THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: AGRICULTURAL COMMISSIONER **BOARD AGENDA #** *B-5

Urgent ☐ **Routine** ☒ **AGENDA DATE** April 22, 2008

CEO Concurs with Recommendation YES ☒ **NO** ☐ **4/5 Vote Required YES** ☒ **NO** ☐
(Information Attached)

SUBJECT:

Approval of Fiscal Year 2007-2008 Amended High Risk Inspection Contract with the California Department of Food and Agriculture

STAFF RECOMMENDATIONS:

1. Approve and authorize the Chairman of the Board of Supervisors to sign the amended High Risk Inspection contract with the California Department of Food and Agriculture.

2. Direct the Auditor-Controller to increase appropriations and estimated revenue in the amount of $19,545 as detailed in the Budget Journal Form.

FISCAL IMPACT:

The High Risk Inspection contract with the California Department of Food and Agriculture reimburses the County for program expenses. The contract amendment increases funding in the amount of $19,545 for a total contract amount of $97,721 for Fiscal Year 2007-2008. While funds have been budgeted for in the Agricultural Commissioner's Fiscal Year 2007-2008 Budget to reflect the original contract, it is requested that revenue and appropriations be increased as per the contract amendment.

BOARD ACTION AS FOLLOWS: No. 2008-280

On motion of Supervisor Grover, **Seconded by Supervisor** DeMartini
and approved by the following vote,
Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

1) X **Approved as recommended**
2) ____ **Denied**
3) ____ **Approved as amended**
4) ____ **Other:**

MOTION:

Christine Ferraro

ATTEST: **CHRISTINE FERRARO TALLMAN, Clerk** **File No.**

DISCUSSION:

Under the High Risk Inspection Program, Stanislaus County will perform inspections for the California Department of Food and Agriculture of incoming shipments of beehives to determine the presence of Imported Fire Ant (IFA). The inspections shall ensure that incoming beehives from IFA-infested states are free of the pest, and that eradication, containment, and control activities take place on all bee colonies on which IFA is found at the time of inspection. The inspections are in compliance with the requirements imposed by Chapter 573 (AB 1771), Statutes of 2000, Food and Agricultural Code Section 2282.5.

On November 6, 2007, the Stanislaus County Board of Supervisors approved the original High Risk Inspection contract with the California Department of Food and Agriculture. The amended contract adds funds for additional work that is needed for the County to perform inspections of beehives for the Red Imported Fire Ant as required under the Food and Agricultural Code and County High-Risk Pest Exclusion Program Guidelines.

POLICY ISSUE:

The Board of Supervisors is asked to determine if the amendment to the contract is consistent with the Board Priority of striving for a Strong Agricultural Economy/Heritage.

STAFFING IMPACT:

There are no staffing impacts associated with this item.

AUDITOR-CONTROLLER
BUDGET JOURNAL

Balance Type	Budget
Category	Budget - Upload
Source	
Currency	USD
Budget Name	LEGAL BUDGET
Batch Name	AG SDA
	BO#
Journal Name	
Journal description	
Period	2007/2008
Organization	Stanislaus Budget Org

Line	Coding Structure Fund 4	Org 7	Account 5	G/L Proj 7	Loc 6	Misc 6	Debit incr appropriations decr est revenue	Credit decr appropriations incr est revenue	Description
1	0100	0010100	23070			.0		19,545.00	St-Aid for Ag High Risk
2	0100	0010100	50000			.0	4.445.00		Salaries
3	0100	0010100	62601			.0	4.500.00		Office safety equipment
4	0100	0010100	62600			.0	2.500.00		Office supplies
5	0100	0010100	65500			.0	2,000.00		Small tools & instrum
6	0100	0010100	66070			.0	1,200.00		Bottled water services
7	0100	0010100	65780			.0	1,600.00		Education & Training
8	0100	0010100	66210			.0	1,800.00		Licenses & fees
9	0100	0010100	60000			.0	1,500.00		Agricultural supplies
10						.0			
11						.0			
12						.0			
13						.0			
14						.0			
15						.0			
16						.0			
17						.0			
18						.0			
19						.0			
20						.0			
21						.0			
22						0			
23						0			
24						.0			
25						0			
						Totals	19.545.00	19,545.00	

Explanation: Increase revenue and expenditures due to an increase in the High Risk state contract with California Dept. of Agriculture

Requesting Department	CEO		Auditors Office Only	
Signature	Signature		Prepared By	Admin Approval ($75K+)
Date	Date		Date	Date

Contact Person & Phone Number

High Risk

STATE OF CALIFORNIA
STANDARD AGREEMENT AMENDMENT
STD. 213 A (Rev 10/05)

AGREEMENT NUMBER	AMENDMENT NUMBER
07-0392	1
REGISTRATION NUMBER 8570120727850 1. 1	

1. This Agreement is entered into between the State Agency and the Contractor named below:
STATE AGENCY'S NAME
DEPARTMENT OF FOOD AND AGRICULTURE
CONTRACTOR'S NAME
COUNTY OF STANISLAUS

2. The term of this Agreement is: July 1, 2007 Through June 30, 2008

3. The maximum amount of this Agreement after this Amendment is: $97,721.00 Ninety Seven Thousand Seven Hundred Twenty One Dollars and No Cents

4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement.

Paragraph three (3) to this Agreement is hereby amended to increase the total Agreement amount by $19,545.00 for a new total Agreement amount not to exceed $97,721.00.

See Exhibit A, Attachments 1 - 5 (8 pages) of this Agreement for a revised Scope of Work.

See Exhibit B, Attachment 1 (2 pages) of this Agreement for a total revised Budget.

The Agreement is being amended to add funds for additional work that is needed for the Contractor to perform inspections of beehives for the red imported fire ant as required under the Food and Agricultural Code Chapter 573, Section 2282.5 and County High-risk Pest Exclusion Program Guidelines.

APPROVED AS TO FORM:
STANISLAUS COUNTY COUNSEL
BY Deputy Deirdre McGrath 4/11/08

All other terms and conditions of this Agreement shall remain the same.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR'S NAME *(If other than an individual, state whether a corporation, partnership, etc.)*
COUNTY OF STANISLAUS

BY *(Authorized Signature)* Thomas Mayfield
DATE SIGNED *(Do not type)* APR 22 2008

PRINTED NAME AND TITLE OF PERSON SIGNING
THOMAS MAYFIELD, CHAIRMAN OF THE BOARD OF SUPERVISORS

ADDRESS
3800 Cornucopia Way, Suite B, Modesto, CA 95358

STATE OF CALIFORNIA

AGENCY NAME
DEPARTMENT OF FOOD AND AGRICULTURE

BY (Authorized Signature) Janice L. Price
DATE SIGNED *(Do not type)* 5/15/08

PRINTED NAME AND TITLE OF PERSON SIGNING
JANICE L. PRICE, ACQUISITIONS MANAGER

ADDRESS
1220 N STREET ,ROOM 115
SACRAMENTO, CA 95814

California Department of General Services Use Only

MAY 21 2008
DEPT OF GENERAL SERVICES
Kyates

☐ **Exempt per:**

EXHIBIT A
SCOPE OF WORK
Criteria for Work Plan

The County of Stanislaus agrees to perform inspections of incoming shipments of beehives for Imported Fire Ant (IFA) for the California Department of Food and Agriculture (CDFA), incorporated in this Scope of Work, identified as Exhibit A, Attachment 1, and in compliance with the requirements imposed by Chapter 573 (AB 1771), Statutes of 2000, Food and Agricultural Code Section 2282.5, identified as Exhibit A, Attachment 2.

The county will perform activities approved by the CDFA to ensure that incoming beehives from IFA-infested states are free of Imported Fire Ant, and that eradication, containment, and control activities take place on all colonies on which IFA is found at the time of inspection, as described in the attached estimate of high-risk Pest Exclusion activities Work Plan, identified as Exhibit B, Attachment 1.

Inspection activities for beehives entering the state during the period referenced above in the Scope of Work can include, but are not limited to:

1. County biologist(s) reviewing quarantine hold notices (008's) issued for incoming bee colonies for origin and destination of shipment and reviewing inspection certificate, if present, that accompanies the shipment.
2. County biologist(s) inspecting incoming hives for Imported Fire Ant from IFA-infested states. Inspection protocol is described in the attached Pest Exclusion Advisory 36-99 and by this reference made part hereof, identified as Exhibit A, Attachment 3.
3. County biologist(s) performing daily record keeping of inspections in regard to pest finds, writing reports referencing Report 4a, identified as Exhibit A, Attachment 4, notifying the Senior Agricultural Biologist of the presence of any significant pest finds, etc.
4. County biologist(s) reporting bee colony inspection activities referencing Report 4a, which is attached and included by reference.

As quarantine areas and commercial channels change, county biologist(s) shall determine the need to redirect high-risk activities in other areas as needed.

The county's biologist(s) shall determine the time of day and week the inspections are to occur. If a county finds it necessary to deviate from its approved Work Plan, said county will notify the Pest Exclusion High-Risk Program of any changes.

The county shall submit monthly an itemized invoice, on county letterhead, identified in Exhibit A, Attachment 5 and a completed monthly Report 4a. All Report 4a's shall be submitted on Form #66-092a to the CDFA Contract Manager. Send all requested forms to:

The Department of Food and Agriculture
Donnie M. Ereveillo, Contract Manager
Pest Exclusion Branch
County High Risk Program
1220 N Street, Room A-372, Sacramento, CA 95814.

BILL NUMBER: AB 1771 CHAPTERED 09/23/00

CHAPTER 573
FILED WITH SECRETARY OF STATE SEPTEMBER 23, 2000
APPROVED BY GOVERNOR SEPTEMBER 22, 2000
PASSED THE SENATE AUGUST 31, 2000
PASSED THE ASSEMBLY MAY 30, 2000

INTRODUCED BY Committee on Agriculture (Cardoza (Chair), Maldonado (Vice Chair), Briggs, Florez, Frusetta, Reyes, Thomson, and Wiggins)

JANUARY 20, 2000

An act to amend Section 2282.5 of, and to repeal and amend Section 2282 of, the Food and Agricultural Code, relating to agricultural pest control, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1771, Committee on Agriculture. Agricultural pest control. (1) Under existing law, the Secretary of the Department of Food and Agriculture and the Director of Pesticide Regulation are authorized to annually allocate funds to each county for specified purposes related to agricultural pest control according to a specified formula, but until July 1, 2000, existing law requires that $5,500,000 of the total amount appropriated for this purpose be utilized solely for high-risk pest exclusion activities, as specified.

This bill would indefinitely extend this required allocation for high-risk pest exclusion activities, make the allocation authority of the secretary and director subject to appropriation in the annual Budget Act, and would make related conforming changes.
(2) This bill would declare that it is to take effect immediately as an urgency statute.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 2282 of the Food and Agricultural Code, as added by Section 3 of Chapter 890 of the Statutes of 1999, is repealed.
SEC. 2. Section 2282 of the Food and Agricultural Code, as amended by Section 4 of Chapter 890 of the Statutes of 1999, is amended to read:
2282. (a) Except as provided in Section 2282.5, and to the extent funds are appropriated in the annual Budget Act, the Secretary of Food and Agriculture or the Director of Pesticide Regulation may allocate annually to each county an amount determined by the secretary or the director not to exceed one-third of the amount expended by the county during the previous fiscal year for the programs of joint responsibility under the jurisdiction of the secretary or director, as applicable. The

allocations shall be made from funds appropriated to the secretary or the director for purposes of carrying out activities of joint responsibility with the commissioners at the local levels.

(b) The annual report to the Legislature required by Section 2281 shall include findings for each of the following joint programs, including the amounts allocated to, and expended by, the counties in the previous fiscal year and the proposed amount to be allocated by the secretary for each program for the ensuing budget year:

(1) Pest detection.
(2) Pest eradication.
(3) Pest management control.
(4) Pest exclusion.
(5) Seed inspection.
(6) Nursery inspection.
(7) Fruit and vegetable quality control.
(8) Egg quality control.
(9) Apiary inspection.
(10) Crop statistics.

The report shall also specify the programs that have been augmented with state funds each year since 1980 because of new legislative mandates, or because of pest infestations or outbreaks occurring since that date, and the annual amounts of those augmentations.

SEC. 3. Section 2282.5 of the Food and Agricultural Code is amended to read:

2282.5. (a) The development of work plans for allocation of the funding appropriated in the Budget Act to the department for local assistance for agricultural plant and animal pest and disease prevention shall be the responsibility of the department. The department shall establish criteria for the development of the work plans and for allocating the appropriated funds.

(b) Of the amount appropriated in the Budget Act to the department for local assistance for agricultural plant and animal pest and disease prevention, five million five hundred thousand dollars ($5,500,000) shall be utilized solely for high-risk pest exclusion activities. The work plans for the exclusion of high-risk pests shall be developed by the department with the county agricultural commissioners and in consultation with affected industry representatives. In order to determine the effectiveness of high-risk pest exclusion programs in each county, the criteria established by the department for the work plan shall include, but need not be limited to, the following:

(1) The number of high-risk plant shipments entering each county.
(2) The number of high-risk entry points in each county.

(3) The number of state action quarantine pests intercepted or detected annually in each county.

(4) The work hours expended by each county in conducting exclusion of high-risk pests.

(5) The rate of interceptions and rejections per inspection activity.

(c) To remain eligible for funding under this section, a county shall maintain its support of ongoing operational costs of the county agricultural commissioner programs listed in subdivision (b) of Section 2282, at 1997-98 fiscal year levels.

(d) Funds allocated for high-risk pest exclusion activities pursuant to subdivision (b) may not be expended for any purpose other than the exclusion or detection of high-risk pests consistent with the work plans prescribed in subdivision (a) or scientific evaluation. Funds allocated by each county on or after September 28, 1998, shall not be allocated to other programs listed in subdivision (b) of Section 2282 until the county work plan is approved by the department consistent with the funding appropriated in the Budget Act to the department for local assistance for agricultural plant and animal pest and disease prevention for this purpose.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are: In order to make changes to certain provisions affecting agriculture prior to their repeal, thereby protecting public health and safety, it is necessary that this act take effect immediately.

STATE OF CALIFORNIA
DEPARTMENT OF FOOD AND
AGRICULTURE
1220 N Street, Room A-372
Sacramento, CA 95814

PEST EXCLUSION ADVISORY

NO. 36-99

DATE: October 18, 1999

TO: All County Agricultural Commissioners

FROM: Plant Health and Pest Prevention Services

SUBJECT: Reminder - Uniform Inspection Protocol for Quarantine Inspections of Bee Shipments

The purpose of this advisory is to remind you that all bee shipments entering California will be sent under Quarantine Warning Notice (008) to the county of destination to be inspected for RIFA. This advisory outlines the uniform inspection protocol to be utilized when performing quarantine inspections on bee shipments at destination.

The uniform inspection protocol is as follows:

1. The inspection rate for bee shipments originating in RIFA-infested states (e.g., Texas, Florida, etc.) should be one hundred percent (100%). Inspections should be conducted during daylight hours. Bee colonies must be inspected and released (if negative for RIFA) prior to final placement in the field.

2. Bee shipments originating in states not known to be infested with RIFA (e.g., Oregon, Washington, etc.) should be inspected at a rate deemed necessary. The inspection rate may be determined by factors such as the origin of the shipment, and prior history and experiences with the beekeeper and bee broker.

3. Ideally, inspections should be performed as the bee colonies are being unloaded. The following inspection procedures should be utilized:

   a. Visually scan the top and all four vertical sides of each hive body for ants.

   b. Special attention should be paid to dirt clods associated with the shipment. Dirt clods should be broken open to reveal any ants within.

   c. If the bee colonies are transported on pallets, the interior space between the pallet slats should be examined for dirt clods and debris.

   d. Bee colonies on individual bottom boards should be carefully examined for rotted portions that might harbor ants.

4. Shipments found infested with live RIFA worker ants should be rejected and the shipment or infested colonies treated on site. All RIFA-infested bee shipments should be reported to the appropriate Pest Exclusion District Office as soon as possible.

Bee shipment inspections should be reported as "Truck Shipments" on the County Report 4 and as 008 referrals on County Report 4a. The number of colonies in a shipment will already be recorded on the 008. Bee shipment inspections may be differentiated from other truck shipments by listing their number in the "Comments" section of the County Report 4.

Additionally, it is advised that baiting be done in all areas where bee colonies from RIFA-infested states are placed. If you have any questions regarding this advisory, please contact Abel Valenzuela at (209) 445-5033 or avalenzuela@cdfa.org.

Prepared by: Stephen Brown

State of California
Department of Food & Agriculture
Plant Health and Pest Prevention Services
Form # 66-092a (Rev. 9/2006)

REPORT NUMBER
4a
Monthly Report of County
High Risk Pest Exclusion Activities

Exhibit A
Attachment 4

County:
Date:

Type	Premise Visits	Shipments Inspected	NOR's	A/Q Pest Interceptions	Hours
CA Overnight					
DHL					
Federal Express					
Federal Express Ground					
US Post Office					
UPS					
Air Freight					
Air Freight - forwarded					
Gypsy Moth (008a)					
Florida/Southern States (008)					
Hawaii (008)					
Truck (008 Plants)					
Beehives (008)					
Specialty Markets					
Swap Meets					
Post Entry					
Other					
Other					

Comments

Rev. 8/2007

SAMPLE INVOICE

(PLEASE SUBMIT ON YOUR COUNTY'S LETTERHEAD)

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE
ATTN: DONNIE M. EREVEILLO, CONTRACT MANAGER
HIGH RISK PEST EXCLUSION PROGRAM
1220 N STREET, ROOM A-372
SACRAMENTO, CA 95814

2007/2008 HIGH RISK PEST EXCLUSION BEE INSPECTION
CONTRACT # _____

INVOICE FOR THE PERIOD FROM _____ TO _____, 2007/2008

NEW ACTIVITY

ACTIVITY	HIGH-RISK
TOTAL HOURS	
COST PER HOUR	
TOTAL COST	

_____
SIGNATURE OF COUNTY AGRICULTURAL COMMISSIONER

ESTIMATE OF HIGH-RISK PEST EXCLUSION ACTIVITIES
WORK PLAN FOR FISCAL YEAR 2007/2008
Bee Hive Amendment

COUNTY: Stanislaus **Cost per hour: 60.73**

100%	No. of High-Risk Facilities	Estimated Visits/Year	Estimated Hours/Visit	Estimated Hours/Year	Estimated Annual Cost
Facility	**2007/2008**	**2007/2008**	**2007/2008**	**2007/2008**	**2007/2008**
CA Overnight					
DHL					
Federal Express					
Federal Express Ground					
US Post Office					
UPS					
Air Freight					
Air Freight - forwarded					
Gypsy Moth (008a)					
Florida/Southern States (008)					
Hawaii (008)					
Truck (008 Plants)					
Beehives (008)	180	180	7.1515	321.83	$19,544.73
Specialty Markets					
Swap Meets					
Post Entry					
Other					
Totals	180	180	7.1515	321.83	$19,545.00

Comments: Dollar amount reflects rounding to the nearest dollar.

REVISED TOTAL CONTRACT BUDGET

County of Stanislaus
July 1, 2007 through June 30, 2008
Contract Number: 07-0392 (Amendment 1)

"Beehive inspections for imported fire ant"

	TOTALS
Original Agreement:	$78,176.00
Amended to add:	$19,545.00
NEW AMENDED TOTAL:	**$97,721.00**