and Agriculture

REQUEST(S):
That the Board of Supervisors:

1. Approve an Agreement with the California Department of Food and Agriculture for providing State subvention in the amount of \$23,898.58 to offset costs of providing Sudden Oak Death inspection services, retroactive to July 1, 2012 through June 30, 2013. This Agreement is retroactive because the document was not received from the State until July 18, 2012, and the State required changes in the scope of work before finalization of the Agreement. Due to substantial changes in the language of the Agreement a thorough County Counsel review was required.
2. Find that the Board had authority to enter into the proposed Agreement as of July 1, 2012, and that it was in the County's best interest to enter into the Agreement on that date.
3. Authorize the Chairman of the Board to sign the Agreement.

SUMMARY:
This agreement is intended to render State financial aid to the County for providing Sudden Oak Death inspection services and enforcement of Sudden Oak Death regulations. These services will protect the county's nursery industry by insuring that plant shipments are free of Sudden Oak Death, thus allowing them to continue shipping plants out of Tulare county.

SUBJECT: Approve an Agreement with the California Department of Food and Agriculture

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County Counsel approved the Agreement as to form. The Agreement is between the California Department of Food and Agriculture and the County of Tulare for the term of July 1, 2012 through June 30, 2012, and is for the amount of \$23,898.58. The Agreement includes a thirty day cancellation clause. The Agreement includes the following deviations from the County Contract Protocol.

- 1) The County is signing the Agreement first.
- 2) The County must indemnify the State.
- 3) The County may only terminate the Agreement for cause.
- 4) The State may terminate without cause upon thirty days written notice.

FISCAL IMPACT/FINANCING:

This Agreement provides \$23,898.58 to the County to provide Sudden Oak Death inspection services. No additional net County cost to the General Fund. The costs and revenues are recurring for this program. The revenue and associated expenditures for this inspection program have been included in the Agricultural Commissioner's Fiscal Year 2012/2013 budget.

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. The request to approve this Agreement will provide a continued funding source that will allow the continuation of a program that protects the County's agricultural economy.

ADMINISTRATIVE SIGN-OFF:

Marilyn Kinoshita
Agricultural Commissioner
Sealer of Weights and Measures

By: Stevie McNeill
Assistant Agricultural Commissioner
Sealer of Weights and Measure

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

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

IN THE MATTER OF APPROVE AN)
AGREEMENT WITH THE CALIFORNIA) Resolution No. _____
DEPARTMENT OF FOOD AND) Agreement No. _____
AGRICULTURE)

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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