



# AGENDA

## California Avocado Commission Grievance Committee Meeting

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### Meeting Information

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**Date:** December 19, 2025

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

**Location:** Hybrid Meeting

**Physical Meeting Location:**

Yorba Linda Public Library

Olinda Conference Room

4852 Lakeview Avenue

Yorba Linda, CA, 92886

**Web/Teleconference URL:**

<https://californiaavocado.zoom.us/j/85120583017?pwd=HwaoovbHgnja3YeqkuyeyR8HJk8r19.1>

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

**Meeting ID:** 851 2058 3017

**Passcode:** 102373

**Meeting materials will be posted online at least 24 hours prior to the meeting at:**

<https://www.californiaavocadogrowers.com/commission/industry-calendar>

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### Committee Member Attendance

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**As of Wednesday, December 17, 2025, the following Committee members have advised the Commission they will participate in this meeting:**

John Haskett  
Andy Sheaffer  
Al Stehly

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Time	Item
10:00 a.m.	<ol style="list-style-type: none"><li><b>1. Call to Order – Al Stehly, Grievance Committee Chair</b><ol style="list-style-type: none"><li>a. Roll Call/Quorum</li><li>b. Introductions</li></ol></li><li><b>2. Opportunity for Public Comment</b><p>Persons may address the Board on subjects within the jurisdiction of the Commission.</p></li><li><b>3. Items for Discussion and Possible Action</b><ol style="list-style-type: none"><li>a. Review of CAC Grievance Procedures</li><li>b. Review of Kachuck Grievance Claims I, II, III, and IV</li></ol></li></ol>

Time	Item
	<ul style="list-style-type: none"> <li>c. Information Needed for Next Steps</li> <li>d. Timeline/Schedule Next Meetings</li> </ul>
	<b>4. Closed Session</b>
	<ul style="list-style-type: none"> <li>a. Closed session regarding pending and/or ongoing litigation pursuant to Government Code Section 11126(e)</li> </ul>
	<b>5. Return to open session and announce action taken in closed session, if any.</b>
<b>11:00 a.m.</b>	<b>6. Adjourn Meeting</b>

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## Disclosures

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Some agenda items may not be discussed prior to adjournment. Such items will be rescheduled for a subsequent meeting. All meetings of the 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 information or a request regarding disability-related modification or accommodation for the meeting, please contact April Aymami at 949-341-1955 via email at [aaymami@avocado.org](mailto:aaymami@avocado.org). Such requests should be made at least 48 hours prior to the meeting.

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>.

Contact April Aymami at [aaymami@avocado.org](mailto:aaymami@avocado.org) or 949-341-1955 if you have any questions.

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## Summary Definition of Conflict of Interest

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Members and alternates are responsible to determine whether they have a conflict of interest and whether to recuse themselves from discussion or vote during a meeting. 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.



## ***COMMITTEE INFORMATION***

**ITEM 3.a:      Review of CAC Grievance Procedures**

**SUMMARY:**

The CAC Grievance Procedures are attached here as a reference document for the Committee.

**FISCAL ANALYSIS:**

- Not applicable

**COMMITTEE OPTIONS:**

- Not applicable

**STAFF RECOMMENDATION:**

- Not applicable

**EXHIBITS / ATTACHMENTS:**

- CAC Grievance Procedures

### **GRIEVANCE PROCEDURES**

Commission law (California Food and Agricultural Code Section 67112) requires that the Commission establish procedures for the purpose of according individuals aggrieved by its actions or determinations an informal hearing before the Commission or before a committee of the Commission designated for that purpose. The established procedures shall be as follows:

Any producer or handler subject to Commission law who is aggrieved by the actions or determinations of the Commission may file a grievance and request an informal hearing before a special Grievance Committee of the Commission in accordance with the following:

1. Any grievance against the Commission shall be directed in writing to the Commission office and contain the name and mailing address of the aggrieved producer or handler (the “aggrieved party” or “grievant”), and a statement describing the action or determination that is the basis for the grievance. The written grievance must also state that the aggrieved party has tried other avenues to resolve his/her complaint before filing the grievance. Specifically, the written grievance must include evidence that the grievant, prior to filing, made an earnest attempt to resolve the matter by first conferring with their commissioner and if unsuccessful, then with the Commission Chairperson, and if still unsuccessful, with the Commission President. If none of the stated avenues resolve the complaint, the Commission shall accept the written grievance.
2. The grievance must be filed with the Commission within ninety (90) days after the date the claim first arose or, in assessment matters, within ninety (90) days after the assessment report and/or payment at issue was due pursuant to the Commission's established assessment policy and procedures.
3. Within fifteen (15) days after receiving written notice of a grievance, the Chairperson of the Commission shall appoint a person to act as Chairperson of a special Grievance Committee. The Chairperson of the Grievance Committee shall be a member or alternate member of the

Commission. With recommendations from the Grievance Committee Chairperson, the Commission Chairperson shall appoint at least two (2) but no more than four (4) additional individuals to serve on the special Grievance Committee. The Grievance Committee may include Commission members, alternates, or any other producer or handler who is subject to Commission law.

4. The Grievance Committee shall have up to sixty (60) days after its members are appointed in which to investigate, or cause to be investigated, the grievance. The investigation may include, but is not necessarily limited to, talking to the grievant and any witnesses or other interested parties, and asking the grievant and any witnesses or interested parties to submit written evidence and/or statements.
5. Upon completion of the investigation, the Grievance Committee shall inform the grievant of his/her right to an informal hearing. The grievant must respond in writing within fifteen (15) days after receiving the request from the Committee as to whether he/she wants a hearing.

If a hearing is requested by the grievant, the Grievance Committee shall conduct an informal hearing within forty-five (45) days after the request and shall notify the aggrieved party of the date, time, and place of the hearing at least ten (10) days prior to the date of hearing.

6. The Grievance Committee shall receive and consider oral and written evidence from the aggrieved party, witnesses, and any other interested parties, including but not limited to Commission members, alternates, and staff, either before or during the hearing (if any), or both. The hearing, if held, shall either be tape recorded or shall be memorialized by a certified court reporter.
7. Within sixty (60) days after the hearing date (or within 60 days after the date on which the Commission received notice that the grievant did not want a hearing), the Grievance Committee shall submit its findings and recommendation(s) to the Commission.
8. The Commission shall review (in closed session) the Grievance Committee's findings and recommendations at the Commission's next regularly

scheduled meeting and approve, modify and approve, or deny the recommendation(s) of the Grievance Committee. The final decision of the Commission shall be reflected in the minutes of the regular meeting and communicated in writing to the aggrieved party within thirty (30) days after the meeting.

9. The aggrieved party may appeal the final decision of the Commission to the Secretary of the Department of Food and Agriculture within ninety (90) days after receiving notice of the Commission's final decision.
10. The determination of the Secretary shall be subject to judicial review upon petition filed with the appropriate Superior Court.
11. If a grievance includes claims relating to the reporting or payment of assessments, penalties, and/or interest, the aggrieved party shall not be relieved of his or her obligation to file assessment reports and pay assessments, penalties and interest to the Commission as required by Commission law or procedures during the grievance process. In the event the aggrieved party prevails in all or part of the grievance, he or she shall receive a refund equal to the amount of any assessment payments, penalties and/or interest which were paid to the Commission in error.



## **COMMITTEE INFORMATION**

### **ITEM 3.b: Review of Kachuck Grievance Claims I, II, III, and IV**

#### **SUMMARY:**

Below is a listing of the grievance claims (abbreviated) submitted by Norm Kachuck, MD FAAN, for the American Avocado Farmers, and accepted by the Commission.

- I. Board member eligibility, conflict of interest, and recusal policy
- II. Board indemnification from personal liability for payment of legal fees
- III. Validation of producer voter eligibility and independent audit of the election process
- IV. CAC failed to fulfill statutory and fiduciary duties

#### **FISCAL ANALYSIS:**

- Not applicable

#### **COMMITTEE OPTIONS:**

- Not applicable

#### **STAFF RECOMMENDATION:**

- Not applicable

#### **EXHIBITS / ATTACHMENTS:**

- None