# Monterey County

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## Board Order

Upon motion of Supervisor Salinas, seconded by Supervisor Armenta, and carried by those members present, the Board of Supervisors hereby:

Adopted Resolution 12-259 to:
Amend Resolution No. 09-357 and the Monterey County Agricultural Advisory Committee (AAC) Bylaws to provide for a temporary alternate Committee member in the event there is a need for a Committee member to take a temporary leave of absence due to personal or family medical reasons.

PASSED AND ADOPTED on this 18th day of September 2012, by the following vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker, and Potter
NOES: None
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 76 for the meeting on September 18, 2012.

Dated: September 19, 2012
File Number: RES 12-0089

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy

**Before the Board of Supervisors in and for the County of Monterey, State of California**

**RESOLUTION NO. 12-259**

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|---|---|
| Adopt Resolution to Amend Resolution | ) |
| No. 09-357 and the Monterey County | ) |
| Agricultural Advisory Committee (AAC) | ) |
| Bylaws to provide for a temporary alternate | ) |
| Committee member in the event there is a | ) |
| need for a Committee member to take a | ) |
| temporary leave of absence due to personal | ) |
| or family medical reasons..... | ) |

WHEREAS, the Board of Supervisors recognizes the importance of agriculture as an important, complex and vital industry to the economy of Monterey County; and

WHEREAS, the Board of Supervisors established an Agricultural Advisory Committee on April 26, 1965, and amended the establishing resolutions several times, most recently by Resolution No. 06-331 adopted on November 14, 2006;

WHEREAS, Resolution No. 06-331 established a sunset date for the Committee of June 30, 2009, and an action of the Board is required to maintain the Committee;

WHEREAS, Resolution No. 09-357 eliminated the sunset date of the Committee, increased member term limits, and eliminated the limitation on Officer's terms;

WHERES, Resolution No. 09-357 does not provide for the appointment of a temporary alternate Committee member due to a temporary leave of absence and an action of the Board is required to provide for a temporary alternate Committee member due to a Committee member's temporary leave of absence due to personal or family medical reasons;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby amends the Monterey County Agricultural Advisory Committee Resolution and Bylaws to include a provision to enable the temporary appointment of an alternate member during a leave of absence of a Committee member due to personal or family medical reasons.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby continues to endorse the Monterey County Agricultural Advisory Committee for the purpose of advising the Board and County departments on matters affecting the agricultural industry and amends the Bylaws to read as follows:

# MONTEREY COUNTY
# AGRICULTURAL ADVISORY COMMITTEE
# BYLAWS

## Section 1. Creation and Purpose of the Committee

Resolution 06-331 was adopted on November 14, 2006, which replaced Resolution 01-349, and provided authority to the Agricultural Advisory Committee, hereinafter known as the "Committee." to review and make recommendations relative to County Development Projects on agricultural lands and to extend the sunset date of the Committee. Resolution 01-349 was adopted September 4, 2001, replacing the previously existing Resolution 77-213 constructing the Committee. The purpose of the Committee shall be to advise and recommend to the Board of Supervisors, and other County boards, commissions and departments, on matters affecting, or of interest to, the agricultural industry. Specific objectives of the Committee shall include, but not be limited to, the following:

A) Gather information and provide factual data on its own initiative to the Board of Supervisors on items affecting the agricultural industry;
B) Provide a resource of agricultural information requested by the Board of Supervisors on which future decisions may be based;
C) Supplement the activities of the existing committees of the Board of Supervisors that concern agriculture;
D) Advise the Board of Supervisors on matters affecting the agricultural industry, and
E) Review the following types of development projects and make recommendations to the decision-making body
    1) Projects on lands designated for agricultural use that require a discretionary permit;
    2) General plan amendments or zone changes that may affect agricultural lands.
    3) Subdivision of agriculturally designated lands;
    4) Projects affecting lands under Williamson Act contract, and
    5) Other projects that may support, enhance or otherwise affect the agricultural industry.

## Section 2. Membership

The Committee shall consist of thirteen (13) members who are residents of the County of Monterey appointed pursuant to Title VI of the Civil Rights Act of 1964 and representing agricultural interests. The thirteen (13) members shall be selected as follows: A) one (1) each from Grower-Shipper Association of Central California, Monterey County Farm Bureau, California Strawberry Commission, Monterey County Vintners and Growers Association and Monterey County Cattlemen's Association; B) one (1) by each Member of the Board of Supervisors; and C) three (3) at-large members nominated by the Committee and appointed by Board of Supervisors. Members selected by the Board of Supervisors shall have their primary source of income derived from an agricultural occupation, and members at-large shall be selected from other segments of the industry, such as, but not limited to, nursery/floriculture, labor,

organic growers or pest control. Changes to the membership of the Committee adopted by resolution of the Board of Supervisors shall automatically be reflected in these Bylaws.

## Section 3. Vacancies and Temporary Alternate Member Due to a Temporary Leave of Absence of a Committee Member

Any vacancy shall be filled in the same manner as the original appointment.

A vacancy shall exist and shall be reported to the Clerk to the Board of Supervisors whenever: A) a member fails to attend three (3) consecutive or four (4) regularly scheduled meetings of the Committee during a fiscal year, B) a formal letter of resignation is received by the County, C) a Committee member no longer resides in Monterey County or otherwise does not meet the qualifications for the appointment, or D) upon a majority recommendation of the Committee, any member may be removed from office by a majority vote of the Board of Supervisors favoring such removal.

Exception to Section 3.A above: In the event there is a need for a Committee member to take a temporary leave of absence due to personal or family medical reasons, a temporary alternate member may be appointed in the same manner as the original appointment, pursuant to Section 2 above. The appointment of any temporary alternate member shall terminate upon the return of the originally appointed Committee member from said leave of absence. The appointment of any temporary alternate member shall not extend beyond the length of the term of the originally appointed Committee member.

## Section 4. Term of Office

Members shall be appointed for a term of three (3) years to serve at the will of the Board of Supervisors, commencing on July 1st and ending June 30th. Vacancies that occur will be filled for the remainder of the unexpired term in the same manner as the original appointments. No member shall be appointed for more than three (3) full consecutive terms, and shall serve until his or her successor is appointed.

## Section 5. Meetings

The Committee shall conduct business in accordance with the Ralph M. Brown Act (Government Code Sections 54050 et. seq.) and by Robert's Rules of Order. The Committee shall meet monthly. The meetings shall be open to the public and located within Monterey County. The regularly established time and place of meetings shall be at 1:30 p.m. on the fourth Thursday of the month or as may be determined by the Chairperson of the Committee, at the Monterey County Agricultural Center, 1428 Abbott Street, Salinas. Special public meetings may be held at such times and places as the Board of Supervisors, the Committee Chairperson or a majority of the Committee shall direct. Special meetings shall be noticed and conducted in accordance with the provisions of the Ralph M. Brown Act, Open Meeting Law.

An agenda shall be posted at least 72 hours before the meeting, and will contain a brief general description of each item of business to be transacted or discussed at the meeting. Meetings shall provide an opportunity for public comment. Agendas for special meetings shall be posted at least 24 hours before the time of the special meeting. Committee members shall be notified at least 24 hours before the time of the special meeting. If requested in writing, local newspapers of general circulation, radio stations and television stations shall be notified at least 24 hours before the time of the special meeting. Items of business to be transacted or discussed at special meetings shall be limited to those items of business requiring the special meeting. No changes or additions shall be made to agendas for special meetings. No other items of business shall be transacted or discussed, other than those items of business requiring the special meeting.

Committee members are entitled to receive reimbursement for reasonable and actual expenses incurred in the course of their official duties as a Committee member. Claims for expenses will be submitted to the Agricultural Commissioner for approval.

The Committee shall not hold a closed session without first notifying the Office of the County Counsel of the specific purpose of such meeting and receiving written advice from the Office of the County Counsel that it is legal to hold such a session or meeting. Any closed session or meeting shall be held in accordance with the Ralph M. Brown Act.

## Section 6. Quorum

A quorum shall be no less than a majority of the total current appointed membership of the Committee. Committee action may be taken by a majority of those present and voting, and by no less than a majority of a quorum.

## Section 7. Officers

The Committee shall select a Chairperson and Vice Chairperson, who shall be elected at the Committee's July meeting or at its first meeting of each year. Officers shall serve for a one (1) year term from July 1st and shall serve until his or her successor is appointed. Officers may be re-elected by the Committee, to serve more than one term, so long as said Officer's term is within the timeframe of the maximum of three consecutive full terms.

## Section 8. Subcommittees

"Subcommittee" shall mean any subsidiary group appointed by the Committee to assist it for a period longer than six months. Subcommittee members need not be Committee members. Committee members on a subcommittee may not equal as many as a quorum of the Committee. The Chairperson shall designate at least one Committee member to serve on each subcommittee. Subcommittees shall serve in an advisory capacity to the Committee. The actions and recommendations of any subcommittee shall not be deemed to be the action of the Committee and shall in no way bind the Committee or its members.

## Section 9. Staff Support

The County Agricultural Commissioner's Office shall provide the necessary support to the Committee. The Agricultural Commissioner or designee is appointed and designated as Secretary to the Committee. All papers and documents of the Committee shall be filed in the Office of the Agricultural Commissioner.

## Section 10. Minutes and Annual Report

The Secretary shall take official minutes. The minutes shall record the attendance and actions taken at each meeting of the Committee. Draft Committee minutes shall be prepared and submitted by the Secretary to the Committee for review and approval at the next regularly scheduled Committee meeting. Upon Committee approval and final completion of the minutes by the Secretary, consistent with the Committee's approval, the official minutes shall be forwarded to the Board of Supervisors through the Clerk to the Board. The minutes shall be retained in the Office of the Secretary and shall be available during normal business hours to members of the public and the Committee.

The Committee shall submit a concise annual report to the Clerk of the Board of Supervisors by July 31st of each year. The period of the report shall be the previous fiscal year. The annual reports shall contain a summary of the Committee's activities and projects, a list of individual members, and any other information requested by the Board of Supervisors. In addition to the annual report, the Committee may submit progress reports and recommendations to the Board of Supervisors at any time.

PASSED AND ADOPTED upon motion of Supervisor Salinas, seconded by Supervisor Armenta, and carried this 18th day of September 2012, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker, and Potter
NOES: None
ABSENT: None

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