



# COUNTY OF HUMBOLDT

## Legislation Text

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**File #:** 21-778, **Version:** 1

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**To:** Board of Supervisors

**From:** Agricultural Commissioner

**Agenda Section:** Consent

**SUBJECT:**

Approval of Cooperative Agreement No. 21-0032-000-SA, Petroleum Products Compliance Contract with the California Department of Food and Agriculture in the amount of \$4,725.00

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Approve Cooperative Agreement No. 21-0032-000-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.

**SOURCE OF FUNDING:**

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

**DISCUSSION:**

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. 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.

FINANCIAL IMPACT:

In fiscal year 2020-21, Cooperative Agreement No. 21-0032-000-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. Revenue from Cooperative Agreement No. 21-0032-000-SA will be credited to revenue account no. 1100-261-518010, state aid for weights and measures. Agriculture Commissioner revenue and expenditure accounts for Fiscal Year 2021-22 have been included in the proposed fiscal year 2021-22 budget.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents .

OTHER AGENCY INVOLVEMENT:

CDFA-DMS

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board discretion

ATTACHMENTS:

One complete Cooperative Agreement No. 21-0032-000-SA

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A