

# San Benito County Community Action Board (CAB)

## BYLAWS

### Article I. NAME AND PURPOSE OF THE ORGANIZATION

- A. These bylaws define the structure and operation of the San Benito County Community Action Board. The structure and operation of the board, also referred to as CAB, are developed to conform to the current regulations and policies of the California State Department of Community Services and Development.
- B. The San Benito County Board of Supervisors, as the designated Community Action Agency for the County of San Benito, has established the CAB as an advisory board to the Board of Supervisors, and has, by Board resolution, delegated operational responsibility to the County of San Benito Health and Human Services Agency (HHSA), Department of Community Services and Workforce Development (CSWD). The Department, therefore, is the County's advocate for low-income individuals and families.
- C. It is the policy of the HHSA, CSWD to make the entire community more responsive to the needs and interests of the low-income community by mobilizing resources and bringing about greater institutional sensitivity.
- D. The purpose of this Board is to provide an avenue for the participation of local government, private organizations, and private citizens of the community in serving the needs of the disadvantaged members of the community.
- E. The CAB shall have duty and authority to administer CSBG and other public funds, pending ratification of the San Benito County Board of Supervisors. Furthermore, the Department of Community Services and Development is the state agency administering the CSBG funds.
- F. It is the policy of the HHSA, CSWD to comply with all applicable federal, state, and local laws and regulations, which prohibit discrimination. Service recipients will be considered for services regardless of an individual's race, color, ethnic group, national origin, ancestry, religious creed, sex, sexual preference, age, veteran's or marital status, any medical conditions (including AIDS), mental or physical disability.

### Article II. MEMBERSHIP

This board shall consist of fifteen (15) members with five (5) members in each of three (3) categories. This board shall be divisible by (3) to implement the tripartite requirements as stated by California Government Code section 12751 and California Code of Regulations, title 22, section 100605.

Category I. Public Sector: Members of the San Benito County Board of Supervisors or their appointed representatives.

Category II. Private Sector: Representatives of business, industry, labor, religious, welfare, education (Gov. Code §12751) or other public, private groups or individuals that represent major groups and interests in the community.

Category III. Low-Income Sector: Elected representatives of low-income persons.

Each of the above members in individual categories will represent a separate supervisorial district. All representatives must live in the supervisorial district which they represent, and no two individuals in category two shall represent the same organization, or organizations sharing the same goal. Although representatives of the low-income residents need not be low-income themselves, they must

nevertheless be selected in a manner which ensures they truly represent persons of low-income. As with all Commissioners, the elected representatives are appointed by the Board of Supervisors. Residents from each supervisorial district from the preceding categories shall be elected to the board in accordance to the following guidelines:

**Category I: Public Sector**

1. The elected supervisor may appoint him- or herself to represent his or her own district on the CAB.
2. The elected supervisor from each district may appoint a representative residing in his or her respective district to represent the district, rather than appointing him- or herself to the CAB.
3. The appointed representative for each supervisorial district will then submit the San Benito County Board and Commissions Membership Application to either the San Benito County HHSA, CSWD, or the San Benito County Administrative Office.
4. CAB board members will then take action to consider ratifying the appointments of Category I Public Sector representatives at the next regular board meeting after the deadline for submitting applications.
5. All appointments to the CAB and all terms of office must be approved by the Board of Supervisors. Representatives of Public Sector shall serve while in office, i.e., coterminous with their elected term, and at the pleasure of their appointive body.

**Category II: Private Sector**

1. Representatives of organizations meeting the qualifications set forth above, from each supervisorial district, may apply to become a CAB board member by submitting the San Benito County Board and Commissions Membership Application to either the San Benito County HHSA, CSWD, or the San Benito County Administrative Office.
2. CAB board members will then take action to elect Category II Private Sector representatives, at the next regular board meeting after the deadline for submitting applications.
3. All appointments to the CAB and all terms of office must be approved by the Board of Supervisors and shall be effective on the date of approval.

**Category III: Low-Income Representatives**

1. Interested representatives of low-income persons from each supervisorial district may apply to become a CAB board member by submitting the San Benito County Board and Commissions Membership Application to either the San Benito County HHSA, CSWD, or the San Benito County Administrative Office.
2. Representatives of the Low-Income persons must either be living in poverty or be from an organization that represents low-income groups. All interested representatives must certify that they meet these criteria when submitting the San Benito County Board and Commissions Membership Application.
3. Representatives of low-income persons from each supervisorial district shall be democratically selected by members of the public, age 18 and over, attending public meetings of the CAB, who live within the supervisorial district to be represented.
4. CAB board members will then take action to ratify the appointment of the Category III Low-Income representatives elected by the members of the public from the respective supervisorial districts.
5. All appointments to the CAB and all terms of office must be approved by the Board of Supervisors and shall be effective on the date of approval.

In compliance with Government Code section 12753, Community Agencies and representative groups of low-income persons which feel themselves inadequately represented on the CAB may petition for adequate representation by submitting a written request to the CAB Chair. The Board Chair will then hold a meeting or conference to which all residents and especially those who are low-income are invited. To the maximum extent possible low-income groups and individuals to the represented will be involved in the meeting and in any selection process of the members.

### **Article III. TERMS OF OFFICE AND QUALIFICATIONS**

Members shall serve terms of three years except as hereinafter provided. Terms of the original board shall be staggered so that one-third, or as nearly as possible, of members shall be elected or selected each year. The length of terms shall be by lottery within designated groups.

Any member who is absent for three consecutive meetings or is absent from 50% of the last twelve (12) regularly scheduled monthly meetings, unless otherwise excused, shall be deemed to have resigned from the board.

Membership terms of office for the Representatives of the Board of Supervisors shall run concurrently with Supervisorial terms.

### **Article IV. VACANCIES**

Vacancies in the membership shall be filled by the CAB employing the following procedures:

1. Vacancies at the end of term

All vacancies at the end of the term shall be filled in the same manner as the original election or appointment, except that private sector members shall be chosen from among organizations that meet the criteria and have been asked to provide members.

2. Other vacancies

In the event a regular member resigns, or for any reason is unable to act, a successor shall be elected or selected within sixty (60) days of such vacancy pursuant to the provisions of Article II of these bylaws.

When the seat of an elected representative of low-income persons is vacant, the remaining representatives of low-income **persons**, acting alone, may select a person to fill out the vacant term. The person selected must reside in and represent the same supervisorial district for which he/she is being selected to fill the vacant seat.

### **Article V. MEETINGS**

The San Benito County CAB shall meet at least six (6) times per year. The regular meeting schedule shall be the second Thursday of the month at 5:30 P.M., at 1161 San Felipe Road, Hollister, Building B, CA 95023 or such other place as the directors may designate from time to time. The board will not hold a regular meeting during the month of August and December. The agenda packet for the regular meetings, special meetings and meetings of standing committees shall specify the time and place of the meeting and shall contain a brief description of each item of business to be transacted at the meeting, including items to be discussed in closed session. Copies of the agenda and board packet shall be sent electronically to members of the CAB (or to standing committee members in the case of a committee meeting); and shall be posted and distributed in compliance with the Brown Act. Agenda packets will be mailed to board members who may not have access to the internet or members of the public who request a copy of the agenda packet.

If the CAB elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public.

A public information release will be made to inform the general public of each meeting.

All meetings of the CAB and its committees shall be open to the public in accordance with Government Code Sections 54950, et seq. (the Ralph M. Brown Act).

**Article VI. OFFICERS AND COMMITTEES**

The San Benito County CAB shall select from its membership a Chairperson, Vice-Chairperson, and Secretary – annually.

The Chairperson shall preside at meetings of the board and shall be an ex-officio member of all committees, except the Nominating Committee. The Chairperson shall perform all other duties usually pertaining to the office.

The Vice-Chairperson shall act for the Chairperson in his/her absence and shall be Chair of the Program Committee.

The Secretary shall keep correct record of all meetings of the board and shall notify members of their appointments to committees, shall keep a record of representatives, and shall mail notices of special meetings and perform such other duties, unless delegated to staff.

In the event of a permanent vacancy in the following officer positions, the replacement officer will be chosen as follows:

1. Chairperson – The Vice-Chairperson will ascend to this position.
2. Vice-Chairperson – will be elected by the members of the board representing the low-income population.
3. Secretary – will be appointed by the Chairperson of the board.

**Committees:** To serve a one-year term with the option to serve additional terms.

Bylaws	The Bylaws Committee shall periodically review the bylaws and make independent recommendations to the board.
Program/Planning	The Program/Planning Committee will review each program submitted by the Chairperson of the board, or by action of the membership, and report its recommendations to the full board.
Nominating	The Nominating Committee shall consist of the elected representatives of low-income persons and shall present a slate of officers for election at the annual July meeting.
SBC Home Loan	The HOME Loan Committee shall be composed of three (3) active members and one (1) alternate member appointed by the Community Action Board. The Committee shall be comprised of members from each of the following classifications and an alternate member from one of the following classifications: <ol style="list-style-type: none"><li>1. One (1) San Benito County Board of Supervisor</li><li>2. One (1) Board member from the CAB (CAB) with background and/or expertise in the finance or real estate industry (e.g. certified public accountant, real estate agent, appraiser, loan agent, title/escrow officer, builder or developer); and</li><li>3. One (1) resident of San Benito County or a CAB member.</li></ol>

The HOME Loan Committee will serve as the advisory body for the County's Home Investment Partnerships Program (HOME) funds and eligible activities. The committee shall make a recommendation on behalf of the County's HOME Program. The CAB will then consider such recommendation and make the decisions.

Executive

The elected Officers shall constitute the Executive Committee. It shall be the duty of the Executive Committee to transact routine and ordinary business between meetings of the full Board, or in extraordinary circumstances, act on emergency measures in lieu of the Board, subject to ratification of the full Board. The Executive Committee shall make a full report of such transacted business at the next regular meeting of the Board. The committee structure shall reflect the same tripartite composition as the full Board when possible. The quorum requirement for such an Executive Committee must be at least 50% of the total authorized committee membership with each member being allowed (1) vote.

Strategic Planning Ad hoc Committee

The Strategic Planning ad hoc Committee shall consist of all Officers of the CAB (mandatory), plus 2 appointed and 1 alternate CAB members (preferably 1 from different districts)

1. Meetings shall be held quarterly to discuss and report the status of the overall Strategic Plan. The committee will also review community assessments as well as update, review and make recommendations to the CAB regarding the on-going implementation of the Strategic Plan Organizational Goals.
2. The chair of the committee should develop the committee agenda and assign someone to keep notes, questions, etc., for staff.

Ad-Hoc

The Chairperson may, with the concurrence of the board, appoint from time to time such ad hoc committees as may be necessary for the proper functioning of the CAB.

Youth Advisory ad hoc Committee

Youth Advisory ad hoc Committee (YAC): An ad hoc committee of high school/college age (14-24) youth to consist of 5 members, one from each district if possible. The committee meets periodically to discuss the needs of youth throughout San Benito County and serves in an advisory capacity only to the CAB. The Youth Advisory has no official voting rights. Committee members would commit to a term of one semester and could opt to serve more than one semester as long as they are in high school/college.

Racial Equity ad hoc Committee

The Racial Equity ad hoc Committee shall consist of a minimum of 3 members. The committee meets periodically to address racial equity/diversity and adopt Racial Equity Plans that fits the characteristics of our local community.

## Article VII. QUORUM

A quorum is a majority of the total current membership of the CAB. Board action may be taken by a majority of those present and voting, and by no less than a majority of a quorum. A roll call vote shall be taken when requested by any member in attendance.

The use of teleconferencing for the benefit of the public and the CAB members may be used in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of the Ralph M. Brown Act (the Brown Act), California Government Code section 54950—54963. “Teleconference” means a meeting of the CAB, the members of which are in different locations, connected by electronic means, through either audio or video, or both. All votes taken during a teleconferenced meeting shall be by rollcall.

During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction.

### **REMOVAL FROM BOARD FOR CAUSE**

For the purpose of this section, “cause” shall be defined as any action by a member, which reflects discredit upon the CAB.

Removal must be determined by 2/3 of the members of the CAB and must be affirmed by the Board of Supervisors.

### **Article VIII. ADOPTION AND AMENDMENTS OF BYLAWS**

In accordance with all applicable federal, state, and local laws, the CAB is authorized to adopt and amend these bylaws as necessary. Amendment of these bylaws will be for the purpose of maintaining their currency with changing applicable laws and to accurately reflect changes in the Board’s role and focus to best meet the needs of the low-income population.

Proposed amendments to the bylaws must be submitted to the state Department of Community Services and Development or designee before CAB adopts any amendments (California Code of Regulations title 22 §100615). Recommendations by the Department of Community Services and Development shall be submitted in writing to all board members thirty (30) days before voting is conducted at a regular scheduled meeting. The CAB shall consider the recommendations prior to voting on the proposed amendments. After the CAB adopts or amends these bylaws, they will be forwarded to the Board of Supervisors for final approval.

### **Article IX. RULES GOVERNING CONFLICT OF INTEREST, NEPOTISM, AND POLITICAL ACTIVITY**

- A. All board members must complete disclosure statements and abide by the California Political Reform Act and the County of San Benito’s Conflict of Interest Code adopted by Board of Supervisors. Board members will fully disclose financial interests in the disclosure categories designated by the County’s Conflict of Interest Code and will be asked to withdraw from the board if it is found that they have a direct conflict of interest in a substantial number of decisions before the board. If a board member is associated with an organization that may benefit from potential state and federal funds administered by the State Department of Community Services and Development (CSD) and CAB, such as Community Services Block Grant (CSBG), Low Income Home Energy Assistance Program (LIHEAP), or Community Development Block Grant (CDBG) funding, he/she cannot be a CAB board member.
- B. Board members must abide by the requirements of AB 1234, including the requirement that board members must complete Ethics Training every two (2) years.
- C. No person may sit on the board who:
  - 1. Is an employee of San Benito County Health & Human Services Agency.
  - 2. Is a federal or State employee whose capacity may require such person to act as an agent or an attorney for the board.
- D. Programs operated by the CAB shall be administered in a politically non-partisan manner. Board members should avoid actions, which can reasonably be construed as intended to favor one political

party or candidate over another, or to be based on any personal bias for or against any organization or individual seeking program benefits.

- E. In addition to the prohibitions in the Political Reform Act, regulations adopted by the California Fair Political Practices Commission, and the San Benito County Conflict of Interest Code, and in order to protect board members from perceived charges of nepotism, favoritism or accusations of performing favors to individuals while in the performance of official board membership activities, board members shall refrain from administering and/or abstain from voting on matters which affect the interests of close friends or relatives and shall further refrain from interviewing, representing or voting for a candidate who is a close friend or relative.

Program funds or County personnel may not be used in voter registration activities or with transporting potential voters to the polls. This does not preclude individual board members from performing these acts as private citizens on their own time.

PASSED AND ADOPTED by the San Benito County CAB at the meeting of said Board on 9th day of June, 2022

Ellen Laitinen

Ellen Laitinen, CAB Chair

**COUNTY:**

San Benito County Board of Supervisors

Peter Hernandez  
Peter Hernandez, Chair

Date: June 28, 2022

APPROVED AS TO LEGAL FORM  
SAN BENITO COUNTY COUNSEL

Shirley D.  
Deputy County Counsel