



**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 15, 2013

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 \$187,283 to offset costs of providing exotic pest detection trapping services, retroactive to July 1, 2013 through June 30, 2014. This Agreement is retroactive because the document was not received from the State until August 16, 2013.
2. Find that the Board had authority to enter into the proposed Agreement as of July 1, 2013, 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.
4. Authorize the Chairman to sign Form CCC-307 (Contractor Certification Clauses)

SUMMARY:

This agreement is intended to render State financial aid to the County for providing Exotic Pest detection trapping. The early detection of exotic pests is critically important to the agricultural industry in our county and will allow for the early detection and delimitation of an exotic insect pest that could threaten our agricultural industry and our ability to export products produced in our county.

A prior Agreement, identical except for the time period and dollar value, was

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approved as to form by the County Counsel and was approved by the Board of Supervisors on January 29, 2013. 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. The deviations from the County Contract Protocol included in the original agenda item were:

- 1) Indemnification: Contractor indemnifies State only.
- 2) Disputes: If there is a dispute, the decision is of the Agency Secretary or Designee shall be final.
- 3) Potential Subcontractors: County will be responsible to the State for acts/omissions of County's subcontractors.
- 4) Right to Terminate: State may terminate without cause with thirty days written notice or immediately with cause. The county may submit a written request to terminate only if the State substantially fails to perform its responsibilities.

FISCAL IMPACT/FINANCING:

This Agreement provides \$187,283 to the County to provide detection trapping for exotic pests. 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 detection program have been included in the Agricultural Commissioner's Fiscal Year 2013/2014 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: Gavin K. Iacono
Deputy 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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