

CRESTON ADVISORY BODY BY-LAWS

District 5, San Luis Obispo County, California
~~December 16~~ July 21, 2021

ARTICLE I: NAME, FORMATION AND RECOGNITION

Section 1: The name of this citizen's advisory council shall be the "Creston Advisory Body," here and after referred to as CAB.

Section 2: Resolution 2007-128 of the San Luis Obispo (SLO) County Board of Supervisors dated March 27, 2007 recognized CAB as an official citizen's advisory for District 5.

Section 3: Creston and Huer Huero representatives to the Santa Margarita Area Advisory Council (SMAAC) have taken the initiative to spearhead the effort to establish a separate citizen's advisory for the Creston area. They put forth a motion at the June 2006 meeting of SMAAC "to move forward with the concept of splitting the Creston area from the SMAAC to establish their own advisory group." The motion was voted upon and passed unanimously.

The proposal for a Creston Advisory was set forth for reasons including but not limited to the following:

- a) SMAAC is the only citizen's advisory in District 5, the largest district by area. The other supervisorial districts have multiple (three or more) advisories.
- b) SMAAC has twenty-four (24) area representatives making it difficult to give any single area the amount of attention it desires and deserves.
- c) There is a significant distance between Santa Margarita where SMAAC meetings are usually held and Creston.
- d) The Creston community is focused around the village of Creston and really has no direct connection with Santa Margarita.
- e) Citizens of the Creston area have expressed an increasing interest in being involved and having a voice in shaping the future of their community.
- f) Creston would like to see a broad cross section of the Creston community represented on the local citizens' advisory body that influences development in the Creston area. A "broad cross section of the Creston community" is defined as having representation from distinctly defined geographic areas (neighborhoods) with apportionment based on population distribution (registered voters).

Section 4: CAB by-laws have been drafted to include the five criteria set forth in the San Luis Obispo County Resolution No. 96-485 "Resolution Establishing Criteria for Board-Recognized Community Advisory Councils" and in the spirit conveyed in the 2006 San Luis Obispo County Superior Court Grand Jury report investigating compliance to the resolution by existing county advisory councils.

ARTICLE II: PURPOSES AND OBJECTIVES

Section 1: To advise the San Luis Obispo County District 5 Supervisor in particular, the county Board of Supervisors in general, and other county governmental bodies (agencies, boards, commissions, etc.) in all matters pertaining to, but not restricted to, land uses, zoning, public services, circulation, public improvements and aspects of orderly community growth.

Section 2: To establish an organization representative of the Creston area in matters of planning and development and to represent the community before all bodies, public and private, where the subject is appropriate to the objectives of this citizen's advisory group.

Section 3: To provide a forum for citizen involvement, education and information on issues, which pertain to the Creston area.

Section 4: To provide a venue through which the Creston community can publicly discuss issues related to land uses, natural resource conservation, zoning, public services, circulation, public improvements, public safety, and other aspects of harmonious community life and orderly development

Section 5: CAB will serve as an intermediary between the Board of Supervisors and the public, delivering, to the best of their knowledge and abilities, the public's message. CAB's intent is not to infringe upon the right and prerogative of private citizens to speak as individuals in their own behalf.

Section 6: CAB acknowledges that it functions as a non-governmental organization and that it is an advisory body only, without authority to approve, deny or conditionally approve or deny proposed projects, policies or ordinances reviewed or considered by CAB.

ARTICLE III: GEOGRAPHICAL BOUNDARIES AND REPRESENTATION

Section 1: The Creston area lies in the northern most portion of the San Luis Obispo County Supervisory District 5 and includes the Village of Creston and those neighborhoods in the immediate area whose daily activities are directly linked to the village. The CAB boundaries were defined by considering area maps of the Creston School bus routes, US Postal zip code, groundwater basins, watersheds, voter registration data, the boundaries of neighboring advisory councils, boundaries of the El Pomar/Estrella planning area, the location of properties of residents forming the majority of the membership in Creston community clubs and the boundaries of Supervisory District 5. The thorough examination and weighing of these items resulted in the boundaries set forth in the following two sections.

Section 2: The official boundaries of CAB are as follows:

- Start – A point on Hwy 41 east of Atascadero, approximately 2 miles east of the top of the Kingsbury grade, commensurate with the eastern boundary of the Templeton School District.
- Proceed south along the eastern boundary of the Templeton School District line stopping at the point at which that line heads due west. The CAB boundary line then continues in a southeasterly direction cross-country to the intersection of Hwy 229 and Hwy 58 (thereby taking in Rocky Canyon Road from the barricade east and residents living along Hwy 229).
- From the junction of State Highway 229 and 58 proceed east along Hwy 58 to Goldie Lane (taking in only residents to the north of Hwy 58).
- Proceed along a straight-line southeast to the junction of Huer Heuro Road and Park Hill Road (taking in only residents who access their property from Huer Huero Road).
- Proceed north to join with the most westerly border of the Los Padres National Forest. Follow the Las Padres National Forest boundary north and then east up to the point at which Indian Creek connects to the forest boundary line.
- Head north, following Indian Creek until the point at which it reaches the intersection of La Panza Road and Hwy 58.
- Proceed north along the eastern San Luis Obispo 5th District boundary until it meets Hwy 41.
- Proceed west along Hwy 41, following the District #5 boundary as it crosses Hwy 41 and heads north and west until reaching the northwest corner of Geneseo Precinct 504.01

- Proceed directly to the Arizona crossing of the Huer Huero Creek just south of Eagle Oak Ranch Way.
- Proceed west and south to the intersection of Summer Ranch Rd and Creston Rd. This includes all residents who access their properties along Geneseo Rd south of the Arizona crossing and who live on Summer Ranch Rd.
- Cross Creston Rd and proceed south along Cripple Creek Road to Hwy 41. This includes all residents of Cripple Creek Rd and all residents who access their properties on roads to the east of Cripple Creek Rd.
- From the intersection of Cripple Creek Rd and Hwy 41 proceed west along Hwy 41 back to the start, taking in all residents who live along Hwy 41 and vote in a Creston precinct.

Section 3: For purposes of representation, the CAB area has been divided into ten (10) geographic areas (CAB areas) based on settlement patterns, generally centered upon distinct neighborhoods with areas of significantly less population density in between. Members of CAB represent the residents and land owners of each of the ten areas described below:

- Area 1 – Creston West
- Area 2 – Creston (inside the Village Reserve Line (VRL))
- Area 3 – Hwy 229 & Rocky Canyon Road
- Area 4 – Huer Huero
- Area 5 - Highway 58
- Area 6 – O’Donovan
- Area 7 – La Panza Road
- Area 8 – Creston East
- Area 9 – Camp 8 and Creston Valley Road
- Area 10 – Geneseo/Windfall

Note: When an area boundary appears incomplete, or open, on any side it is to be understood that the District 5 Supervisory boundary and/or the CAB boundary(ies) form(s) the remaining side(s).

1. **Creston West** – Includes all residents who access their properties from Hwy 229 between Hwy 41 and Rocky Canyon Road except for those residents inside the Creston (Creston Reserve Line) VRL. Includes all residents of Eagle’s Nest. Includes all residents who access their properties along Hwy 41 between Hwy 229 and the westerly boundary of CAB (east of the Kingsbury grade) who vote in a Creston precinct. Includes all residents who live on Cripple Creek Rd between Hwy 41 and Creston Rd. Includes all residents who access their properties on roads east along Cripple Creek Rd. Excludes all Feenstra Rd residents west of Cripple Creek Rd. Includes all residents who access their property from Creston Rd between Cripple Creek and Hwy 41 and who have odd numbered addresses.
2. **Creston** - Includes all residents inside the Creston VRL.
3. **Rocky Canyon and Hwy 229** - Includes all residents who access their properties from Rocky Canyon Road and Hwy 229 south of Rocky Canyon Road along Hwy 229 to Hwy 58.
4. **Huer Huero**– Includes all residents who access their properties from Huer Huero Road.
5. **Highway 58 East** – Includes all residents who live on the northern side of Hwy 58 between Hwy 229 and Goldie Lane and access their property from Hwy 58. Includes all residents who access their property from Hwy 58, on both the northern and southern sides, east of Goldie Lane to the point at which La Panza Road intersects Hwy 58.
6. **O’Donovan** – Includes all residents who access their properties from both sides of O’Donovan Road, between the Creston VRL and Hwy 58.
7. **La Panza** – Includes all residents who access their properties from La Panza Road, on both sides, from Hwy 41 to Hwy 58.

8. **Creston East** – Includes all residents who access their properties on the south side of Hwy 41 between La Panza Road and the eastern District 5 boundary. Includes all residents of the Eddy Ranch Tract
9. **Camp 8 and Creston Valley Road**– This includes all residents inside the triangle formed by Camp 8 Road, Creston Road, and Hwy 41. It also includes all residents who access their property from Camp 8 Road and who vote in a Creston precinct. This excludes any properties along Camp 8 that lie on the northern side and vote in the Geneseo precinct, except for Lamplighter Road. Lamplighter Road is included within the CAB boundaries. Includes all residents who access their properties from the north side of Hwy 41 between Highway 229 and the eastern boundary of District 5 and all residents on Creston Valley Road who vote in a Creston precinct.
10. **Geneseo/Windfall** – Includes all residents with even numbered addresses who access their properties from Creston Rd between Camp 8 and Summer Ranch Rd. Includes all residents on Summer Ranch Rd. Includes all residents who access their properties from Geneseo Rd between Creston Rd and the Arizona crossing of the Huer Huero Creek (before you get to Eagle Oak Ranch Way). Includes all residents of Windfall Farms Ranch.

See Attachment A of these by-laws for a map showing the outer boundaries for CAB and the individual distinct geographic areas of representation (CAB Areas).

ARTICLE IV: MEMBERSHIP AND ELECTIONS

Section 1: ~~The number of representatives from each area will be determined based on population as determined by county voter registration records.~~

- a) ~~Each area will have one (1) representative for each three hundred (300) registered voters, with no less than one (1) representative for each area, and no more than three (3) representatives total.~~
- b) ~~Voter registration records will be reviewed after every census, once supervisorial redistricting has formally occurred and new District #5 boundaries have been defined~~
- c) ~~CAB's current membership will decide if the boundaries of CAB should be changed based on the changes in District #5 boundaries.~~
- d) ~~CAB will appoint a subcommittee to decide specifics (e.g. create a new area, remove an existing area, change the number of CAB representatives from any area, combine CAB areas, etc.). Minutes with details of the determinations of the subcommittee meeting(s) will be recorded and submitted at the next CAB meeting. Current CAB members will vote to accept or modify changes proposed by the subcommittee.~~
- e) ~~If the CAB memberships approves the formation of a new area of CAB it will be formally announced at a CAB meeting. Affected areas residents will be notified accordingly of any change in their area's status and if a new representative is needed so that candidates can come forward.~~
- f) ~~If this process is completed prior to March of a given year the selection of any new area representatives will be rolled into the annual CAB election process. However, if the addition of the new CAB area is approved after March then the process used for filling a vacant CAB seat during any other time of the year will be followed. (Conditions of Service form signed by a candidate and five registered voters from their area of CAB). However, if more than one candidate for a newly created CAB area seat comes forward then they will have to conduct a signature drive in their area and return to the next CAB meeting. The candidate with the most valid signatures will become the new representative to CAB. Length of term for the new area will be determined by the even/odd numbers year election process.~~
- g) ~~In order to keep the operation of CAB functional and manageable the by laws will be amended if necessary when the voter registration numbers are reviewed following the census year and redistricting in order to keep the total number of CAB members at fifteen (15) or below. A new higher number will be established for the number of registered voters per representative. For example, the number might be increased from three hundred (300) to five hundred (500) thereby resetting the total number of CAB~~

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~~members as necessary. There shall be one representative from each of the ten defined geographic areas of CAB.~~

Section 2: Elected members shall serve terms of two (2) years unless otherwise stated in these by-laws. ~~As long as there is only one (1) representative per area, the~~ representatives of the even numbered areas will be up for election in the even numbered years and the representatives from the odd numbered areas shall be up for election in the odd numbered years. ~~When it is determined that an area must have more than one representative, and if the two newly elected members are elected in the same year, then the candidate with the most votes will serve for a two year term and the candidate coming in second will serve for a one year term. Therefore, once there are two members from any given area there will be one seat open for election every year. The same process may occur between the two newly elected representatives if and when it is determined that an area requires three (3) representatives.~~ This process is intended to establish a process by which approximately half of the seats on CAB are up for election every year, ~~and to keep the larger number of representatives from a given area elected in the odd or even numbered years, whichever coincides with the area in question.~~

Section 3: Elections will be held in the month of April of each year. The election will be held in Creston on the Tuesday before the regularly scheduled April CAB meeting which is the third Wednesday of the month. The elections will be overseen by CAB Election Committee (CEC)(Attachment B).

Section 4: Elections shall be conducted according to the Voting Procedures for Elections (Attachment C).

Section 5: CAB members and their selected alternates must be over 18 years of age and a full time resident and registered to vote in the area of CAB that they seek to represent.

Section 6: Candidates for election to the ten geographically defined areas of CAB will be determined as follows:

- a) At the regularly scheduled monthly meeting three months prior to the election (in January) the CEC will distribute "Conditions of Service" forms (Attachment D), henceforth referred to as a COS form, to all incumbents whose seats are up for election in that year.
- b) At the regularly scheduled monthly meeting two months prior to elections (in February) there will be a call for candidates before the adjournment of the meeting. Incumbents whose terms are expiring and who wish to run for re-election, must return their signed (signed by the incumbent and five registered voters from their area of CAB who support their candidacy) COS form to the CAB Secretary/CAB member currently responsible for oversight of the CEC, to declare their continued interest in being a candidate at this time and to run for re-election. ~~The Secretary will then pass the COS forms to the CEC.~~
- c) Other non-incumbent candidates who express their interest in running for the seats open for election will be given a COS form provided by the CEC at the February CAB meeting. The non-incumbent candidates must return their signed (signed by the candidate and five registered voters from their area of CAB who support their candidacy) COS form to the CAB member currently responsible for oversight of the CEC
e) ~~Secretary~~ one month prior to the election (in March) to declare their interest in running for their CAB area seat. ~~The Secretary will then give the signed COS form(s) will be checked by to~~ the CEC for eligibility verification.
- d) When there are two or more candidates in a CAB area eligible for election, who have completed and returned to the council their signed COS forms before the end of the March CAB meeting specifying the CAB area in which they reside and seek to represent,

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- they shall be listed on the appropriate CAB area election ballot once the candidate's eligibility has been verified by the CEC.
- e) Any candidate who withdraws from the election must do so in writing to the CEC chair. A candidate may not re-enter his candidacy after he has formally withdrawn.
 - f) Elections will be held one month later (the Tuesday before the April CAB meeting) on the date and in a place specified by the CEC.

Section ~~7~~: There shall be a campaign fund limitation that can be spent by each candidate for election and/or committee acting in his/her behalf of three hundred dollars (\$300, approximately \$1 per registered voter in each geographic area of CAB). "In Kind" contributions of materials and professional services are to be considered as part of this total. Each candidate must sign the "Conditions of Service" (Attachment D) statement agreeing to this limitation.

Section ~~8~~: In the event there are no candidates from a CAB area, the CAB Community Election Committee shall make every effort to contact residents of the area to find a willing candidate. Any representative so selected must meet the eligibility standards of an elected representative and have submitted a signed COS form (signed by the candidate and five registered voters from their area of CAB who support their candidacy). In the event there are still no candidates for the CAB area two weeks prior to Election Day that seat will remain vacant until the following year, or until an eligible citizen comes forward using the process set forth in Article IV Section 14.

Section ~~9~~: In the event that only one eligible candidate has come forth for an area of CAB by all the designated deadlines stipulated in these by-laws, then that seat shall be considered uncontested. If there is only one candidate from each area of CAB running, then the CEC need not officially open the polls on Election Day.

Section ~~10~~: At the regularly scheduled April meeting the chairperson from the previous year will call the meeting to order, conduct the flag salute and seek approval of the minutes from the previous meeting by the elected members from the previous year. The next order of business shall be an agenda item for the seating of the newly elected, or re-elected, members. The CEC Chairperson shall present the election results from the polls to CAB. Additionally, the CEC Chairperson shall confirm the satisfactory return and validation of all COS forms, from all uncontested areas of CAB. A valid COS form is defined as one whose candidate eligibility has been confirmed and signatures of the registered voters have been verified by the CEC. The District 5 Supervisor, or his/her representative, shall receive the election results and provide for the seating of newly elected, or re-elected, members. All newly elected members will be directed to the CAB website where they can access the most current CAB By-laws, and to the SLO County website where they can access the SLO County Citizen's Advisory Committee Handbook, SLO County Framework for Planning, the SLO Inland Area Plan and the Land Use Ordinance Title 22 of County Code.

Section ~~11~~: Immediately following the seating of the voting members the District 5 Supervisor, or his/her representative, shall conduct the election of the new Chairperson according to the procedure in Article V Section ~~12~~ of these by-laws. The newly elected Chairperson will conduct the elections for the remaining officers. The out-going Chairperson shall be responsible for a smooth transition of council information to the new Council.

Section ~~13~~: Challenges to the election results, including requests for recount, shall be heard at the first regular CAB meeting after the announcement of the election results (in April). New members for any district in which there is a challenge may not be seated until the challenge is resolved. The Council must determine how to resolve any challenges. Any recounts or handling of ballots must be conducted by members of the CEC.

Section ~~143~~: Each elected representative will appoint an alternate of their choice. The alternate must be a registered voter over 18 years of age and a full-time resident of the same CAB area as the elected representative. Any designated alternate will be required to complete and return to the council a signed “Alternates Conditions of Service” form (Attachment E) in order to be formally recognized by CAB. The elected representative of each CAB area shall share their copies of the Guidance Documents specified in Article IV Section 10 with their alternate. When it is necessary for an alternate to attend a CAB meeting in lieu of the elected representative they possess the same rights and responsibilities as the elected member, meaning they are free to participate in any discussions and vote on any motions. If no alternate has been designated and recognized by the CAB, and an elected representative is absent from a meeting, then no vote for that specific seat in that area of CAB can be cast at that meeting.

Section ~~154~~: In the event that an elected member of CAB in good standing vacates their seat, their designated alternate, who must also be in good standing, will assume their seat and will serve for the remainder of the term for which the original member was elected once they have come forward with a letter of intent to serve with signatures from five registered voters of their CAB area. In the event that an alternate who has assumed the seat of an elected CAB member must vacate their seat then the seat will be considered vacant. If a CAB member moves out of the CAB area they represent they are required to vacate their seat. In the event that there is no designated alternate in good standing or the alternate does not wish to fill the vacated seat then at the next monthly meeting of CAB following the formal resignation of the elected representative any eligible individual from the same CAB area can come forward with a signed COS form with signatures from five supporters who are registered voters of their CAB area and present it to CAB. If only one individual comes forward at the next meeting, that individual will be seated as the new CAB area representative to CAB at the beginning of the meeting. If more than one candidate declares interest there will be a drawing. The name drawn will be the new CAB member.

Section ~~165~~: All members of CAB, by virtue of their commitment to CAB and the acceptance of the responsibility of representing their constituents, agree to serve as an officer (if elected) or committee member during their tenure in office.

Section ~~176~~: A member of CAB may be recalled from office if CAB is presented with a petition signed by 51% of registered voters in the CAB area for which that member has been elected. Voter signatures and final number of registered voters must be validated by at least two CAB officers.

Section ~~187~~: If a conflict of interest exists for any CAB member, the member must remove him/herself from the seated position on CAB while discussion and/or action takes place on the item. The Member may return to their seated position once the CAB has moved on to other items. A CAB member has a conflict of interest if the issue before CAB is a project or proposal in which the member or a member of his/her immediate family has a legal or financial interest.

Section ~~198~~: When a CAB member has been absent, and the notified alternate fails to appear for three consecutive meetings, the member and the alternate shall be declared delinquent (not in good standing). See Article IV Section 14 above for official procedure of replacement in case of vacancy.

Section ~~2049~~: No CAB member shall speak on the behalf of CAB except to state a recommendation or opinion that has been brought before CAB in a motion and passed with a vote of approval. This does not in any way prevent an individual CAB member from speaking on their own behalf, or as an individual citizen.

Section ~~210~~: All CAB members are covered under the San Luis Obispo County liability insurance policy and are therefore protected against suit against them for any recommendation made while serving as a member of CAB provided the member has not acted with fraud, corruption or malice. Members will be supplied by the CAB Secretary with a copy of the memo entitled “Defense and Indemnity for Advisory

Group Members” from the SLO County Counsel, James B. Lindholm, Jr. to Supervisor Achadjian dated November 27, 2000, or an updated version of this memo.

Section 224: In order to participate in a CAB election a voter must meet and abide by the rules set forth in the following sections:

- a. The voter must be 18 years of age and a full-time resident living within the CAB boundaries. A full-time resident is defined as residing in a domicile within the CAB boundaries for 8 or more months of the year.
- b. The voter’s name must appear on the San Luis Obispo County’s list of registered voters delivered to the CAB Election Committee during the week prior to the election.
- c. The voter must reside in the CAB area in which they wish to vote and can only vote in the CAB area designated by the address and street as shown on the voter registration list, unless they can produce a valid voter registration card verifying their declared name and address

ARTICLE V: DUTIES OF OFFICERS AND MEMBERS

Section 1: Officers of CAB shall consist of the Chairperson, Vice Chairperson, Secretary and Treasurer, selected from and elected by a majority of the regular members of the council. Any officer other than the chairperson may hold two offices.

Section 2: Officers shall be elected annually by secret ballot at the first regularly scheduled meeting following the election (April). The District 5 Supervisor or his/her representative shall preside over the election of the new Chairperson at that meeting. The newly elected Chairperson shall preside over the elections of the remaining officers. If there is only one candidate for any office, and the candidate agrees, there need not be a secret ballot. At the conclusion of the officer elections the new officers will immediately assume their new responsibilities.

Section 3: The Chairperson shall have all of the following duties:

- a) Set the agenda for all CAB meetings with input from CAB members, the District 5 Supervisor and the Planning Department Liaison. See that the agenda is posted at least 48 hours in advance of each meeting and email each CAB representative with a copy.
- b) Preside over all meetings. Open the meeting after ascertaining a quorum is present, then conduct the meeting through the order established in the agenda.
- c) Recognizing members entitled to the floor, stating and putting to vote all legitimate questions that come before the council as motions. To announce the results of each vote. To rule frivolous motions out of order or refusing to recognize them. To diligently enforce the rules of debate. To expedite business in all ways compatible with the rights of the members. To decide on questions of order based on “Robert’s Rules of Order.” To adjourn the meeting when the council so votes.
- d) Additional duties include responding to all formal inquiries bearing on the business of the council and to authenticate by his or her signature, when necessary, all acts, orders or proceedings of the meeting unless the chairperson has designated a specific responsibility to another CAB member. This includes the completion and signing of any requests made by the county to verify compliance with San Luis Obispo County Resolution 96-485, the “Resolution Establishing Criteria for Board-Recognized Community Advisory Councils.”
- e) Speak on behalf of the CAB before any of the individuals or bodies specified in Article II Section 1, Purposes and Objectives, of these by-laws unless the Chairperson has designated another CAB person to fulfill this duty. Additionally, when the Chairperson or other designated speaker speaks on behalf of CAB they must clearly state the CABs

position or message. If they wish to also state their own personal opinion they must ask to speak separately, meaning during a different allotted time period, before the body, so as not to confuse, blur or diminish the CABs message or position.

Section 4: The Vice Chairperson duties are as follows:

- a) Preside over all meetings in the absence of the Chairperson.
- b) Assist the Chairperson with their duties upon request by the Chairperson.
- c) Assist as needed in investigating projects in CAB areas whose seats remain vacant.

Section 5: The Secretary's duties are as follows:

- a) Taking notes at the meetings, preparing the minutes, circulating the minutes for CAB members review prior to the next meeting and presenting the minutes for comment and/or approval at the next meeting. The secretary will note in the minutes the names of the CAB members who made and seconded each motion voted on by the CAB members as well as the outcome, which members voted yea, nay or abstained.
- b) Unless other arrangements are made with CAB officers, the secretary is responsible for receiving, preparing, transmitting and archiving the Council's correspondence including the minutes.
- c) In the absence of the Chair and the Vice-Chair, the Secretary shall perform the duties of the Chair.
- d) Maintain a list of all CAB members and their contact information and a list of all CAB committees and their CAB members.

Section 6: The Treasurer's duties are as follows:

- a) Maintaining an accurate accounting of all expenditures and/or income in the council's account and will provide a current report of the account at each regular meeting.
- b) The disbursement of funds authorized by the Council shall require the signature of the Treasurer or the Secretary.
- c) Filing the necessary paperwork with the county supervisor to obtain annual funding for CAB.

Section 7: No elected officer of the committee shall serve more than three (3) consecutive one (1) year terms in the same office unless the following circumstance occurs. A CAB member may serve additional terms in the same office if elected to that same office by a unanimous vote of the members present at the first meeting following the annual elections.

Section 8: When an officer vacates his/her position a replacement will be elected by the CAB members at the next regular meeting using the procedure outlined in Article V Section 2 of these by-laws. The election will be conducted by the most senior officer available at that meeting.

Section 9: Each CAB area representative is the designated Project Coordinator responsible for collecting information and evaluating any projects referred to CAB that lie in their geographic area of CAB. This may include conducting a site visit, soliciting input from the neighbors of the project and the Creston community at large, communicating with the applicants and the assigned County planner or any other governmental agencies with purview over specifics relating to the project. The CAB area representative is responsible for informing the other CAB members of their findings at the CAB meeting at which the project is up for review. The CAB area representative is responsible completing the CAB Project Recommendation Forms for projects located in their area. Any Alternate to an elected CAB member is responsible for assisting in this process if requested by the CAB area representative.

- a. The CAB Project Recommendation Form will contain the following:
- 1) Project specifics: Applicants name, Application/Permit (type and associated numbers), Project location (by street and CAB area)
 - 2) Date(s) project was considered by CAB and the names of presenter(s).
 - 3) Name of the county body(ies) or persons to which this recommendation is being sent.
 - 4) Specific issues concerning the project that were discussed.
 - 5) Final conclusions reached by CAB, including reasons for a favorable or unfavorable recommendation.
 - 6) The final vote on the project. For example: 5 in favor, 3 against, 1 abstention.
 - 7) Signatures of the CAB area representative(s) whose areas are impacted (may be more than one CAB area representative, to be determined by each area representative individually) and the CAB Chairperson.
- b. ~~b.~~ Once the CAB Project Recommendation Form is completed by the CAB Area Representative it will be submitted to the CAB Chairperson for review and signature. This may be done electronically. Once accepted and approved by the CAB Chairperson the original will be sent (either by US Post or by email) to the appropriate county body (typically SLO Planning and Building Department but it may be the Planning Commission, Board of Supervisors, or any other county agency, board, commission, or individual). Additionally, an electronic copy will be posted on the CAB website and/or a hard copy retained by the CAB secretary.
- c. Whenever a CAB area seat is vacant, the elected CAB representatives will designate either one of themselves (ideally from an adjacent CAB area), or any alternate to any elected CAB member, to represent the vacant area as Project Coordinator with regards to conducting all activities associated with projects in that area. The designee may request the help of other CAB members or their alternates. Any elected CAB member, or their designated alternate may fill this role.

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Section 10: Additional responsibilities of Alternates of Elected CAB Representatives are as follows: While any geographic area of CAB is vacant, with no member elected to CAB, then any ~~Whenever a CAB area seat is vacant, the CAB area representative from an adjacent area, or the CAB Vice Chairperson, will temporarily represent the vacant area with regards to conducting all activities associated with projects in that area.~~ Alternate of any geographic area present at a CAB meeting may, with the approval of the majority of the Elected CAB members present, sit in as a fully empowered CAB representative for any geographic area of CAB, eligible to vote on all motions. If more than one Alternate is present and available for a single vacant seat it will be decided by a majority vote of the Elected CAB members to decide which Alternate shall take the seat for that meeting. This does not guarantee any Alternate to these privileges for any subsequent CAB meeting. This process must be applied at the onset of each CAB meeting with vacant seats.

ARTICLE VI: COMMITTEES

Section 1: Standing Committees or Special Committees may be created by a resolution approved by a majority of CAB members. The purpose of the committees is to carry out the work of CAB. However, no committee shall make policy for the CAB but shall present recommendations and motions as relate to the topic for which it was formed.

Section 2: Each committee shall have a chair selected from the members of CAB and chosen by the committee members. [Alternates may also serve on any committee. Alternates are eligible to be committee chairpersons as well.](#)

Section 3: Committee members need not be CAB members. The CAB committee members may recommend members of the public to serve on its committee.

Section 4: The number of CAB members allowed on a committee shall not constitute a quorum of CAB.

Section 5: All committee memberships shall be dissolved after the annual election (April). The new CAB Chairperson will reform the committees and re-establish memberships with input from the other CAB members at the first regular meeting after the annual election (May).

Section 6: Standing Committees of CAB shall be:

By-Laws - 3 members

Elections - 3 members who are not candidates, except in the 2007 election

Public Information – 3 members

Section 7: All meetings of CAB committees, whether Standing or Special, shall be open to the public and the public shall be allowed to make comments during a public comments section.

Section 8: “Committee Reports” will be a standing item on all monthly agendas of CAB.

Section 9: No formal public posting of committee meetings is required. Interested members of the public must make their interest known during CAB meetings or by contacting the committee chairperson. The committee chairperson will notify all interested parties of the time and location of committee meetings.

ARTICLE VII: MEETINGS AND PROTOCOL

Section 1: CAB shall meet the third Wednesday of each month on a regular basis when such meetings can be held without endangering the health of all attendees. However, Special Meetings may be held at the time, location and by whatever necessary method is practical and agreed upon by the majority of the CAB membership when deemed necessary, such as during an emergency. This may be an electronic meeting or an in-person meeting. A majority of the CAB membership will define and agree upon what is deemed as an emergency as individual situations arise. The chairperson may opt to cancel a meeting when there are no pressing agenda items and there is no objection from any of the other officers, or when it is predetermined that a quorum will not be present. When a meeting is cancelled the public will be noticed in advance in the same manner as which agendas are posted. CAB shall not meet in December unless it is deemed necessary due to pressing business that can not be delayed until January.

Section 2: The agenda for all CAB meetings shall include at a minimum the following, not necessarily in this order:

- a) Call to Order – Flag Salute
- b) Minutes of the previous meeting
- c) Open Forum – Comments or Announcements by the public and by council members
- d) Chairperson’s Report

- e) Treasurer's Report
- f) New Business
- g) Unfinished Business
- h) Planning Department
- i) Committee Reports
- j) Fifth District Supervisor's Report

Section 3: No action may be taken at any meeting (regular or special) without a quorum. A quorum shall consist of a majority of the CAB members not counting unfilled vacancies for which a new member, and consequently, ~~or~~ an alternate has not been named. It is the responsibility of the Chair to assure that a quorum is present at all times during a CAB meeting before allowing any motions to be entertained. A meeting may be held but for informational and discussion purposes only if a quorum is not present.

Section 4: Each area representative shall have one vote. Upon request of any CAB member, member of the public, or at the discretion of the Chairman, the vote shall be by roll call. A record of how each member voted, by name and CAB area, will be included in the meeting minutes.

Section 5: No question or motion shall be debated or put to a vote unless the motion has been seconded. When a motion has been seconded, it shall be stated by the Chairperson before debate.

Section 6: All motions for making recommendations on new projects or referrals to CAB by the SLO Department of Building and Planning shall be stated as "we recommend....." recognizing that CAB exists as an advisory body and has no legal authority to decide whether the matter being considered is actually "approved" or "denied". ~~refrain from using the term "approve" or "deny" with respect to the matter being considered.~~ Members are required to comment as to why they are for or against each project prior to the vote.

Section 8: All meetings of CAB are open to the public. Visitors may bring matters to the attention of CAB, express opinions and request action. No action will be taken on items not on the agenda. Consideration of items brought forth by the public shall be placed on the next available agenda by a majority vote of CAB members present if any action is required.

Section 9: Special meetings of CAB may be called by the Chair after proper notification of CAB members. Proper notification is a minimum of five days with coinciding posted public notice. Special meetings may also be called whenever three (3) CAB members request one. Special meetings require a quorum of CAB members to be present for any actions to be taken, except in the case of a disaster or emergency that impacts the CAB community, and absent the time or circumstances for established procedures, CAB will attempt to assist the community in any way it deems possible.

Section 10: In all matters and things not otherwise provided herein with respect to protocol and procedure, it is CABs intention is to follow to the best of its ability, and with the resources available, the Ralph M. Brown Act of California, Robert's Rules of Order, 1990+ Revision and the county training guidelines "California State Law AB 1234 Ethics Training".

Section 11: No item may be added to an agenda unless there is unanimous vote of approval by all CAB members present. Additionally no additional agenda item can be considered unless one of the following conditions can be met: 1) a deadline related to the item to be considered will pass before the next regularly scheduled meeting of CAB, or 2) there is a disaster or emergency that affects the CAB community. A second vote to approve of taking action on the added agenda item must take place prior to the proposal of any action. The vote to take action must also be unanimous. There does not have to be unanimous consent on the action itself.

Section 12: CAB meetings shall be regularly scheduled to begin at 7 p.m. unless deemed otherwise by the chairperson due to extenuating circumstances and if there is no objection by any other officer. CAB meetings shall adjourn by 9:30 p.m. unless a majority vote approves a thirty (30) minute continuation. Any items that were not addressed at the meeting will be placed on the agenda of the next regularly scheduled meeting the following month.

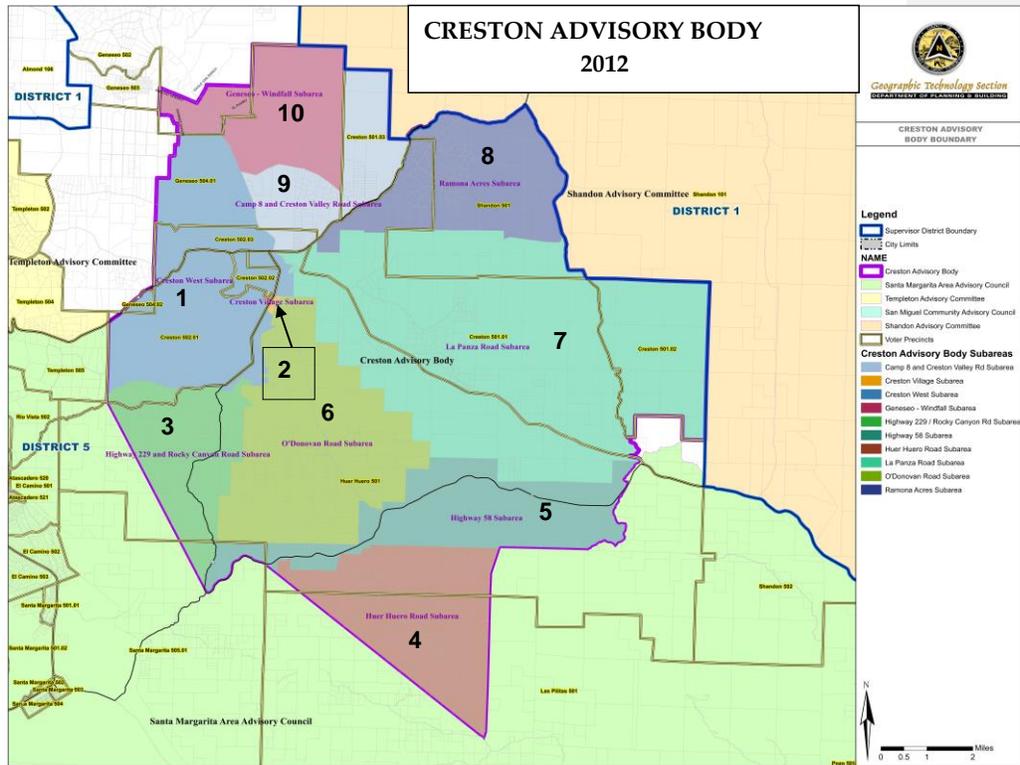
ARTICLE VIII: AMENDMENTS

Section 1: The by-laws may be amended, appealed, or altered in whole or in part by a two-thirds (2/3) majority of the CAB members present at a regularly scheduled meeting, or Special Meeting, providing that the proposed amendment(s) haves been previously presented to the CAB and to the public prior to the vote. Presentation of the proposed changes will be done by electronic notification (e.g., CAB email distribution list) and by posting on one or more local bulletin boards frequently viewed by the community, for a minimum of six days prior to the final vote.

Section 2: A review of the by-laws will be conducted annually. The bylaws review will be agendized for the month of October or November to allow for general discussion on whether any amendments are needed. A motion is required to either accept the by-laws as written or to take action for the drafting of any amendments.

ATTACHMENT A

CRESTON ADVISORY BODY BOUNDARIES



CAB AREAS

1. Creston West
2. Creston (inside Village Reserve Line)
3. Highway 229 & Rocky Canyon Road
4. Huer Huero Road
5. Highway 58
6. O'Donovan Road
7. La Panza Road
8. Creston East
9. Camp 8 Road and Creston Valley Road
10. Geneseo-Windfall

ATTACHMENT B

CRESTON ADVISORY BODY ELECTION CODE

CAB ELECTION COMMITTEE

1. To oversee the election, the Creston Advisory Body (herein after referred to as "CAB") shall appoint a committee of no less than three (3) volunteers of CAB area registered voters to be known as: CAB Election Committee (herein after referred to as "CEC"). No one whose name appears on the CAB official ballot may serve on the CEC.
2. The purpose of the CEC is to conduct the CAB election in a fair, impartial and orderly manner. Members of the CEC shall conduct the election according to CABs Voting Procedures, (see Attachment C).
3. The CEC shall use the following timeline to guide them through the election process:
 - a. January Meeting: Distribute COS forms to all incumbents up for re-election.
 - b. February Meeting: Collect all signed (signed by the incumbent and five registered voters from their area of CAB who support their candidacy) from incumbents with continued interest in running for the seat in their area of CAB from the CAB Secretary. Distribute COS forms to non-incumbent persons interested in running for their area of CAB.
 - c. March Meeting: Collect all signed COS forms (signed by the non-incumbent candidate and five registered voters from their area of CAB who support their candidacy) from the CAB Secretary.
 - d. Within two weeks following the March CAB meeting the CEC will confirm the eligibility of all candidates and verify the registered voter signatures on all COS forms. A member of the CEC will sign and date each COS form after the verification process has been completed. If the occasion arises, they will notify any candidates of their ineligibility in writing.
 - e. Within two weeks following the March CAB meeting determine if there is more than one candidate from each area of CAB up for re-election. If not, it will not be necessary to officially open the polls on Election Day per Article IV Section 9 these by-laws.
 - f. Two weeks prior to the election - If it is determined that there is more than one candidate for any area of CAB up for election the polls will be open on Election Day. Two weeks prior to the election the CEC shall print the official ballot for all areas of CAB with more than one candidate. After the official ballot is printed, it shall be authenticated by the Chairperson or one other officer of CAB who is not up for re-election.
 - g. Election Day – Declare the opening of the poll. Ensure the election is conducted per CAB Election Procedures (Attachment C). At least two members of the CEC who are not running for office shall be present at all times during polling hours to act as election workers. Polling hours on Election Day shall be determined by the CEC. Voters shall be admitted to the polling place during the designated hours only.
 - h. April Meeting – Present the election results and the valid COS forms collected from areas of CAB with only one eligible candidate to the CAB and Fifth District Supervisor.
4. CAB shall be responsible for selecting a suitable polling place in Creston. The CEC will provide the CAB with a list of necessary materials required, i.e., ballots, geographical voting area maps, tables, stationery, etc. The day of the election, the CEC shall set up the polling place with necessary materials, per checklist. The CEC Chairperson shall be responsible for assuring that the ballots provided are the official ballots.

ATTACHMENT C

VOTING PROCEDURES FOR ELECTIONS

1. No campaigning shall be allowed within 100 feet of the polling place.
2. The CAB area in which the voter lives shall be verified by a CEC member using the geographical voting area map and descriptions prior to allowing the voter to vote.
3. There shall be no proxies, write-ins or absentee ballots.
4. Each voter shall print their full-time residence address and sign their name on the voters' sign-in sheet, affirming that they meet the age (18 or over), full-time residency and voter registration requirements specified in the CAB By-laws. Each voter shall be asked to verify full-time residence address by one of the following: a driver's license, voter registration card, or other photo ID. Residency shall be verified by cross-checking with the County Voter Registration list. Voters can only vote in the CAB area in which they reside. If the address where they reside does not coincide with the address on the voter registration list the voter will not be allowed to vote. The sign-in process shall not in any way connect a specific voter with a specific ballot. A CEC member will present the voter with a ballot appropriate for their area of residence. If there is any question of a voter's eligibility they will be given a provisional ballot.
5. There shall be one ballot per CAB area (each area shall be printed on a different color of paper and shall be labeled at the top with the Creston Area in which the voter resides). Each CAB area ballot will contain only the names of candidates for that CAB area and will instruct the voters on the number of candidates that they may vote for based on the number of seats open in their area.
6. All qualified voters shall be instructed to deposit their completed ballots in the ballot box. If a voter has been given a provisional ballot their ballot will be set aside and only reviewed if there it is determined that the provisional ballot will have an impact on determining the winner of the CAB area in question. The CEC will decide how to proceed if the provisional ballot must be included to determine a winner.
7. Voters inside the polling place, at the closing time, shall be allowed to finish voting.
8. After the poll closes, the ballots shall be counted in a closed area only by members of the CEC. Ballots shall be disqualified if they are wrongly or illegally marked or if they are not official ballots. Example: a ballot shall be disqualified entirely if more than the indicated number of candidates was marked, or if write-ins appear. A majority of the CEC present must agree in order to disqualify a ballot. Disqualified ballots shall be marked as such and held separately.
9. Upon completion of the count, the CEC Chair shall prepare a summary of the election results, including a count of disqualified ballots. The CEC Chair shall dismiss the CEC members and post the results outside the polling place immediately following the count. The CEC Chair shall immediately forward the election results to the CAB Chair. The CAB Chair shall notify the candidates of the election results in a timely manner, preferably the same evening.
10. In the event of a tie, the winner will be decided by drawing at the first CAB meeting following the election. The drawing will occur as one of the first items of business so that the winner of the seat for the CAB area in question can be seated with the other newly elected CAB members prior to the election of officers.

11. The CEC Chair shall store all ballots in sealed envelopes, a separate envelope for each CAB area. Voter registration sheets shall be stored in sealed envelopes. Sealing of the envelopes shall be verified by the signatures of at least two CEC members, across the back envelope flap. The stored materials shall be presented to CAB Chair at the next regular meeting. No one shall have access to these materials until that time.
10. Challenges to the election results (including requests for recount), shall be heard at the next regular advisory meeting. Neither the CEC Chair nor any other CEC member shall accept such challenges at the time the results are posted.
11. Ballots and Voter Registration Sheets shall be held for three months following the election date, or until any challenges have been resolved, whichever is longer, and then destroyed.

ATTACHMENT D

CONDITIONS OF SERVICE FOR ELECTED MEMBERS

I, _____, intend to run for election to the Creston Advisory Body (CAB). By my signature, I state that I am of at least eighteen years of age and a registered voter residing full time in the area I intend to represent and thereby qualify to run in CAB Area # _____, also known as _____. I understand that if I am the only candidate for the CAB seat in my area, I must collect the signatures of five registered voters in my area who support my candidacy, and return this "Conditions of Service" form to the CAB secretary by the deadlines as specified in the preceding by-laws (February meeting for incumbents. March meeting for non-incumbents).

I agree to abide by and comply with any and all CAB rules and regulations concerning election procedures.

I am aware that there is a campaign fund limit of three hundred dollars (\$300) which includes materials and in-kind services and I will not exceed that amount during any campaign in which I run for a CAB seat.

I agree, if elected to the CAB as a regular member that I will to the best of my ability comply both in spirit and letter with the by-laws of the CAB.

I agree to consult with my constituents and to bring the knowledge, opinions, and concerns of my constituents to the CAB in order to best represent their interests.

I agree to attend CAB meetings and to be prepared to make informed decisions representing my constituents.

I agree to serve as chairperson or member on any committee or work group to which I have committed, as provided by CAB by-laws, and to attend all meetings of committees as well as other CAB functions which call for my participation.

I agree to conduct myself in an honorable and ethical manner in all CAB matters. I will refrain from representing my opinions as CAB positions. I will not speak on behalf of the CAB unless specifically authorized to do so.

I agree to disclose and disqualify myself from council discussion and/or voting on any issue in which I, or my family members, have a financial, legal or other conflict of interest. I agree to remove myself from the seated position on CAB while discussion and/or action takes place on the item.

I agree that should I violate any of the above agreements that I will immediately resign my position on the CAB or consent to be removed by a vote of the membership.

(Signature) (Date)

(Address – Please include both physical and mailing address and indicate which is which)

(Phone number(s)) (Email)

The signatures of five supportive registered voters from this area of CAB, and their printed name, address and contact information shall be collected on the reverse side of this form.

For elections, verification by the CEC completed as indicated by signature & date below:

ATTACHMENT E

CONDITIONS OF SERVICE FOR ALTERNATES

I, _____, desire to be appointed to the Creston Advisory Body (CAB) representing _____ (CAB Area). By my signature, I state that I am of at least eighteen years of age and a registered voter residing full time in CAB Area # _____, also known as _____.

I agree to abide by and comply with any and all CAB rules and regulations concerning election procedures.

I agree, if appointed to the CAB as an alternate, that I will to the best of my ability comply both in spirit and letter with the by-laws of the CAB.

I agree to consult with my constituents and to bring the knowledge, opinions, and concerns of my constituents to the CAB in order to best represent their interests.

I agree to attend CAB meetings and to be prepared to make informed decisions representing my constituents.

I agree to conduct myself in an honorable and ethical manner in all CAB matters. I will refrain from representing my opinions as CAB positions. I will not speak on behalf of the CAB unless specifically authorized to do so.

I agree to disclose and disqualify myself from council discussion and/or voting on any issue in which I, or my family members, have a financial, legal or other conflict of interest. I agree to remove myself from the seated position on CAB while discussion and/or action takes place on the item.

I agree that should I violate any of the above agreements that I will immediately resign my position on the CAB or consent to be removed by a vote of the membership.

(Signature of Alternate) (Date)

(Address)

(Phone number(s)) (Email)

(Signature of Elected Member) (Date)