



COUNTY OF HUMBOLDT

Legislation Text

File #: 23-702, **Version:** 1

To: Board of Supervisors

From: Agricultural Commissioner

Agenda Section: Consent

Vote Requirement: 4/5th

SUBJECT:

Approval of Cooperative Agreement No. 23-0143-000-SA, Petroleum Products Compliance Contract with the California Department of Food and Agriculture in the amount of \$4,725.00 (4/5th Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve Cooperative Agreement No. 23-0143-000-SA, known as the Petroleum Products Program Contract with the California Department of Food and Agriculture;
2. Authorize the Chair to sign the original agreement;
3. Direct the Clerk of the Board to return all copies to the Agriculture Department for further processing; and
4. Grant a waiver from the provisions of the Nuclear-Free Ordinance (4/5th vote required).

SOURCE OF FUNDING:

California Department of Food and Agriculture - Division of Measurement Standards (CDFA-DMS).

DISCUSSION:

The Agricultural Commissioner's office receives annual subventions from CDFa to offset the local cost of enforcing certain state-mandated programs. In accordance with the California Business and Professions Code Section 13434 and under the authority of the Secretary of CDFa, county staff under the local direction of the Sealer of Weights & Measures will conduct inspections to verify compliance with regulations governing the advertising and labeling of petroleum products offered for sale at service stations, quick-lube shops, and distributors of engine fuels and oils. The local enforcement of petroleum product advertising and labeling requirements creates uniformity in the advertised pricing of petroleum products (gasoline) which is the basis for allowing consumers to make valid price comparisons between retailers. The Sealer's inspector/biologist staff typically conducts petroleum program inspections while at service stations to perform annual retail petroleum dispenser inspections. Per California Business and Professions Code Section 12015, the county agrees to take appropriate

enforcement action upon discovery of violations at inspected establishments and will handle violations in accordance with CDFA-DMS guidelines.

The waiver from the provisions of the Nuclear-Free Ordinance is requested because the State of California will not modify its cooperative agreements to accommodate local ordinances.

FINANCIAL IMPACT:

Expenditures (1100, 261)	FY22-23	FY23-24 Projected	FY24-25 Projected
Budgeted Expenses	\$4,725	\$4,725	
Total Expenditures	\$4,725	\$4,725	
Funding Sources (1100, 261)	FY22-23 Adopted	FY23-24 Projected*	FY24-25 Projected*
State/Federal Funds	\$4,725	\$4,725	
Total Funding Sources	\$4,725	\$4,725	

**Projected amounts are estimates and are subject to change.*

Narrative Explanation of Financial Impact:

In fiscal year 2023-24, Cooperative Agreement No. 23-0143-000-SA provides a total of \$4,725 for petroleum products compliance inspections. The agreement reimburses Humboldt County \$75 per initial inspection (defined as the first physical inspection in the fiscal year of establishments selling or distributing petroleum and other related automotive products). Payments will be made in arrears to Humboldt County based on invoices submitted quarterly to CDFA-DMS by the Agricultural Commissioner’s Office. Agricultural Commissioner revenue from Cooperative Agreement No. 23-0143-000-SA has been included in the proposed fiscal year 2023-24 budget in 1100-261-518010, state aid for weights and measures.

STAFFING IMPACT:

Narrative Explanation of Staffing Impact:

There is no impact to current staffing as duties are part of current workload.

STRATEGIC FRAMEWORK:

This action supports the following areas of your Board’s Strategic Framework.

- Core Roles: Enforce laws and regulations to protect residents
- New Initiatives: Provide community-appropriate levels of service
- Strategic Plan: N/A

OTHER AGENCY INVOLVEMENT:

CDFA-DMS

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could choose not to approve the agreement. This action is not recommended as it will prevent the county from receiving reimbursement for mandated services.

ATTACHMENTS:

One complete Cooperative Agreement No. 23-0143-000-SA

PREVIOUS ACTION/REFERRAL:

Board Order No.: C-2

Meeting of: June 14, 2022

File No.: 22-748