

**BY LAWS OF THE
SAN LUIS OBISPO COUNTY TOURISM BUSINESS IMPROVEMENT DISTRICT
(SLOCTBID) and LOCAL AREA ADVISORY BOARDS**

ARTICLE I – GENERAL INFORMATION

Section 1: Purpose of the San Luis Obispo County Tourism Business Improvement District

The San Luis Obispo County Tourism Business Improvement District (SLOCTBID) was formed, under the Parking and Business Improvement Area Law of 1989, to defray the costs of services, activities and programs promoting tourism which will benefit the operators of lodging businesses in the District through the promotion of scenic, recreational, cultural and other attractions in the District as a tourist destination. The Board of Supervisors adopted Title 3 Chapter 3.06 of the County Code (“SLOCTBID Ordinance”) to form and implement the SLOCTBID. The County Advisory Board was formed to assist the SLOCTBID to achieve its purpose and to comply with SLOCTBID Ordinance.

Section 2: Boundaries

The boundaries of the SLOCTBID shall be all properties in the unincorporated boundaries of the County of San Luis Obispo located within the North Coast, Estero, San Luis Bay Coastal, and South County Coastal planning areas set forth in the Land Use Element – Circulation Element of the San Luis Obispo County General Plan and within the San Luis Bay Inland, South County Inland, Los Padres, Huasna-Lopez and San Luis Obispo planning areas as set forth in Title 22, Chapters 22.106, 22.112, 22.100, 22.96, and 22.108 respectively.

The Local Fund Areas (LFA) of the SLOCTBID have been designated as:

- Avila Beach
- Arroyo Grande unincorporated/San Luis Obispo unincorporated
- Cambria
- Cayucos
- Los Osos/Baywood Park/Morro Bay Unincorporated
- Nipomo/Oceano
- San Simeon/Ragged Point

Section 3: Conflict of Interest and Code of Ethics

- a. Members of the SLOCTBID Advisory Board shall not use their membership on the SLOCTBID Advisory Board to influence government decisions in which they have a financial interest or where they have an organizational responsibility or personal relationship that would present conflict of interest.

- b. SLOCTBID Advisory Board members and SLOCTBID Administrator shall be required to file Form 700 – State of Economic Interest annually.
- c. Lodging owners not in compliance with the County’s transient occupancy tax ordinance and/or the ordinance establishing the CBID are not eligible to serve as a SLOCTBID Advisory Board member.

Section 4: Remuneration

SLOCTBID Advisory Board members shall serve without pay except for reimbursement for expenses associated with travel outside of San Luis Obispo County on SLOCTBID business, subject to the prior approval of the SLOCTBID Advisory Board.

Section 5: Amendments

These by laws may be amended by the Board of Supervisors, upon recommendations by a majority of the SLOCTBID Advisory Board.

ARTICLE II – THE COUNTY and LOCAL FUND AREA ADVISORY BOARDS

Section 1: Board Members

- a. The SLOCTBID Advisory Board shall consist of up seven (7) members, with a minimum five (5). Board members shall be an owner, or designee employed by, of a hotel, motel, bed and breakfast or vacation home rental within the SLOCTBID;
- b. The Local Fund Area (LFA) Advisory Boards shall be made up of a minimum of three (3) but not more than seven (7) members, 2/3 of which shall be lodging owners and/or appointed representatives of lodging owners from within the Local Area as designated above. It is at the discretion of the LFA Advisory Board to recommend appointing “non-lodging” members.
- c. Board members shall be appointed by the Board of Supervisors. The Board of Supervisors shall consider recommendations from the County Advisory Board and LFA Boards for subsequent appointments to each;
- d. The initial members of the County and LFA Advisory Boards shall serve staggered terms, with half of the initial Advisory Board members serving a two-year term, and the remaining members serving a four-year term. The length of the term for each individual member of the initial County and LFA Advisory Boards shall be chosen by lot at the first meeting of the County and LFA Advisory Boards. Thereafter, all members subsequently appointed to the County and LFA Advisory Boards shall serve for four-year terms;

- e. Members of the County and LFA Advisory Boards shall serve at the pleasure of the Board of Supervisors and may be removed by the Board of Supervisors at any time;
- f. If the members no longer represent the lodging establishment for which they were selected to the County or LFA Advisory Boards, their seat will be vacated and a new member will be appointed representing the same jurisdiction in the SLOCTBID District.

Section 2: Functions and Duties

The functions and duties of the SLOCTBID County and LFA Advisory Boards shall include, but not limited to, the following:

- a. Review the implementation of the SLOCTBID Ordinance adopted by the Board of Supervisors;
- b. Review the implementation of programs and activities funded through the SLOCTBID ordinance,
- c. Advise the Board of Supervisors on the amount of the SLOCTBID's area's assessments and on the services, programs, and activities to be funded by the Assessments,
- d. Plan and oversee a comprehensive program to promote:
 - general promotion of tourism within the SLOCTBID region and its local communities
 - marketing of the SLOCTBID for conferences, groups, and film business
 - marketing of the SLCOTBID to the travel industry in order to benefit the local lodging industry within the SLOCTBID
- e. Develop a sustainability and stewardship program which allows for the promotion of the SLOCTBID's cultural, environmental, recreational and historical assets which benefits local tourism and the lodging industry within the SLOCTBID;
- f. The County Advisory Board (CBID) shall be responsible for submitting to the County, within sixty days (60) of the close of the County's fiscal year, an annual report on the use of the tourism assessment, as required by Section 36533 of the law;
- g. Shall perform such other duties as required by law

Section 3: Termination of Membership

Membership on the SLOCTBID shall be terminated in the event that:

- a. The member is not, or shall no longer be, an owner, or designee employed by, of a hotel, motel, bed and breakfast or vacation home rental within the SLOCTBID;
- b. Absences:
 - Unexcused: if a member is absent without the consent of the SLOCTBID or LFA Advisory board from three (3) meetings, whether regular or special, within six (6) consecutive calendar months, such absence shall result in the termination of the membership of the absence member.
 - An absence shall be excused if, prior to the meeting from which said member will be absent, said member notifies the Chair of his/her intent to be absent and the reasons therefore, provided, however, that a member shall be entitled to only two (2) excused absences within twelve (12) consecutive calendar months.
 - At each meeting, after the roll has been called, the Chair shall report to the SLOCTBID or LFA Advisory Board the name of any member who has so notified him/her of his/her intent to be absent and the reason for such absence
- c. The SLOCTBID and LFA Advisory Boards, by an affirmative vote of the majority, may recommend removal of a member;
- d. Resignation:
 - Any SLOTCBID or LFA Advisory Board member may resign at any time by giving written notice to the Chair, who shall forward such notice to the SLOTCBID Advisory Board and County. Any such resignation will take effect upon receipt by the Chair or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effect.
 - Vacancies will be filled according to Section 4 of these By Laws.

Section 4: Member Re-appointments and/or Filling of Vacancies

All re-appointments of members and/or appointments in the event of a vacancy on the SLOCTBID and LFA Advisory Boards shall follow the Maddy Act provisions, the SLOCOTBID ordinance and any other process established by the Board of Supervisors.

ARTICLE III – OFFICERS

Section 1: Officers

- a. The officers of the SLOCTBID and LFA Advisory Boards shall be a Chair, and Vice-Chair,;

- b. SLOCTBID or LFA Advisory Board members shall serve no more than two (2) consecutive one-year terms as Chair, or Vice-Chair;
- c. SLOCTBID or LFA Advisory Board Chair or Vice-Chair may continue to serve additional one-year term if no other member is willing to fill the open officer position after the initial 2 year consecutive term.

Any SLOCTBID or LFA Advisory Board members who are appointed to fill a vacant seat as Chair, or Vice-Chair mid-term shall not be precluded from thereafter serving as Chair, or Vice-Chair for two (2) consecutive one-year terms.

- d. Upon the majority vote of the SLOCTBID or LFA Advisory Board present at a regular or special meeting, any officer may be removed from office, and a successor elected.

Section 2: Election

- a. The Chair and Vice-Chair shall be elected from among the members of the SLOCTBID Advisory Board annually;
- b. The regular term of appointment for the officers shall be one (1) year; and may continue to serve additional one-year terms if no other member is willing to fill the open officer position;
- c. Officers of the SLOCTBID and LFA Boards shall hold office until their successors are elected and in office. Any such officer shall not be prohibited from succeeding themselves.
- d. Vacancies: should any of the offices of Chair and Vice-Chair become vacant, the SLOCTBID or LFA shall elect a successor from among the members of the SLOCTBID or LFA Advisory Board at the next regular or special meeting, and the office shall be held for the unexpired term of said office.

Section 3: Chair

- a. The Chair shall preside at all meetings of the SLOCTBID or LFA Advisory Board meetings;
- b. The Chair, in consultation with the Vice-Chair, will prepare and post all meeting agendas, recommendations and information at such meetings as reasonable and proper for the conduct of business affairs and policies of the SLOCTBID and LFA Advisory Boards;
- c. The Chair of the SLOCTBID may sign Local Grant document applications under the approved limit of \$4,999 necessary to carry out the business of the SLOCTBID and LFA Advisory Boards;

- d. The Chair will act as liaison between the SLOCTBID or LFA Advisory Board, the County, and the designated County marketing contractor.

Section 3: Vice Chair

- a. The SLOCTBID and LFA Vice-Chair shall preside at all meetings in the absence or incapacity of the Chair;
- b. The Vice-Chair will assist the Chair in the preparation and posting of all meeting agendas, recommendations and information at such meetings as reasonable and proper for the conduct of business affairs and policies of the SLOCTBID and LFA Advisory Boards;
- c. The SLOCTBID Vice-Chair may sign Local Grant document applications under the approved limit of \$4,999 necessary to carry out the business of the SLOCTBID or LFA Advisory Board in the absence or incapacity of the Chair;
- d. The Vice-Chair will act as liaison between the SLOCTBID or LFA Advisory Board the County, and the designated County marketing contractor in the absence or incapacity of the Chair.
- e. In the event of death, resignation, or removal of the Chair, the Vice-Chair shall assume the Chair's duties until such time as the SLOCTBID or LFA Advisory Board shall elect a new Chair.

Section 4: Additional Duties

The officers of the SLOCTBID and LFA Advisory Boards shall perform such other duties and functions as may from time to time be required by the SLOCTBID or LFAs, these by-laws, or other rules and regulations, or which duties and functions are incidental to the office held by such officers.

ARTICLE IV – MEETINGS

- a. The SLOCTBID Advisory Board shall meet on the 4th Wednesday of each month, at a location accessible to the public, unless otherwise designated;
- b. The Local Fund Area Advisory Board will meet as follows, at a location accessible to the public, unless otherwise designated;
 - a. Avila Beach: 2nd Wednesday of each month
 - b. Cambria: 2nd Tuesday of each month
 - c. San Simeon: 3rd Tuesday of each month
 - d. Los Osos|Baywood: 4th Tuesday of each month
 - e. Cayucos: 2nd Monday of every other month
 - f. Oceano|Nipomo: 2nd Tuesday once a quarter

- g. Edna Valley|Arroyo Grande Valley: 2nd Wednesday once a quarter
- c. A notice or agenda of each regular and special meeting shall be posted according to the provisions of the Brown Act (Government Code Section 54954.2); distribution of notices or agendas may occur electronically to SLOCTBID and LFA Advisory Board members;
- d. Minutes of each regular and special meeting of the SLOCTBID and LFA Advisory Boards shall be prepared by the Advisory Boards and made available at the next regular or special meeting of the SLOCTBID or LFA Advisory Board;
- e. Meetings may be canceled upon the majority vote of the SLOCTBID or LFA Advisory Board. A notice of cancellation shall be posted according to the provisions of the Brown Act;
- f. A quorum shall be considered to be a majority of members present of the SLOCTBID or LFA Advisory Board;
- g. Right of the Public to Appear and Speak: at every regular meeting, members of the public shall have an opportunity to address the SLOCTBID or LFA Advisory Board on matters within the SLOCTBID or LFA Advisory Board's jurisdiction. Public input and comments on matters on the agenda, as well as public input and comments on matters not otherwise on the agenda, shall be made during the time set aside for public comment. The SLOCTBID or LFA Advisory Board Chair may direct public input and comments on a specific matter to a time that a matter comes up on the agenda. The Chair of the SLOCTBID or LFA Advisory Board may limit the total amount of time allocated for public discussion on particular issues and/or the time allocated for each individual speaker;
- h. Non-Agenda Items: matters brought before the SLOCTBID or LFA Advisory Board at a regular meeting which were not placed on the agenda of the meeting shall not be acted upon by the SLOCTBID or LFA Advisory Board at that meeting unless action on such matters is permissible pursuant to the Brown Act (Government Code Section 54950 et seq.). Those non-agenda items brought before the SLOCTBID or LFA Advisory Board that the Advisory Board determines will require Advisory Board consideration and action shall be placed on the agenda for a future meeting.
- i. All meetings to be Open and Public: All meetings of the SLOCTBID or LFA Advisory Board shall be open and public to the extent required by law. All persons shall be permitted to attend except as otherwise provided by law.