

**CALIFORNIA AVOCADO COMMISSION  
EXECUTIVE COMMITTEE MINUTES  
March 9, 2023**

A meeting of the California Avocado Commission (CAC) Executive Committee was held on Thursday, March 9, 2023 with the following people present:

**MEMBERS PRESENT**

Jason Cole  
Rob Grether  
Jessica Hunter (1:45 p.m.)  
Rachael Laenen

**STAFF PRESENT**

April Aymami  
Ken Melban  
Jeff Oberman

**GUESTS PRESENT**

None

**OFFICIALLY PRESENT**

Victoria Carpenter, *USDA*  
Katie Cook, *USDA*  
Ben Kardokus, *CDFA*  
George Soares, *Kahn, Soares & Conway*

**ITEM #1 CALL TO ORDER**

**Roll Call/Quorum – Item 1.a.**

Rob Grether, CAC Executive Committee chairman, called the meeting to order 1:33 p.m. and established a quorum.

**Introductions – Item 1.b.**

April Aymami, CAC industry affairs director, announced the California Department of Food and Agriculture (CDFA) and US Department of Agriculture (USDA) representatives, CAC staff, legal counsel 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 26, 2023 – Item 3.a**

Mr. Grether 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/Cole) MSC Unanimous***

**MOTION 23-3-9-1**

The Consent Calendar is included in the March 9, 2023 Executive Committee Packet and is attached to the permanent copy of these Minutes and identified as EXHIBIT A, Item 3.a.

**ITEM #5 CLOSED SESSION REGARDING APPOINTMENT, EMPLOYMENT, EVALUATION OF PERFORMANCE, OR DISMISSAL OF AN EMPLOYEE PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 11126(a)**

**The Committee may go into closed session to discuss and make recommendations regarding appointment, employment or dismissal of an employee. – Item 5.a**

Mr. Grether stated that there would be no Closed Session and dismissed CAC legal counsel, George Soares, from the meeting.

**ITEM #4 DISCUSSION ITEMS**

**Update on overall administration of the Commission – Item 4.a.**

Jeff Oberman, CAC president, provided an overview of the administration of CAC since the last Executive Committee meeting in January. He noted that CAC staff was working hard to prepare the office for the Board meeting following the completion of the post-flood restoration. Mr. Oberman reported that a number of systems updates and upgrades were in process, including internet and phones, as well as the Sage and DocLink accounting systems.

Mr. Oberman stated that Terry Spillane had been hired as the Vice President of Marketing, with his first day being March 13, 2023. He thanked both board members and CAC management for their assistance in the interview process.

Lastly, Mr. Oberman reported that he had been on the road, engaged in meeting with retailers, establishing new relationships and securing various promotions for the upcoming season.

**Signature Analytics Update – Item 4.b.**

Ken Melban, CAC vice president of industry affairs and operations, reported that CAC was in the midst of transitioning the month-end accounting process to Signature Analytics, CAC's outsourced accounting firm.

**Moss Adams Update – Item 4.a**

Mr. Melban reported that while management had hoped to have the annual financial audit presented at the March Board meeting, due to some delays in contract approval and Moss Adams obtaining workpapers from CAC's previous auditors, the audit was not yet completed. He noted that it would be presented at the June Board meeting.

Mr. Melban stated that Moss Adams had completed their procure to pay assessment and that based on their recommendations, as well as the transition of duties with Signature Analytics, CAC management would plan to bring forward recommended updates to the internal control policies and procedures by the end of summer.

**Restatement of CAC 401 Profit Sharing and 457(b) Deferred Compensation plans – Item 4.d.**

April Aymami, CAC industry affairs director, provided an update from CAC's pension attorney, who stated that at this time, a complete restatement of the 401 and 457(b) retirement plans was not required. They did however, recommend that the 457(b) plan be amended to include hardship provisions required by the IRS. Ms. Aymami noted that the IRS was in the process of finalizing guidance on the CARES and Secure Acts, and once complete, CAC would need to incorporate additional amendments for compliance into both plans and complete a restatements of plans prior to 12/31/2025.

**MOTION:**

***The Executive Committee approves the amendments to CAC's 457(b) plan to incorporate required hardship provisions.  
(Hunter/Cole) MSC Unanimous***

**MOTION 23-3-9-2**

A Memo Regarding CAC's Pension Plan Restatement is included in the March 9, 2023 Executive Committee Packet and is attached to the permanent copy of these Minutes and identified as EXHIBIT A, Item 4.d.

**Annual Meeting Update – Item 4.e.**

Mr. Oberman stated the annual meetings would be May 8-10, starting in San Luis Obispo (5/8) and moving to Ventura (5/9) and ending in Temecula (5/10). It was noted that while all of CAC staff had

attended prior annual meetings, management would have a core team present at all meetings, then rotate additional staff at individual locations as needed.

Mr. Oberman reported that CAC had recently been advised that Main Course Catering, who CAC had a deposit with from the 2020 canceled annual meetings, had gone out of business. He noted that he had consulted with counsel on potential recourse but had been advised CAC's deposit was a loss.

### **OTHER BUSINESS**

The Executive Committee discussed recent grower meetings coordinated by District 2 commissioners. It was noted that a group of growers in District 2, including District 2 CAC board members, were going to convene an additional meeting to discuss issues impacting their growing region. Mr. Grether stated that he had advised the commissioners in this group that if they identified tangible action items from these meetings, they would be provided an opportunity to bring those items to the Board for consideration.

Mr. Oberman reported that upon Jan DeLyser's recent retirement CAC staff had taken her to an informal lunch and developed a congratulatory video. He stated that other associations had already acknowledged Ms. DeLyser and her contributions to the fresh produce industry, but wanted to know if CAC wanted to host an event to honor her as well. There was support from the Executive Committee to find a way to celebrate Ms. DeLyser within the confines of CAC's policies and procedures.

### **ADJOURN MEETING**

Mr. Grether adjourned the meeting at 2:36 p.m.

Respectfully submitted,

---

April Aymami, CAC Industry Affairs Director

I certify that the above is a true statement of the minutes of the March 9, 2023, CAC Executive Committee, approved by the CAC Executive Committee on May 31, 2023.

---

Jessica Hunter, CAC Board Secretary

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

Exhibit A      March 9, 2023 Executive Committee Packet

Exhibit B      March 9, 2023 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><br><i>Executive Committee Meeting</i> | <b>Meeting Location:</b><br><i>Online (Zoom)</i> | <b>Meeting Date:</b><br><i>March 9, 2023</i> |
|--|--|--|

| <b><i>Attendees Who Voted</i></b> | <b><i><u>MOTION</u></i></b><br><b><i><u>23-3-9-1</u></i></b> | <b><i><u>MOTION</u></i></b><br><b><i><u>23-3-9-2</u></i></b> |
|-----------------------------------|--|--|
| Jessica Hunter                    | Not Present  | Yea  |
| Rob Grether                       | Did Not Vote   | Did Not Vote   |
| Jason Cole                        | Yea  | Yea  |
| Rachael Laenen                    | Yea  | Yea  |
| <b><i>Outcome</i></b>             | <b>Unanimous</b>   | <b>Unanimous</b>   |