



BOARD OF SUPERVISORS  
AGENDA LETTER


Agenda Number:

A-2

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: Agriculture/Weights & Measures  
Department No.: 051  
For Agenda Of: April 5, 2016  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department Cathleen Fisher, Commissioner, 681-5600  
Director(s)  
Contact Info: Debbie Trupe or Kendra Stites, 681-5600   
**SUBJECT:** Agricultural Advisory Committee Eligibility and Rules of Procedure

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: NA

**Other Concurrence:**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- a) Adopt the attached Rules of Procedure for the Agricultural Advisory Committee and
- b) Adopt revised appointment requirements for alternate Agricultural Advisory Committee members

**Summary Text:**

The proposed Rules of Procedure and eligibility requirements are included as attachments. The Agricultural Advisory Committee voted to approve the final Rules of Procedures on January 6, 2016 by a unanimous vote of 8-0-0.

**Background:**

On March 14, 1995, the Board of Supervisors approved the formation of the Agricultural Advisory Committee, the membership and the eligibility requirements. On March 18, 2008 the Board approved Rules of Procedure for the Committee and amended member eligibility requirements to remove term limits. Amending the Rules of Procedure is necessary to update the member organization names, establish equivalent methods for appointing regular and alternate members, and clarify correspondence, agenda management, and member responsibilities.

**Performance Measure:** N/A

**Fiscal and Facilities Impacts:** None

**Staffing Impacts:** None

**Attachments:**

Attachment A: Rules of Procedure Tracked Changes

Attachment B: Rules of Procedure Final

**Authored by:**

Debbie Trupe, Compliance Coordinator

**ATTACHMENT A**

**Rules of Procedure Tracked Changes**

# Rules of Procedure ~~proposed revisions~~

## Guidelines for Agricultural Advisory Committee

Revised 3/2016

### I. ESTABLISHMENT AND OBJECTIVES OF THE AGRICULTURAL ADVISORY COMMITTEE

The Agricultural Advisory Committee (AAC) was established by the Board of Supervisors as an agricultural advisory group by Minute Order March 14, 1995 (95-19,550). The duty of the AAC is to provide advice to the Board of Supervisors, Planning Commission, and other County departments on matters related to agriculture. The AAC may review matters that have agricultural resource issues (i.e. land use, economics, pesticides, legislation, water, regulatory issues, property rights, agricultural practices) or may affect agricultural resources including but not limited to policy and ordinance changes, departmental projects or programs, annexation requests by cities, other agency programs, and specific projects that have broad implications to agriculture.

### II. COMMITTEE AUTHORITY

The AAC is advisory in nature and has no authority to approve, deny, or require modifications to any matter or project under the committee's consideration. The committee's advice shall be conveyed by written report of the Chair of the AAC, by County staff in reports to decision-making bodies, or by appearance of an authorized representative of the AAC at meetings of decision-making bodies.

### III. APPOINTMENT PROCESS AND MEMBERSHIP TERM

#### A. Size:

The size of the AAC as established by the Board of Supervisors is 12 members.

#### B. Composition:

The composition shall ~~at least~~ include one appointee by each member of the Board of Supervisors (5) and one member from each of the following groups (7) to be ratified by the Board. All nominees shall have knowledge of or background in agriculture.

Commented [FC1]: Dept recommendation

- 1) Santa Barbara County Flower and Nursery Grower Association;
- 2) ~~Santa Barbara Vintners Association;~~
- 3) Santa Barbara County Farm Bureau;
- 4) ~~Grower/Shipper Vegetable Association~~ Grower-Shipper Assoc of SB & SLO Association of Santa Barbara and San Luis Obispo Counties;
- 5) Santa Barbara County Cattleman's Association;
- 6) California Strawberry Commission ~~Santa Barbara County Strawberry Growers;~~
- 7) California Women for Agriculture.

Commented [FC2]: Dept. recommendation

Nomination of alternates to the AAC by each member groups shall be subject to ~~appointment ratification~~ by the Board of Supervisors. Each member of the Board of Supervisors may consider appointing an alternate to their representative.

#### IV. COMMITTEE OPERATIONS

##### A. Committee Mission and Responsibilities:

The mission and purpose of the AAC is to review, discuss, form consensus, and advise the Board of Supervisors and other agencies in order to maintain and enhance agriculture as a viable and sustainable industry in Santa Barbara County.

##### B. Correspondence to Agencies other than the County of Santa Barbara:

The AAC may correspond with agencies ~~within and outside of county government as long as the AAC follows any applicable county policies as set forth by the Clerk of the Board.~~ If there is an issue that is questionable the AAC shall get the approval of the Board of Supervisors before sending the correspondence. The AAC is free to ~~correspond with other agriculture or agriculture related groups as the need may arise.~~

Commented [CW3]: Asking Clerk of the Board

##### C. Request for Action by the Board of Supervisors

A request of the AAC for Board Action must be initiated by at least one member of the Board of Supervisors for approval of the entire Board.

##### D. Agenda Management

The Chair of the AAC and the Agricultural Commissioner will set the agenda for each meeting. Anyone wishing to put an item on the agenda may do so through the Chair or the Agricultural Commissioner. A reasonable attempt will be made to limit AAC meetings to ~~3-2.5~~ hours or less. ~~Requested agenda items that are not selected will be forwarded to the next meeting. Individuals that have requested agenda items that were not scheduled will be notified by the Agriculture Department.~~ ~~Consideration for agenda items that involve guest speakers shall may be scheduled at the beginning of the meeting as a courtesy.~~

Commented [FC4]: Brown Act language

Commented [FC5]: Dept and County counsel recommended

##### 1. Required information:

~~Agendas will include information required by the Brown Act.~~

Commented [FC6]: County Counsel recommendation

- a).: ~~A special meeting may be called at any time by the Chair or by a majority of the members of the AAC by delivering notice to each committee member, posting the special meeting notice on the Agriculture Department's website, www.agcommissioner.com, 24 hours before the meeting, and following any additional Brown Act requirements.~~

Commented [FC7]: County Counsel recommended

Commented [FC8]: County counsel recommendation

b). *If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability.*

2. *X-Agenda items are items that are not posted on the agenda. The AAC may take action on X-Agenda items if there is a need to take immediate action and that need for action came to the attention of the AAC after the agenda was posted. The decision to hear an x-agenda item must be made by a two-thirds vote of the members present. If less than two-thirds of the members are present, a unanimous vote of those members present may be taken.*

Commented [FC9]: Brown Act language

#### E. Agenda Distribution

1. Draft agenda and minutes will be provided to the Chair for review prior to distribution to the committee

~~2.~~ Agendas and agenda materials should be mailed *or distributed electronically* to the members of the AAC at least 5 calendar days prior to a regular meeting.

~~2.~~ ~~3.~~ Agendas for regular meetings will be posted at locations accessible to the public at least 72 hours before the meeting and at [www.agcommissioner.com](http://www.agcommissioner.com)

4. Copies of the agendas, minutes, and agenda materials will be made available online at: [www.agcommissioner.com](http://www.agcommissioner.com) and at the Agricultural Commissioner's offices.

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Commented [FC10]: Dept recommendation

Commented [FC11]: County counsel recommendation

Commented [FC12]: Brown requirement and county counsel recommendation

#### V. OFFICERS AND RULES OF CONDUCT

The responsibilities of the AAC also include annual election of officers, consisting of at least a Chair and Vice-Chair.

##### A. Chair Responsibilities:

- 1) Has the authority and responsibility to maintain order at meetings and to manage the AAC's business under established Rules of Procedure,
- 2) Be the primary spokesperson for the AAC unless another member is designated by the Chair,
- 3) Promote full and open participation by all AAC members and other people in attendance at any meeting,
- 4) Keep discussions pertinent to the business at hand,
- 5) Be the primary committee liaison to staff and the public,
- 6) ~~Will~~ Decide which requested agenda items will be included and provide final agenda approval
- 7) ~~Will~~ Review draft copies of the minutes prior to circulating to the committee
- 6) ~~8)~~ Appoint members of subcommittees

##### B. Vice-Chair Responsibilities:

- 1) The Vice-Chair shall fulfill the duties of Chair in the latter's absence.

#### VI. MEETING PROCEDURES

The AAC is subject to the Brown Act. All committee members should familiarize themselves and comply with the Brown Act (Gov. Code 54950 et seq.).

A. Public notice of AAC meetings shall be provided in accordance with Brown *Act and the Agenda Management and Agenda Distribution Sections of these Rules.*

Commented [FC13]: County counsel recommendation

A. All AAC meetings shall be open and *accessible to the* public. Meetings are to be held in a facility which makes adequate provision for attendance by all interested members of the public.

Commented [FC14]: CC recommendation

B.

C. *Public Comment.*

- *The public has the right to address the AAC on agenda items and to comment on matters not on the agenda within the AAC's jurisdiction. Public comment must be permitted before or during the AAC's consideration of an agenda item. All public speakers are subject to reasonable time limitations established by the Chair.*
- *The Chair may invite public comment before each agenda item is heard. If there are numerous public speakers or there are time constraints on the AAC, the Chair may limit the time of public speakers.*
- *After public comment, the Chair shall allow AAC members to ask questions to the public.*

Commented [FC15]: CC recommendation

D. Meeting shall be run in a parliamentary style. Substantive issues will have higher priority than matters of procedural detail. The Chair has discretion in guiding discussion among committee members and in allowing appropriate public input.

E. The AAC will elect officers annually.

F. Staff may address the AAC at any time, with timely recognition by the Chair.

G. Quorum: Seven members shall constitute a quorum. If a vacancy exists on the committee, a majority of the currently appointed members constitute a quorum. Decisions are made by a majority of the members present and voting. No business may be transacted if less than a quorum is present. Full discussion, public participation, and staff input shall occur prior to a decision. A vote shall occur after a motion, a second, and deliberation on the motion.

H. *Each agenda item shall be read into the record,*

I. *AAC members may ask questions for clarification, make a brief announcement, or make a brief report on his or her own activities that involve the agenda item,*

J. *At the close of the presentation of each agenda item the Chair shall address the AAC first to allow committee members to ask questions,*

K. *After public comment, the Chair shall allow AAC members to ask questions to the public,*

Commented [FC16]: Brown Act requirement

L. *No action or discussion shall be undertaken on any item not appearing on the posted agenda, except as provided in Section IV(D)(2) or as provided in the Brown Act, including that members of the AAC may briefly respond to statements made or questions posed by the public. Furthermore, a member of the AAC may provide a reference to staff or other resources for factual information, request staff to report back at a subsequent meeting concerning any matter, or take action to request staff to place a matter of business on a future agenda.*

Commented [FC17]: cC recommendation

VII. SUBCOMMITTEES

- A. The AAC may select ad-hoc subcommittees to focus on specific transitory subjects. The AAC may also select standing committees to address continuing subject matter or which meet on a regular schedule established by the AAC. A standing committee is subject to the Brown Act. Subcommittees may be made up of individual AAC members and any member of the public recognized for the purpose by the AAC. In no case shall the number of AAC members on a subcommittee constitute a quorum.
- B. *All AAC members will have an equal opportunity to serve on subcommittees.*
- C. *The Chair shall decide who will serve on subcommittees.*

Commented [FC18]: Department recommendation

VIII. ATTENDANCE

- A. AAC members shall make every effort to attend regular meetings. Members unable to attend any meeting shall contact the committee Chair and the designated staff member of the Agriculture Department at least seventy-two (72) hours prior to the meeting. Members shall also indicate whether their alternate, if any, will be in attendance instead. Three consecutive unannounced absences by a member shall be grounds for dismissal from the AAC, subject to the discretion of the appointing Supervisor(s).
- B. *The Chair shall determine whether attendance will constitute a quorum for each meeting. The Chair will notify the Agriculture Department if less than a quorum will be present 72 hours prior to the next meeting to decide whether the next AAC meeting will be cancelled. The Agriculture Department will notify all participants with listed agenda items when a meeting will be canceled and post the cancellation notice on the department's website.*

Commented [FC19]: Dept recommendation

Commented [FC20]: Department rec.

IX. APPEARANCE ON AAC'S BEHALF

- A. The Chair, Vice-Chair, or other official designee may speak for the Committee at any applicable non-AAC public hearing or other meeting.
- B. Individual members of the AAC not so designated, who do testify at a public hearing or other meeting, shall clearly identify themselves as speaking individually and shall clearly indicate they are not authorized to speak on behalf of the AAC.
- C. Official designees shall report back to the AAC at the next meeting.

X. CONFLICT OF INTEREST

- A. AAC members are not considered to be "public officials" as defined in Government Code Section 82048 and therefore are not subject to the state Political Reform Act. The Board of Supervisors minute order establishing the AAC provides that the members represent the agricultural industry whose financial interests may be affected by actions taken by decision-makers on matters addressed by the AAC.
- B. It is recognized that the AAC is intended to represent the interests of the agricultural industry. Nevertheless, AAC members should recuse themselves from all discussions



and votes on matters in which they have a direct personal financial interest or where the member's professional allegiance and/or personal bias cannot be set aside to allow the member's fair consideration of the issue(s) at hand. In gauging such extra-legal conflicts of interest and/or duty, each member shall exercise careful judgment and introspection in giving priority to the interests of fairness and objectivity.

- C. If there is any reasonable doubt that the member has a conflict, the member shall refrain from participation in the committee's deliberations and vote(s). Should a member not refrain voluntarily, the member's participation on any item of official committee business may be prevented by a two-thirds vote of the committee members present, including the member in question.

## XI. COMMITTEE AND STAFF RESPONSIBILITIES

### A. AAC members shall:

1. Punctually and fully attend all regular and special meetings of the AAC and all relevant subcommittee meetings, to the maximum possible extent;
2. Come to all meetings fully prepared, having reviewed the agenda and all related written/graphic material available before the meeting;
3. Conscientiously follow high ethical standards in putting the broad public interest ahead of any personal interest and/or bias, and to abstain from all discussions and votes where this is not possible;
4. Promote full and open discussion of all matters of official committee business;
5. Support the Chair, Vice-Chair and staff in maintaining order, keeping discussions relevant to the business at hand and following proper procedures, while giving primary attention to matters of substance;
6. The AAC is responsible for communicating and reporting the AAC activities, recommendations and comments to the County decision-makers and county officials. This shall be done at the discretion of the AAC upon consideration of a matter.
7. Depending upon the scope and interest of the AAC on a particular matter, the AAC may depend upon departmental staff to forward AAC comments within the framework of the overall staff report and recommendations;
8. ~~The AAC may direct the Agricultural Commissioner's staff to draft a letter for signature by the Chair and/or provide public testimony at a public hearing in compliance with Section IX. APPEARANCE ON THE AAC'S BEHALF.~~
9. ~~Designated members of the AAC shall draft letters for signature by the Chair and forwarded to the Agriculture-Agricultural Department.~~

Commented [FC21]: Dept recommendation

Commented [FC22]: Dept recommendation

### B. Agriculture Commissioner/~~Departments~~ Staff Responsibilities:

1. Schedule all AAC meetings pertaining to Ag-related issues, making arrangements for all facilities; distribute written graphic materials, notices, agendas, etc. For such meetings, coordinate necessary staff participation and guest speakers;
2. ~~The Agricultural Commissioner's office shall take notes of, or tape-record, each regular and special committee meeting and shall prepare minutes of motions and discussion items. These minutes shall clearly convey actions and motions taken~~

Commented [FC23]: CC recommendation

*by the committee. Minutes are to be considered, amended as needed and approved by the full committee at the earliest possible following meeting;*

3. For AAC meetings as appropriate, prepare recommendations and other material for AAC review and comment;
4. Handle information requests for materials and general information related to the official business of the AAC;
5. *Forward letters from the AAC to the Clerk of the Board, Planning Commission, CEO or other relative departments for the Board and/or staff review and consideration;*
6. *Forward letters from the AAC addressed to other agencies or municipalities outside of the County government to the Chair of the Board of Supervisors via the Clerk of the Board for distribution.*
7. *Coordinate with the Chair on committee and sub-committee meeting schedules.*
8. *Any reference to the Agricultural Commissioner will also include other designated department staff.*

Commented [FC24]: Department recommendation

Commented [FC25]: Department recommendation

C. County Counsel:

1. Staff support to the AAC will not be provided by the County Counsel.
2. Specific legal issues are to be directed through the Agricultural Commissioner's office to County Counsel for response and may be subject to Attorney-Client privilege.;
3. *Attorney-Client privilege shall be recognized and respected by all members of the AAC.*

Commented [FC26]: Dept recommendation

**ATTACHMENT B**  
**Rules of Procedure Final**

# Rules of Procedure

## Guidelines for Agricultural Advisory Committee

*Revised 2016*

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- 1) Santa Barbara County Flower and Nursery Grower Association;
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##### B. Correspondence:

The AAC may correspond with agencies within and outside of county government as long as the AAC follows any applicable county policies

##### C. Request for Action by the Board of Supervisors

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##### 1. Required information:

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agenda was posted. The decision to hear an X-agenda item must be made by a two-thirds vote of the members present. If less than two-thirds of the members are present, a unanimous vote of those members present may be taken.

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### V. OFFICERS AND RULES OF CONDUCT

The responsibilities of the AAC also include annual election of officers, consisting of at least a Chair and Vice-Chair.

#### A. Chair Responsibilities:

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facility which makes adequate provision for attendance by all interested members of the public.

B. Public Comment.

- The public has the right to address the AAC on agenda items and to comment on matters not on the agenda within the AAC's jurisdiction. Public comment must be permitted before or during the AAC's consideration of an agenda item. All public speakers are subject to reasonable time limitations established by the Chair.
- The Chair may invite public comment before each agenda item is heard. If there are numerous public speakers or there are time constraints on the AAC, the Chair may limit the time of public speakers.
- After public comment, the Chair shall allow AAC members to ask questions to the public.

C. Meetings shall be run in a parliamentary style. Substantive issues will have higher priority than matters of procedural detail. The Chair has discretion in guiding discussion among committee members and in allowing appropriate public input.

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I. At the close of the presentation of each agenda item the Chair shall address the AAC first to allow committee members to ask questions.

J. After public comment, the Chair shall allow AAC members to ask questions to the public.

K. No action or discussion shall be undertaken on any item not appearing on the posted agenda, except as provided in Section IV(D)(2) or as provided in the Brown Act, including that members of the AAC may briefly respond to statements made or questions posed by the public. Furthermore, a member of the AAC may provide a reference to staff or other resources for factual information, request staff to report back at a subsequent meeting concerning any matter, or take action to request staff to place a matter of business on a future agenda.

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- members and any member of the public recognized for the purpose by the AAC. In no case shall the number of AAC members on a subcommittee constitute a quorum.
- B. All AAC members will have an equal opportunity to serve on subcommittees.
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- A. AAC members shall make every effort to attend regular meetings. Members unable to attend any meeting shall contact the committee Chair and the designated staff member of the Agriculture Department at **least seventy-two (72) hours** prior to the meeting. Members shall also indicate whether their alternate, if any, will be in attendance instead. Three consecutive unannounced absences by a member shall be grounds for dismissal from the AAC, subject to the discretion of the appointing Supervisor(s).
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4. Promote full and open discussion of all matters of official committee business.
5. Support the Chair, Vice-Chair and staff in maintaining order, keeping discussions relevant to the business at hand and following proper procedures, while giving primary attention to matters of substance.
6. The AAC is responsible for communicating and reporting the AAC activities, recommendations and comments to the County decision-makers and county officials. This shall be done at the discretion of the AAC upon consideration of a matter.
7. Depending upon the scope and interest of the AAC on a particular matter, the AAC may depend upon departmental staff to forward AAC comments within the framework of the overall staff report and recommendations.
8. Designated members of the AAC shall draft letters for signature by the Chair and forward to the Agricultural Department.

### B. Agriculture Commissioner/Department Staff Responsibilities:

1. Schedule all AAC meetings pertaining to Ag-related issues, making arrangements for all facilities; distribute written graphic materials, notices, agendas, etc. For such meetings, coordinate necessary staff participation and guest speakers.
2. The Agricultural Commissioner's office shall take notes of, or record, each regular and special committee meeting and shall prepare minutes of motions and discussion items. These minutes shall clearly convey actions and motions taken by the committee. Minutes are to be considered, amended as needed and approved by the full committee at the earliest possible following meeting.
3. For AAC meetings as appropriate, prepare recommendations and other material for AAC review and comment.
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C. County Counsel:

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2. Specific legal issues are to be directed through the Agricultural Commissioner's Office to County Counsel for response and may be subject to Attorney-Client privilege.