



**Resource Management
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: April 30, 2019

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010		

SUBJECT: Revisions to the Bylaws for the Agricultural Policy Advisory Committee

REQUEST(S):
That the Board of Supervisors:

Adopt revised bylaws for the Agricultural Policy Advisory Committee attached hereto as Exhibit A.

SUMMARY:
The Agricultural Advisory Committee (AAC) was established as a standing advisory committee to the Board of Supervisors in 1994 to provide expert advice and direction to the Board of Supervisors on specific matters relating to land use and development in agricultural areas referred to it by the Board of Supervisors and Planning Commission. The Agricultural Advisory Committee has been an important committee that provides great insight relating to policy trends, and has assisted in the development of long term goals, programs, and policies relating to agriculture. These include but are not limited to the Rural Valley Lands Plan (RVLP), siting criteria for utility scale solar facilities, the party barn / assemblage of people ordinance, and more.

Going through restructuring, including having the bylaws amended seven (7) times during the past 10 years, the committee has struggled to define its identity and purpose. One of which included changing the name of the committee to the Agricultural Policy Advisory Committee (APAC). Cancelling meetings due to a lack of agenda items is common and when meetings are scheduled, obtaining a quorum is a challenge. APAC feels it is not being utilized to its fullest potential. Therefore, a subcommittee was tasked to consider revisions to the bylaws that could allow APAC

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to be more useful and relevant.

As a result, during the March 20, 2019 APAC meeting the subcommittee presented to the full committee, a set of proposed revisions to bylaws. If approved, the revised bylaws should enable APAC to become a better resource to the Board of Supervisors and the County in general by expanding its purpose and clarifying its objectives.

As such, APAC is requesting the Board of Supervisors consider and adopt the revised bylaws attached hereto as Exhibit A. In summary, the proposed revisions are focused on three (3) areas of existing APAC bylaws; (1) the name, purpose, and objectives; (2) regular meeting schedule; and (3) definition, role and responsibility of subcommittees. Specifically, APAC voted and recommends to the Board of Supervisors adoption of the following bylaw changes (strikethrough represents a deletion and an underline an addition):

Section I – Preamble

TULARE COUNTY AGRICULTURAL ADVISORY ~~POLICY~~ COMMITTEE

The purpose of the Agricultural ~~Policy~~ Advisory Committee (hereafter “Committee”) shall be to advise and recommend to the Board of Supervisors and ~~the Planning Commission~~ other County boards, commissions, and departments, on ~~policies regarding land use and development~~ matters affecting, or of interest to, the agricultural ~~land-in~~ industry. Specific objectives of the County Committee shall include, but not be limited to the following:

- A. Provide a Resource of agricultural information requested by the Board of Supervisors on which future decisions may be based;
- B. Gather information and provide factual data on its own initiative to the Board of Supervisors on items affecting the agricultural industry;
- 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.

Section III – Meetings

B. Regular Meetings

The Committee shall meet bi-monthly, on the third Wednesday of the month at 3:00 p.m., in the Government Plaza RMA Main Conference Room, located at 5961 S. Mooney Blvd. in Visalia, or any other location, date or time as determined by the Chairperson ~~man~~ or RMA staff.

G. Subcommittees

“Subcommittee” shall mean a subsidiary group appointed by the Committee to

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assist with various matters. Subcommittee members need not be Committee members. Committee members on a subcommittee may not amount to the number of members required to comprise a quorum of the Committee. The Chairperson shall designate at least one Committee member to serve on each subcommittee. Subcommittees shall serve on 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. If the subcommittee has continuing subject matter jurisdiction or meets pursuant to a schedule established through a formal action, it shall be subject to the Brown Act regardless of whether a quorum of the Committee is present.

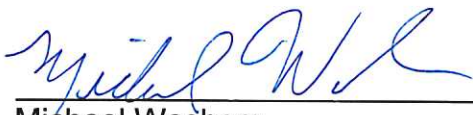
FISCAL IMPACT/FINANCING:

These revisions to the bylaws will not have a material effect on the budget for APAC. Tulare County Resource Management Agency (RMA) serves as staff to APAC and if any modifications to APAC's scope require additional staff time, modifications to RMA's budget may be required. This additional expense would come out of the General Fund. No impact.

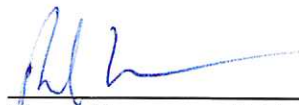
LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Quality of Life initiative to promote natural resource management strategies that ensures land use compatibility, and the Economic Well Being Initiative to promote economic development opportunities, effective growth management and a quality standard of living. The Agricultural Policy Advisory Committee is a valued committee that provides sage advice to the Planning Commission and Board of Supervisors on policy issues and the development of long term programs that continue to support and protect agricultural activities within Tulare County.

ADMINISTRATIVE SIGN-OFF:



Michael Washam
Associate Director



Reed Schenke P.E.
Director

cc: County Administrative Office

Attachment(s)
Exhibit A – Agricultural Advisory Committee Bylaws

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF REVISIONS TO THE) Resolution No. _____
BYLAWS FOR THE AGRICULTURAL)
POLICY ADVISORY COMMITTEE)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD APRIL 30, 2019, BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

Adopted revised bylaws for the Agricultural Policy Advisory Committee attached hereto
as Exhibit A.

Exhibit A

TULARE COUNTY
AGRICULTURAL ADVISORY COMMITTEE

BYLAWS

**TULARE COUNTY
AGRICULTURAL ADVISORY COMMITTEE**

BYLAWS

The purpose of the Agricultural Advisory Committee (hereafter “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. Provide a Resource of agricultural information requested by the Board of Supervisors on which future decisions may be based;
- B. Gather information and provide factual data on its own initiative to the Board of Supervisors on items affecting the agricultural industry;
- 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.

II. MEMBERSHIP

A. Members Generally

The Committee shall consist of nine (9) voting members and nine (9) nonvoting members.

B. Voting Members

1. Membership

Members 1-9 shall be the voting members of the Committee. They must be residents of Tulare County. They shall be appointed by and serve at the pleasure of the Board of Supervisors. The Board of Supervisors shall comply with the Maddy Act in making appointments to and filling vacancies in these positions.

Members 1-9 shall consist of individuals that have the necessary level of experience and knowledge to actively represent the following interests:

Member 1: 1 member representing dairy/confined livestock;

Member 2: 1 member representing the Tulare County Farm Bureau;

Member 3: 1 member representing permanent crop farming;

Member 4: 1 member representing conservation and natural resources;

Member 5: 1 member representing allied agricultural support business;

Member 6: 1 member representing livestock/range;

Member 7: 1 member representing non-permanent crop farming;

Member 8: 1 member representing general farming; and

Member 9: 1 member representing general agriculture.

2. Terms

Members 1-9 shall serve staggered four-year terms ending on June 30th of the corresponding year. The staggering shall be as follows:

Group 1: members 1, 3, 5, 7 and 9 (ending in 2018 and every 4th year thereafter).

Group 2: members 2, 4, 6, and 8 (ending in 2016 and every 4th year thereafter).

These members shall continue to serve after the expiration of their fixed term until the appointment of a successor.

3. Vacancies

Prior to the expiration of the term of a member among Members 1-9, the occurrence of any of the following events shall cause a vacancy:

- (a) The member's death;
- (b) The member's resignation;
- (c) The member's ceasing to be a resident of the County of Tulare;
- (d) The member's removal from the Committee by the Board of Supervisors;
or
- (e) The Committee may declare vacant the position of an appointed member who fails to attend three or more meetings in a calendar year without good and sufficient reason as determined by a majority vote of the Committee.

In the event of a vacancy due to the occurrence of any of the above-cited events, the Committee shall advise the Board of Supervisors so that the Board may fill the vacancy.

C. Nonvoting Members

1. Membership

Members 10-18 shall be the nonvoting members of the Committee. Members 10-18 shall consist of the following:

Member 10: 1 member representing the building industry;

Member 11: 1 member representing the real estate industry;

Member 12: 1 member representing the Tulare County Solid Waste Management Technical Advisory Committee (SWMTAC);

Member 13: 1 member representing an incorporated city;

Member 14: The Director of the Tulare County U.C. Cooperative Extension Service, or his/her designee;

Member 15: The Tulare County Agricultural Commissioner, or his/her designee;

Member 16: The Director of the Tulare County Health and Human Services Agency, Health Services Department, Environmental Health Division, or his/her designee;

Member 17: The Director of the Tulare County Resource Management Agency, or his/her designee; and

Member 18: 1 member of the Tulare County Board of Supervisors, appointed by the Board. The Board of Supervisors shall appoint a second member of the Board of Supervisors as an alternate.

2. Terms

Members 10-13 shall serve staggered four-year terms ending on June 30th of the corresponding year. The staggering shall be as follows:

Group 1: members 10, and 12 (ending in 2018 and every 4th year thereafter).

Group 2: members 11, and 13 (ending in 2016 and every 4th year thereafter).

These members shall continue to serve after the expiration of their fixed term until the appointment of a successor.

Members 14-18 shall serve as long as they hold the named position or as long as that member is designated or appointed by the named official or Board.

3. Vacancies

Prior to the expiration of the term of a member among Members 10-13, the occurrence of any of the following events shall cause a vacancy:

- (a) The member's death;
- (b) The member's resignation;
- (c) The member's ceasing to be a resident of the County of Tulare;
- (d) The member's removal from the Committee by the Board of Supervisors;
or
- (e) The Committee may declare vacant the position of an appointed member who fails to attend three or more meetings in a calendar year without good and sufficient reason as determined by a majority vote of the Committee.

In the event of a vacancy due to the occurrence of any of the above-cited events, the Committee shall advise the Board of Supervisors so that the Board may fill the vacancy.

D. Appointment Process

The comprehensive process for the Board of Supervisors to make an appointment to the Committee consists of three (3) steps:

- (a) An application with supplemental information detailing the applicant's background and area of expertise related to the vacant seat;
- (b) An interview process that requires the applicant to appear before an interview panel consisting of the Chairperson of the Agricultural Policy Advisory Committee and the appointed Board of Supervisors APAC member resulting in a panel recommendation to the Board of Supervisors for appointment.
- (c) The recommendation for appointment is placed on the agenda of a regularly scheduled meeting for full Board of Supervisors consideration.
- (d) Current Committee members changing voting status/industry representation (i.e., member number) are not required to be interviewed. Upon recommendation by the Chairperson of the Agricultural Policy Advisory Committee, the current Committee member will be placed on the

agenda of a regularly scheduled meeting to be considered for appointment to new position by the full Board of Supervisors.

III. MEETINGS

A. Brown Act

The Committee shall be subject to the provisions of the Brown Act (Government Code Section 54950 et seq.).

B. Regular Meetings

The Committee shall meet bi-monthly, on the third Wednesday of the month at 3:00 p.m., in the Government Plaza RMA Main Conference Room, located at 5961 S. Mooney Blvd. in Visalia, or any other location, date or time as determined by the Chairperson or RMA staff. Meetings may be canceled by staff, upon approval by the presiding officer, if there is insufficient business for a meeting. Notice of cancelation shall be provided to the members of the Committee as soon as possible.

C. Special Meetings

The presiding officer or a majority of the Committee may call a special meeting at the request of the Board of Supervisors, the Planning Commission, or the Director of the Resource Management Agency.

D. Quorum

A quorum shall consist of a majority of the current voting members of the Committee present. Vacant seats shall not be counted for the purpose of determining a quorum.

E. Conduct of Business

Business shall be conducted or acted upon by a motion, a second, and a majority vote of the quorum present. No member shall be permitted to vote on a question unless actually present at the meeting. The provisions of Robert's Rules of Order shall be applied to resolve any procedural questions.

F. Placing Items on Agenda

Staff shall place items on the agenda as follows:

1. At the request of the Board of Supervisors, the Planning Commission, or the Director of the Resource Management Agency, Committee Chair, and/or
2. As approved by a formal vote of the Committee at a prior meeting of the Committee.

G. Subcommittees

“Subcommittee” shall mean a subsidiary group appointed by the Committee to assist with various matters. Subcommittee members need not be Committee members. Committee members on a subcommittee may not amount to the number of members required to comprise a quorum of the Committee. The Chairperson shall designate at least one Committee member to serve on each subcommittee. Subcommittees shall serve on 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. If the subcommittee has continuing subject matter jurisdiction or meets pursuant to a schedule established through a formal action, it shall be subject to the Brown Act regardless of whether a quorum of the Committee is present.

IV. OFFICERS

The Committee shall have a Chairperson and a Vice Chairperson. The officers shall be elected at the first regular meeting of the calendar year, and shall serve until their successors are elected. Officers may be reelected indefinitely. Should the office of Chairperson or Vice Chairperson become vacant, a new officer shall be elected for the remainder of the term. If the office of Chairperson is vacated, the Vice Chairperson shall not be obligated to assume the Chair for the remainder of the term, but is eligible to be elected as Chairperson. If the Chairperson and Vice Chairperson are both absent, or if the Chairperson is absent and the office of Vice Chairperson is vacant, the Committee shall elect a Chairperson Pro Tem for that meeting.

All members of the Committee (voting and nonvoting) are eligible to serve as officers. A voting member serving as the presiding officer retains the right to vote as a member of the Committee.

V. STAFF SUPPORT

Staff support shall be provided by the Resource Management Agency.

V. AMENDMENT OF BYLAWS

A. Amendments Proposed by Committee

Any Committee member may propose amendments to these bylaws by submitting them to the Committee at any regular meeting, and at the next regular meeting, the amendment shall be voted upon. Any such amendment must be approved by a two-thirds vote of the current voting members of the Committee. Upon approval by the Committee, an amendment shall be submitted to Board of Supervisors for its consideration.

B. Amendments by Board of Supervisors

The Board of Supervisors may make changes in these bylaws on its own initiative at any time.

C. Effective Date of Amendments

Amendments to the bylaws shall go into effect immediately upon approval by the Board of Supervisors.

HISTORY

1. Adopted July 12, 1994 (BOS Resol. No. 94-0917).
2. Amended May 18, 2010 (BOS Resol. No. 2010-0405).
3. Amended by BOS August 30, 2011 (BOS Resol. No. 2011-0667).
4. Amendments approved by AAC February 8, 2012, approved by BOS March 6, 2012 (BOS Resol. No. 2012-0195).
5. Amended by BOS February 26, 2013 (BOS Resol. No 2013-0103).
6. Amended by BOS July 9, 2013 (BOS Resol. No 2013-0497).
7. Amended by BOS October 13, 2015 (BOS Resol. No 2015-0862).
8. Amended by BOS January 23, 2018 (BOS Resol. No 2018-0058).
9. Amended by BOS April 30, 2019 (BOS Resol. No 2019-XXXX).