



# AGENDA

## California Avocado Commission Executive Committee Meeting

---

### Meeting Information

---

**Date:** April 4, 2024

**Time:** 10:00 a.m.

**Location:** Hybrid Meeting

**Physical Meeting Location:**  
United Water Conservation District  
1701 Lombard St  
Oxnard, CA 93030

**Web/Teleconference URL:**

<https://californiaavocado.zoom.us/j/82159936764?pwd=eU1CW9Zr2ZHVUVwcnE4TTJrNHZUQT09>

**Conference Call Number:** (669) 900-6833

**Meeting ID:** 821 5993 6764

**Passcode:** 883311

Meeting materials will be posted online at least 24 hours prior to the meeting at:  
<https://www.californiaavocadogrowers.com/commission/meeting-agendas-minutes>

---

### Committee Member Attendance

---

As of Tuesday, April 2, 2024, the following individuals have advised the Commission they will participate in this meeting:

Jason Cole, Chair

Maureen Cottingham, Treasurer

Rachael Laenen, Vice Chair

Daryn Miller, Secretary

---

Time	Item
------	------

---

- |            |   |
|------------|---|
| 10:00 a.m. | 1. Call to Order <ul style="list-style-type: none"><li>a. Roll Call/Quorum</li><li>b. Introductions</li></ul> |
|------------|---|
-

Time	Item
	<p><b>2. Opportunity for Public Comment</b> Any person may address the Committee at this time on any subject within the jurisdiction of the California Avocado Commission.</p>
	<p><b>3. Consent Calendar</b></p> <p>a. Consider approval of Executive Committee meeting minutes of January 9, 2024 and February 16, 2024</p>
	<b>4. Chairman’s Report</b>
	<b>5. Update on the overall administration of the Commission</b>
	<b>6. Closed session regarding pending and/or ongoing litigation pursuant to Government Code Section 11126(e).</b>
	<b>7. Return to open session and announce action taken in closed session, if any.</b>
12:00 p.m.	<b>8. Adjourn Meeting</b>

---

## Disclosures

---

The times listed for each agenda item are estimated and subject to change. It is possible that some of the agenda items may not be able to be discussed prior to adjournment. Consequently, those items will be rescheduled to appear on a subsequent agenda. All meetings of the California Avocado Commission are open to the public and subject to the Bagley-Keene Open Meeting Act.

All agenda items are subject to discussion and possible action. For more information, or to make a request regarding a disability-related modification or accommodation for the meeting, please contact April Aymami at 949-341-1955, California Avocado Commission, 12 Mauchly, Suite L, Irvine, CA 92618, or via email at [aaymami@avocado.org](mailto:aaymami@avocado.org). Requests for disability-related modification or accommodation for the meeting should be made at least 48 hours prior to the meeting time. For individuals with sensory disabilities, this document is available in Braille, large print, audiocassette or computer disk. This meeting schedule notice and agenda is available on the internet at <https://www.californiaavocadogrowers.com/commission/meeting-agendas-minutes> and <http://it.cdfa.ca.gov/igov/postings/detail.aspx?type=Notices>. If you have questions on the above agenda, please contact April Aymami at [aaymami@avocado.org](mailto:aaymami@avocado.org) or 949-341-1955.

---

## Summary Definition of Conflict of Interest

---

It is each member’s and alternate’s responsibility to determine whether they have a conflict of interest and whether they should excuse themselves from a particular discussion or vote during a meeting. To assist you in this evaluation, the following *Summary Definition of Conflict of Interest* may be helpful.

A Commission *member or employee* has a conflict of interest in a decision of the Commission if it is reasonably foreseeable that the decision will have a material effect, financial or otherwise, on the member or employee or a member of his or her immediate family that is distinguishable from its effect on all persons subject to the Commission’s jurisdiction.

No Commission member or employee shall make, or participate in making, any decision in which he or she knows or should know he or she has a conflict of interest.

No Commission member or employee shall, in any way, use his or her position to influence any decision in which he or she knows or should know he or she has a conflict of interest.

**CALIFORNIA AVOCADO COMMISSION  
EXECUTIVE COMMITTEE MINUTES  
January 9, 2024**

A meeting of the California Avocado Commission (CAC) Executive Committee was held on January 9, 2024 at 10:00 a.m. with the following people present:

**MEMBERS PRESENT**

Jason Cole  
Maureen Cottingham  
Rachael Laenen  
Daryn Miller

**STAFF PRESENT**

April Aymami  
Ken Melban  
Terry Splane

**GUESTS PRESENT**

John Berns  
Will Carleton  
Rob Grether  
Jessica Hunter  
Robert Jackson

**OFFICIALLY PRESENT**

Vickie Carpenter, *USDA*  
Ben Kardokus, *CDFA*

**ITEM #1 CALL TO ORDER**

*Roll Call/Quorum – Item 1.a.*

Jason Cole, CAC Executive Committee chairman, called the meeting to order 10:06 a.m. and established a quorum.

*Introductions – Item 1.b.*

April Aymami, CAC director of industry affairs and operations, announced the California Department of Food and Agriculture (CDFA) and US Department of Agriculture (USDA) representatives, CAC staff and known guests participating in the meeting.

**ITEM # 2 OPPORTUNITY FOR PUBLIC COMMENT**

There was no public comment.

**ITEM # 3 CONSENT CALENDAR**

*Consider approval of Executive Committee meeting minutes of November 6, 2023 – Item 3.a*

Mr. Cole introduced the consent calendar items and asked for questions or comments. With no comments on the consent calendar items, the following motion was put forward:

**MOTION:**

***The Executive Committee approves the Consent Calendar, Item 3.a as presented.***

***(Laenen/Cottingham) MSC Unanimous***

**MOTION 24-01-09-1**

The *Consent Calendar* is included in the January 2024 Executive Committee Packet and is attached to the permanent copy of these Minutes and identified as EXHIBIT A, Item 3.a.

**ITEM # 4 UPDATE ON THE OVERALL ADMINISTRATION OF THE COMMISSION**

Ken Melban, CAC vice president of industry affairs and operations, reported on his visits with CAC Board members and alternates, stating that he had already met with those in the south and was working to schedule with those in the north. He commented that the USDA would be at the CAC office later in January to conduct their management review of Commission operations. Lastly, Mr. Melban stated that CAC had received two letters from growers, one requesting that CAC call for the Hass Avocado Board to conduct a referendum, the second claiming that CAC had failed to protect California producers and requesting a response as to what CAC and the government was going to do for these growers.

The Committee discussed the letter regarding the HAB referendum, the process and procedures around the entities that can request a referendum and the CAC Board role. It was clarified that the “Board” mentioned in the HAB order is the HAB Board and not the CAC Board, however, because CAC

represents California growers, they could request a referendum if they so desire. The discussion concluded with the consensus that the item would be put on an upcoming Board meeting agenda for consideration.

Terry Splane, CAC vice president of marketing, reported that CAC's new agency, Curious Plot, was working to build out strategy for the current year campaign, which would be focused on the California grower. He noted that the plan was to get grounded this year, and then look at pushing the creative boundaries moving forward. Mr. Splane provided an update on the 2024 IFPA sponsorship, noting that CAC had scaled back the booth size and was no longer a bag sponsor, but had arranged for sponsorship of additional events focused on getting CAC's retail marketing directors facetime with retailers at a lower cost to CAC.

Ms. Aymami reported that CAC's 22-23 annual financial audit had been completed by Moss Adams with no findings.

#### **ITEM # 5 REVISIONS TO EMPLOYEE VACATION POLICY**

Mr. Melban provided an overview of CAC's existing employee vacation policy and management's recommendation to revise the policy with the goal of reducing CAC's current vacation liability by removing the potential for vacation payouts while incentivizing staff to utilize vacation time. Specifically, management proposed the following revisions to CAC's vacation policy:

Section C, Maximum Accrual be revised as follows:

*Eligible employees may carry over accrued by unused vacation from one year to the next, but accrual may not exceed 1.5 times their annual accrual rate. Once an employee reaches their maximum accrual, they will stop accruing vacation until their balance falls below the established maximum.*

Mr. Melban explained that if the Executive Committee were to approve this recommendation, to ensure compliance with the Department of Labor Standards Enforcement, a one-time vacation payout to employees would be required to provide employees at least one full year to utilize their future vacation accruals before reaching the maximum accrual.

The Committee discussed CAC's current vacation policy, and heard the perspective of what other companies do in regard to vacation accruals and payouts. The consensus of the Committee was that the goal of the vacation benefit was to incentivize the importance of work/life balance and that the proposed revisions would encourage employee utilization of vacation benefits each year.

#### **MOTION:**

***The Executive Committee moves to approve management's recommended revisions to the Employee Vacation Policy as presented, as well as the necessary one-time vacation payout to reduce employee vacation balances to allow one year's worth of accruals before reaching the new accrual maximums.***

***(Miller/Laenen) MSC Unanimous***

**MOTION 24-01-09-2**

The Revisions to Employee Vacation Policy Write-up is included in the January 2024 Executive Committee Packet and is attached to the permanent copy of these Minutes and identified as EXHIBIT A, Item 5.

#### **ADJOURN MEETING**

Mr. Cole adjourned the meeting at 10:45 a.m.

California Avocado Commission  
Executive Committee Meeting Minutes  
January 9, 2024

Respectfully submitted,

---

April Aymami, CAC Director of Industry Affairs and Operations

I certify that the above is a true statement of the minutes of the January 9, 2024, CAC Executive Committee, approved by the CAC Executive Committee on April 4, 2024.

---

Daryn Miller, CAC Board Secretary

**EXHIBITS ATTACHED TO THE PERMANENT COPY OF THESE MINUTES**

Exhibit A January 9, 2024 Executive Committee Packet

Exhibit B January 9, 2024 Executive Committee Meeting AB 2720 Roll Call Vote Tally Summary

**CALIFORNIA AVOCADO COMMISSION**

**AB 2720 Roll Call Vote Tally Summary**  
*To be attached to the Meeting Minutes*

<b>Meeting Name:</b> <i>Executive Committee Meeting</i>	<b>Meeting Location:</b> <i>Hybrid - In-Person (Oxnard)/Online (Zoom)</i>	<b>Meeting Date:</b> <i>January 9, 2024</i>
--	--	--

<b><i>Attendees Who Voted</i></b>	<b><i><u>MOTION</u></i></b> <b><i><u>24-01-09-1</u></i></b>	<b><i><u>MOTION</u></i></b> <b><i><u>24-01-09-2</u></i></b>
Jason Cole	Did not vote	Did not vote
Maureen Cottingham	Yea	Yea
Rachael Laenen	Yea	Yea
Daryn Miller	Yea	Yea
<b><i>Outcome</i></b>	<b>Unanimous</b>	<b>Unanimous</b>

**CALIFORNIA AVOCADO COMMISSION  
EXECUTIVE COMMITTEE MINUTES  
February 16, 2024**

A meeting of the California Avocado Commission (CAC) Executive Committee was held on February 16, 2024 at 10:00 a.m. with the following people present:

**MEMBERS PRESENT**

Maureen Cottingham  
Rachael Laenen  
Daryn Miller

**STAFF PRESENT**

Ken Melban  
Dave Cruz

**GUESTS PRESENT**

Dan Coxe  
Robert Jackson

**OFFICIALLY PRESENT**

Samantha Mareno, *USDA*  
Dennis Manderfield, *CDFA*

**ITEM #1 CALL TO ORDER**

*Roll Call/Quorum – Item 1.a.*

Rachael Laenen, CAC Board Vice-chair, called the meeting to order 10:06 a.m. and established a quorum.

*Introductions – Item 1.b.*

Ken Melban, CAC vice president of industry affairs and operations, announced the California Department of Food and Agriculture (CDFA) and US Department of Agriculture (USDA) representatives, CAC staff and known guests participating in the meeting.

**ITEM # 2 OPPORTUNITY FOR PUBLIC COMMENT**

There was no public comment.

**ITEM # 3 CONSENT CALENDAR**

*Consider approval of Executive Committee meeting minutes of January 9, 2024 – Item 3.a*

Mr. Melban noted that the meeting minutes had not been distributed prior to the meeting, therefore would be approved at the next Executive Committee meeting.

**ITEM # 4 UPDATE ON THE OVERALL ADMINISTRATION OF THE COMMISSION**

Updates were tabled until the upcoming February 22 board meeting.

**ITEM #5 CLOSED SESSION REGARDING PENDING AND/OR ONGOING LITIGATION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 11126(E)**

Ms. Laenen convened a Closed Session of the CAC Executive Committee at 10:25 a.m. with members of the Executive Committee, CDFA representative Dennis Manderfield and CAC's legal counsel George Soares.

**ITEM #6 RETURN TO OPEN SESSION AND ANNOUNCE ACTION TAKEN IN CLOSED SESSION, IF ANY**

Ms. Laenen returned to open session at 12:00 p.m. and announced that the Committee had taken no action in Closed Session.

**ADJOURN MEETING**

Ms. Laenen adjourned the meeting at 12:01 p.m.



California Avocado Commission  
Executive Committee Meeting Minutes  
February 16, 2024

Respectfully submitted,

---

Ken Melban, CAC Vice President of Industry Affairs and Operations

I certify that the above is a true statement of the minutes of the February 16, 2024, CAC Executive Committee, approved by the CAC Executive Committee on April 4, 2024.

---

Daryn Miller, CAC Board Secretary