



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Board Report

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**File #: 09-934, Version: 1**

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EXECUTED RESOLUTIONX♦♦¶¶ L, ¶|♦¶ 26

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

Resolution No: 09-357

Adopt Resolution to Amend Resolution No. 06-331 and  
Approve the Monterey County Agricultural Advisory  
Committee Bylaws to Eliminate the Sunset Date of the  
Committee, Increase Member Term Limits, and Eliminate the  
Limitation on Officer's Terms.

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  
06-331 adopted on November 14, 2006;

WHEREAS, Resolution 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;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby amends the  
Monterey County Agricultural Advisory Committee Resolution and Bylaws to eliminate the  
sunset date of the Committee, increase member term limits and eliminate the limitation on  
officer's terms.

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  
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BIB]

40019-U01  
EXECUTED-U02  
RESOLUTION-U02  
LI21329-U03  
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FO74555-U03  
FO75266-U03  
MG75341-U03

AS75367-U03  
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7/24/2009-U04  
MUNOZP-U04  
13723-U05  
6-U06  
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RESOLUTION-U07  
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AMEND-U07  
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06-331-U07  
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EXECUTED RESOLUTIONX♦♦¶"₁ ₁ |♦- 26

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

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.

2

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EXECUTED RESOLUTIONX♦♦¶¶, ¶|♦¶ 26

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.

3

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EXECUTED RESOLUTIONX♦♦¶" 7 L, J |♦J 26

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.

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BIB]

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EXECUTED RESOLUTIONX♦♦¶ 26

PASSED AND ADOPTED on this 21St day of July, 2009, upon motion of Supervisor Parker,  
seconded by Supervisor Salinas, by the following vote, to-wit:

AYES: Supervisors Armenta, Salinas, Calcagno, Parker

NOES: None

ABSENT: Supervisor Potter

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 75 for the meeting on July 21, 2009.

Dated: July 22, 2009 Gail T. Borkowski, Clerk of the Board of Supervisors

County of Monterey, State of California

By  
Deputy  
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SIGNED BOARD REPORTX♦♦♦♦♦ L, & ♦♦♦ MONTEREY COUNTY BOARD OF SUPERVISORS  
MEETING: July 21, 2009 Consent AGENDA NO.: 26

SUBJECT: Adopt Resolution to Amend Resolution No. 06-331 and Approve the Monterey  
County Agricultural Advisory Committee Bylaws to Eliminate the Sunset Date of  
the Committee, Increase Member Term Limits and Eliminate the Limitation on  
Officer's Terms

DEPARTMENT: Agricultural Commissioner

**RECOMMENDATION:**

It is recommended that the Board of Supervisors adopt a resolution to amend Resolution 06-331  
regarding the Monterey County Agricultural Advisory Committee Resolution and Bylaws to  
eliminate the sunset date of the Committee, increase member term limits and eliminate the  
limitation on officer's terms.

**SUMMARY:**

In September 2001 Resolution 01-349), your Board established a sunset date for the Agricultural  
Advisory Committee AAC). Since that time the sunset date for the Committee has been extended  
several times Resolution Nos. 03-141, 04-20 and 06-331) and was scheduled to end on June 30,  
2009. This action would eliminate a sunset date for the Committee, allow members to serve three  
full consecutive terms and remove the limitation on the time that the Chair or Vice Chair can serve  
as an officer so long as the officer's term is within the maximum of three consecutive terms.

**DISCUSSION:**

The Monterey County Agricultural Advisory Committee was established by Resolution of the  
Board of Supervisors on April 26, 1965. It was re-established and re-organized by your Board on  
September 4, 2001. On April 29, 2003, your Board extended the sunset date of the Committee,  
adopted Bylaws, and made other minor changes to the Resolution. On January 13, 2004, your  
Board made other minor changes to the Resolution and Bylaws. On November 14, 2006, your  
Board amended the Committee Bylaws and extended the term of the Committee to June 30, 2009.  
Members are currently limited to two full consecutive terms. This proposed action will allow  
members to be appointed for three full consecutive terms. Officers Chairperson and Vice  
Chairperson) elected by the Committee may now serve only two one-year terms as officers. This  
action would remove that limitation so long as said officer's term is within the time frame of the  
maximum of three consecutive full terms.

**OTHER AGENCY INVOLVEMENT:**

The Office of the County Counsel has reviewed and approved the proposed amendment to  
Resolution 06-331 and the proposed amendments to the Bylaws as to form.

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BIB]

40019-U01  
SIGNED-U02  
BOARD-U02  
REPORT-U02  
LI21329-U03  
FO21330-U03  
FO74555-U03  
FO75266-U03  
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SIGNED BOARD REPORTX♦♦♦&♦♦♦ FINANCING:

There is no cost to the County General Fund.

Prepared by:

Robert Roach 759-7325 Eric Laurit

Assistant Agricultural Commissioner Agricultural Commissioner

July 7, 2009

Attachments: Proposed Resolution

Resolution 06-331 PDF)

Proposed Amendments to Bylaws

Bylaws changes indicated)

2

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PROPOSED AGRICULTURAL ADVISORY COMMITTEE MONTEREY COUNTY  
AGRICULTURAL ADVISORY COMMITTEE  
BYLAWS

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July 9, 2009 Page 1 of 4

BIB]

40019-U01  
PROPOSED-U02  
AGRICULTURAL-U02  
ADVISORY-U02  
COMMITTEE-U02  
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PROPOSED AGRICULTURAL ADVISOR<sup>1</sup>, <sup>1</sup> <sup>1</sup> <sup>1</sup> 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.

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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.

#### 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 meeting.

July 9, 2009 Page 2 of 4

BIB]

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AGRICULTURAL-U02  
ADVISORY-U02  
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ATTACHMENTS-U03  
7/24/2009-U04  
MUNOZP-U04  
13723-U05  
6-U06  
ADOPT-U07  
RESOLUTION-U07  
TO-U07  
AMEND-U07  
RESOLUTION-U07  
NO.-U07  
06-331-U07  
APPROVE-U07  
MONTEREY-U07  
COUNTY-U07  
AGRICULTURAL-U07  
ADVISORY-U07  
281-AG-U08  
COMMISSION-U08  
NIELSEN-U09  
KATHLEEN-U09  
NIELSENK-U10  
7/10/2009-U011  
COMMITTEE-U012  
BYLAWS-U012  
TO-U012  
ELIMINATE-U012  
SUNSET-U012  
DATE-U012  
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LIMITS-U012  
ELIMINATE-U012  
LIMITATION-U012  
ON-U012  
OFFICER-U012  
S-U012  
TERMS-U012

PROPOSED AGRICULTURAL ADVISOR<sup>1</sup> 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.  
July 9, 2009 Page 3 of 4

BIB]

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PROPOSED-U02  
AGRICULTURAL-U02  
ADVISORY-U02  
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FO75266-U03  
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AS75371-U03  
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DO82305-U03  
C12-U03  
ATTACHMENTS-U03  
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ADOPT-U07  
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TO-U07  
AMEND-U07  
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COUNTY-U07  
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COMMISSION-U08  
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PROPOSED AGRICULTURAL ADVISORY 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.

July 9, 2009 Page 4 of 4

BIB]

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AGRICULTURAL-U02  
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C12-U03  
ATTACHMENTS-U03  
7/24/2009-U04  
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ADOPT-U07  
RESOLUTION-U07  
TO-U07  
AMEND-U07  
RESOLUTION-U07  
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APPROVE-U07  
MONTEREY-U07  
COUNTY-U07  
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COMMISSION-U08  
NIELSEN-U09  
KATHLEEN-U09  
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ON-U012  
OFFICER-U012  
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TERMS-U012

RESOLUTION 06-331X0600.027

Before the Board of Supervisors in and for the  
County of Monterey, State of California  
Resolution No.: 06-331

Amend Resolution No. 04-20 and Approve  
the Monterey County Agricultural  
Advisory Committee Bylaws to Confer  
Authority for the AAC to Review and  
Make Recommendations Relative to  
County Development Projects on  
Agricultural Lands

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 04-20 passed on January 13, 2004;

WHEREAS, the Board of Supervisors recognizes the dynamic nature of the agricultural  
industry and desires to obtain its collective opinions and recommendations related to  
issues, which directly or indirectly, affect the industry;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby amends  
Resolution No. 04-20.

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby establishes the  
Monterey County Agricultural Advisory Committee for the purpose of advising the  
Board on matters affecting the agricultural industry.

#### SECTION 1. MEMBERSHIP

The Agricultural Advisory Committee shall consist of thirteen (13) members, as follows:  
One (1) member, a Monterey County resident, nominated from each of the following  
agricultural organizations:

1. Grower-Shipper Association of Central California
2. Monterey County Farm Bureau
3. California Strawberry Commission
4. Monterey County Vintners and Growers Association
5. Monterey County Cattlemen's Association.

Five (5) members appointed by the Board of Supervisors consisting of one (1) member  
from each Supervisorial District whose primary source of income is derived from an  
agricultural occupation.

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TO-U07  
AMEND-U07  
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APPROVE-U07  
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COUNTY-U07  
AGRICULTURAL-U07  
ADVISORY-U07  
281-AG-U08  
COMMISSION-U08  
NIELSEN-U09  
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LIMITATION-U012  
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OFFICER-U012  
S-U012  
TERMS-U012

RESOLUTION 06-331X Resolution No. 06-331  
November 14, 2006

Three 3) at-large members nominated by the Committee from other segments of the industry such as, but not limited to nursery /flouriculture, labor, organic growers or pest control.

**SECTION 2. MEMBER TERM:**

Each member shall be appointed for a term. of three 3) years and until his or her successor is appointed.

No member shall be appointed for more than two 2) full consecutive terms.

**SECTION 3. VACANCIES:**

Vacancies and replacements shall be administered as provided for in the Commission Policy Resolution of Monterey County Resolution 80-12) and the Committee's Bylaws.

**SECTION 4. MEETINGS:**

The Committee shall meet as necessary in order to fulfill its purposes, but at least bimonthly, upon the call of the Committee Chairperson or upon the call of the Chairperson of the Board of Supervisors.

A quorum for the purpose of transacting the business of the Committee shall be a majority of the total current appointed membership. All Committee actions shall be upon the affirmative vote of a simple majority.

**SECTION 5. OBJECTIVES OF THE COMMITTEE**

The purpose of the Committee is to advise and recommend to the Board of Supervisors,

and other county boards, departments and commissions, 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) To gather information and provide factual data on its own initiative to the Board of Supervisors on items affecting the agricultural industry.

B) To provide a resource of agricultural information requested by the Board of Supervisors on which future decisions may be based.

C) To supplement the activities of the existing committees of the Board of Supervisors that concern agriculture.

D) To advise the Board of Supervisors on matters affecting the agricultural industry.

E) To 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

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RESOLUTION-U02

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C12-U03

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RESOLUTION-U07

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RESOLUTION-U07

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06-331-U07

APPROVE-U07

MONTEREY-U07

COUNTY-U07

AGRICULTURAL-U07

ADVISORY-U07

281-AG-U08

COMMISSION-U08

NIELSEN-U09

KATHLEEN-U09

NIELSENK-U10

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OF-U012

COMMITTEE,-U012

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LIMITATION-U012  
ON-U012  
OFFICER-U012  
S-U012  
TERMS-U012

RESOLUTION 06-331X Resolution No. 06-331

November 14, 2006

5. Other projects that may support, enhance, or otherwise affect the agricultural industry.

SECTION 6. POWERS AND RESPONSIBILITIES OF THE COMMITTEE:

The Committee may adopt its own rules and develop procedures as necessary to carry out the intent of this Resolution and not inconsistent herewith, with a view to achieving a reasonable and fair review with a minimum of time and expense to the County.

SECTION 7. COMPENSATION:

Committee members shall receive no compensation, but are entitled to receive reimbursement for reasonable and actual expenses incurred in the course of their official duties as a Committee member.

SECTION 8. RECORDS:

The Committee shall keep a record of its proceedings and shall file a copy of the minutes, recommendations and reports with the Clerk to the Board of Supervisors.

SECTION 9. COMMITTEE TERMS:

The Agricultural Advisory Committee shall continue to serve its role until June 30, 2009, providing an opportunity for the Board of Supervisors to consider the usefulness of the Committee. On or before June 30, 2009, the Board may, by resolution, continue, restructure or discontinue the Committee.

PASSED AND ADOPTED this 14th day of November 2006, upon motion of Supervisor Potter, seconded by Supervisor Armenta and carried by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Lindley, Potter, and Smith

NOES: None

ABSENT: None

I, Lew Bauman, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the forgoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof Minute Book 7 on November 14, 2006.

Dated: November 17, 2006 Lew Bauman, Clerk of the Board of Supervisors,  
County of Monterey, State of California.

By

Darlene Drain, Deputy

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40019-U01  
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06-331-U02  
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281-AG-U08  
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LIMITATION-U012  
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TERMS-U012