



# COUNTY OF SONOMA

575 ADMINISTRATION  
DRIVE, ROOM 102A  
SANTA ROSA, CA 95403

## SUMMARY REPORT

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**Agenda Date:** 10/18/2022

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**To:** Sonoma County Board of Supervisors

**Department or Agency Name(s):** Sonoma County Department of Agriculture/Weights & Measures

**Staff Name and Phone Number:** Andrew F. Smith, (707) 565-2371

**Vote Requirement:** Majority

**Supervisorial District(s):** Countywide

**Title:**

Memorandum of Understanding Between County of Sonoma and County of Mendocino for Licensed Agricultural Commissioner/Sealer of Weights & Measures Services

**Recommended Action:**

Authorize the Chair to execute a Memorandum of Understanding with the County of Mendocino for Licensed Agriculture Commissioner/Sealer of Weights and Measures Services

**Executive Summary:**

This Memorandum of Understanding (MOU) is to authorize the Sonoma County Agricultural Commissioner/Sealer of Weights and Measures to provide services to Mendocino County to coordinate their work and jointly exercise powers and duties as set forth in the California Food and Agricultural Code for a six month period.

**Discussion:**

Mendocino County is currently in recruitment for a new Agricultural Commissioner/Sealer and have asked Sonoma County to provide support through a temporary shared service agreement while they complete the recruitment and onboarding of a new Agricultural Commissioner/Sealer. During the term of this agreement, Sonoma County will provide Mendocino County the services of a licensed Agricultural Commissioner/Sealer of Weights & Measures (Commissioner/Sealer) to perform duties set forth in the California Food and Agricultural Code. The positions of Commissioner/Sealer in both Sonoma and Mendocino Counties are components of each respective County, with common powers and duties. The Sonoma County Commissioner/Sealer has the required licenses, expertise, and capability to provide the necessary services to Mendocino County.

Sonoma County's Commissioner/Sealer will perform for Mendocino County the ministerial functions requiring a fully licensed and duly appointed Commissioner/Sealer in accordance with all applicable federal, state, and county laws, ordinances, and regulations. For example, the Commissioner/Sealer's responsibilities to Mendocino County include, but are not limited to, signing Notices of Proposed Actions, signing agreements with the California Department of Pesticide Regulation (DPR), or the California Department of Food and Agriculture (CDFA); and submitting official requests to the DPR, CDFA, and any other local, state, or federal government agencies. Sonoma County's Commissioner/Sealer will also provide guidance to Mendocino County staff on issues of policy limited to the regulatory responsibilities of a Commissioner/Sealer.

This MOU is authorized by California Food and Agricultural Code section 2124. It specifies that Sonoma

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County will provide 8 hours of work per week for Mendocino County at the Department of Agriculture/Weights & Measures office in Ukiah. The 8 hours include any travel time to and from the Mendocino County office. If necessary, Mendocino County may request additional support from the Commissioner/Sealer, but no more than a total of 16 hours per week.

Mendocino County will pay Sonoma County \$151 per hour for each hour of the Commissioner/Sealer's work and any expenses incurred to provide services to Mendocino County, pursuant to this MOU, in an amount not to exceed \$50,000. Should the Commissioner/Sealer's hourly employment rate increase during the term of the MOU, the hourly rate under the MOU will be automatically adjusted to reflect the new rate. The County Administrators of both counties are authorized to extend the MOU up to six months beyond its initial term, where mutual agreed upon in writing. Such extended MOU will reflect any increase in the Commissioner/Sealer's hourly employment rate.

It is expected that the hours the Commissioner/Sealer will spend providing services to Mendocino County will increase the amount and complexity of the current Assistant Agricultural Commissioner's workload in Sonoma County. As a result, staff is recommending a temporary 5% normal salary premium for the Assistant Agricultural Commissioner, to be effective for the term of this MOU. The cost for this salary premium will be billed to Mendocino County, pursuant to the MOU.

The Sonoma County Department of Agriculture/Weights & Measures will bill Mendocino County on a monthly basis. The Sonoma County Commissioner/Sealer will also submit to Mendocino County quarterly reports detailing the work performed, including expenditures and charges.

**Strategic Plan:**

N/A

**Prior Board Actions:**

N/A

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 22-23 Adopted</b>	<b>FY23-24 Projected</b>	<b>FY 24-25 Projected</b>
Budgeted Expenses	\$50,000		
Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>\$50,000</b>		
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other	\$50,000		
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>	<b>\$50,000</b>		

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**Narrative Explanation of Fiscal Impacts:**

If any budget adjustments are necessary related to this MOU, those changes will be handled through a future consolidated budgetary adjustment board item.

<b>Staffing Impacts:</b>			
<b>Position Title (Payroll Classification)</b>	<b>Monthly Salary Range (A-I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

Memorandum of Understanding Between the County of Mendocino and the County of Sonoma County for Licensed Agricultural Commissioner/Sealer of Weights and Measures Services

**Related Items "On File" with the Clerk of the Board:**

N/A