

CREEKSIDE NEIGHBORHOOD ASSOCIATION Proposed By-Laws

Article I: Name

The name of this organization is the **Creekside Neighborhood Association** (CNA), which is located partly in the City of San José and partly in unincorporated Santa Clara County. CNA is in the southeast corner of the Berryessa community of the County of Santa Clara, in California.

NOTE: For communications outside of our area we may use the name Creekside (Berryessa) Neighborhood Association as there is an Evergreen Creekside SJ Neighborhood Association.

Article II: Purpose and Jurisdiction

The purpose of this Association shall be:

1. To enhance the livability of the area by establishing and maintaining an open line of communication and liaison between the neighborhood, government agencies, and other neighborhoods.
2. To serve as a medium to exchange ideas and information and to represent the interests of the residents living within the boundaries of CNA.
3. To promote the beautification, well-being, and safety of the area, advocate for the interests of its residents, foster community spirit, and enhance the quality of life within the neighborhood through collective action.
4. The boundaries of the CNA will be between Penitencia Creek Road (south side) on the north, Tallent Ave. (both sides and all side streets including San Pablo Court) on the east, White Road (east side) on the west, and Golf Drive (both sides) on the south. A further internal sub-division will be east of Toyon Ave., as the western portion of the CNA is in San José District 5 and the eastern part is in County Unincorporated, District 2. *NOTE: CNA may choose to weigh in on creek-related issues through the Beautify Berryessa Neighborhood Association (BBNA). The Alum Rock Village Action Committee includes all of the East Foothills within its borders, which includes CNA's unincorporated area. CNA may also weigh in on matters along Penitencia Ck. Rd. east of Tallent Ave. up to the entrance to Alum Rock Park, including CD4 streets south of the road who wish to join.*

Article III: Members

CNA members are those who are adults and children residing within the boundaries of CNA and property/business owners. Those who participate in religious and nonprofit groups based within the boundaries of CNA are also included as stakeholders.

Article IV: Meetings

1. Board meetings are to be held on the first or second Wednesday of every month, either virtually or at the Berryessa Library from 7 p.m. to 8:30 p.m. The meeting date, time, and location are subject to the availability of the meeting place. It may also change due to holidays or other special events. CNA will also occasionally hold events in the community at different locations.
2. The nomination and election of officers will be held during the December meeting. The elected officers will be installed during the December meeting and will assume their official duties January 1st. An exception can be made for the initial seating of the board.
3. A quorum of **three (3)** members is required to conduct official Board business.

Article V: Officers

1. The Board shall be composed of **five** officers: President, Vice-President, Treasurer, Secretary, and an At-Large Board Member.
2. Officers of the CNA must be 18 years of age or older and reside within the CNA boundaries.
3. The term of office will be one year. Vacancies will be filled by appointment by the membership with recommendations made by the Board and will be for the remainder of the term until the next election.
4. All positions are voluntary and without compensation.
5. Any officer who has three consecutive, unexcused absences from Board meetings may be removed from office, with agreement by a majority of the rest of the Board.
6. Due to the makeup of the CNA, the President or Vice President must reside in the City of San José and the other in Unincorporated County. Composition of the board should be split between City and County residents to ensure that the needs/interests of all parts of the neighborhood are represented.
7. Board members should coordinate communications with the offices of elected officials on behalf of the CNA with the President and/or the Vice President to ensure that official Board positions are properly represented. The President should also work with the Vice President on any outreach to the portion of the CNA that they reside in to ensure their input.
8. The CNA is almost entirely within the Berryessa Union School District's boundaries and considers itself to be the southeastern edge of Berryessa. The CNA plans to participate in meetings of both the Berryessa Citizens Advisory Council and nonprofit groups like the United Neighborhoods of Santa Clara County, and may seek membership in local leadership

groups in Berryessa, CD4 and CD5. These are opportunities to network and connect on issues. This does not indicate that CNA works under these groups.

Article VI: Roles and Responsibilities

1. **PRESIDENT** shall coordinate all Association activities, preside at Association meetings and Board meetings, and shall have the general powers of supervision and management of the CNA as pertains to the office and such duties as may be designated by the Board. In addition, the President shall coordinate the agenda for the Board, with input from members, and Association meetings and be the primary co-signer of checks with the Treasurer. The President shall appoint all committee chairpersons from recommendations from the Board and seek to build a strong consensus on all issues before a decision is made. Finally, the President, Vice President, and Treasurer will be responsible for tracking the CNA's activities relating to all grants.
2. **VICE-PRESIDENT** shall attend the Association and Board meetings and assume the duties of the President in his/her absence. The Vice-President shall be responsible for helping to develop leadership in the Association, including leaders for subcommittees, and for developing avenues through which community members can have their concerns heard. The Vice-President shall be the secondary co-signer of checks in the absence of the President.
3. **TREASURER** shall be the custodian of the CNA funds and shall supervise the handling of the funds. The Treasurer shall assure the keeping of proper financial records—including doing financial reports on all grants--report the financial status to the Board, the Association and the Audit Committee and pay budgeted requests as directed by the Board. The Treasurer shall be responsible for signing all checks along with an authorized co-signer. In addition, the Treasurer shall see to it that an independent auditor at the end of the fiscal year audits the financial records. Either the President or Vice President and the Treasurer may authorize expenditures up to \$250. All expenditures over \$250 must be approved by a majority of the Board.
4. **SECRETARY** shall keep the minutes of the Association meetings and Board meetings, including recording members' attendance at all meetings and events, and maintain all official records of the Association. They may also be asked to help carry out some correspondence for the Association at the direction of the President. They shall also be the tertiary co-signer of checks in the absence of the President or Vice-President. The Secretary shall be responsible for tracking and maintaining all office supplies of the Association. Finally, the Secretary shall be responsible for assuring Robert's Rules of Order are followed during all Association meetings and Board meetings.
5. **AT-LARGE BOARD MEMBER** shall share responsibilities of other Board members—and may be asked to take a lead role on certain policy areas such as beautification, public safety or transportation and organize meetings around those topics.
6. In the absence of any of the above Board members, the other members shall assume the duties of the Board position that is not filled.

Article VII: Voting

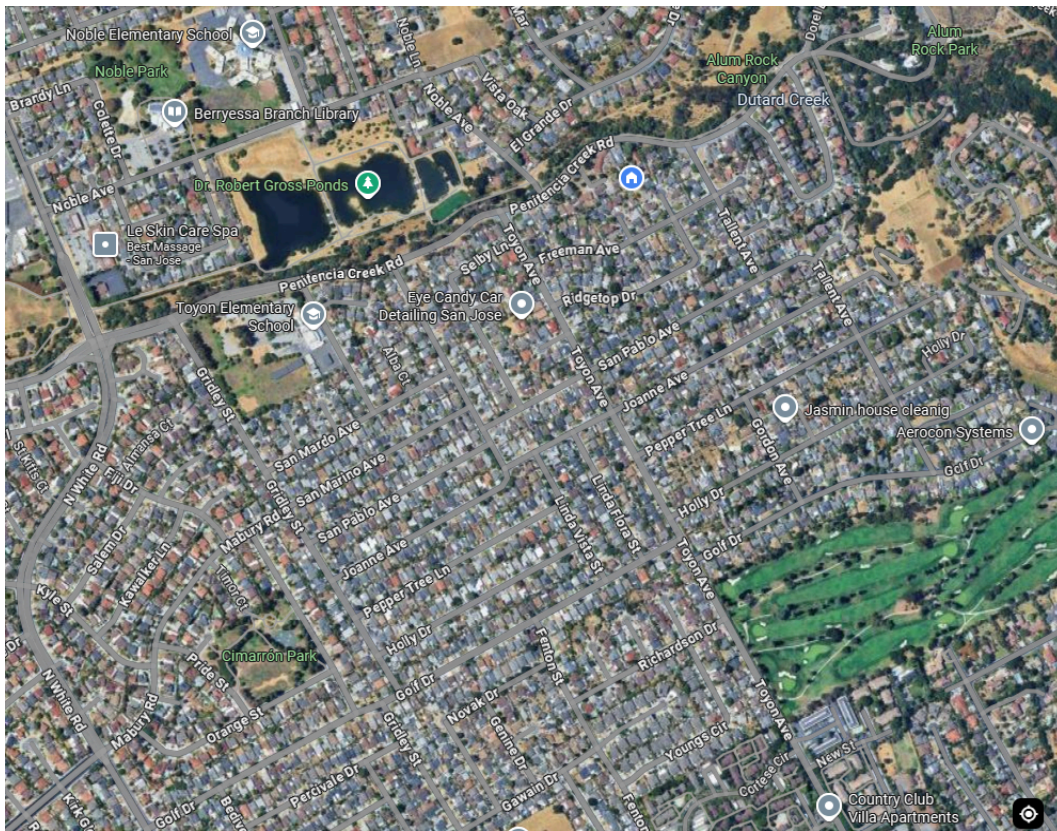
All adult community residents, 18 years of age or older, are eligible to vote. No issue shall be put forth for voting unless there are at least five (5) community residents present.

Article VIII: Amendment of By-Laws

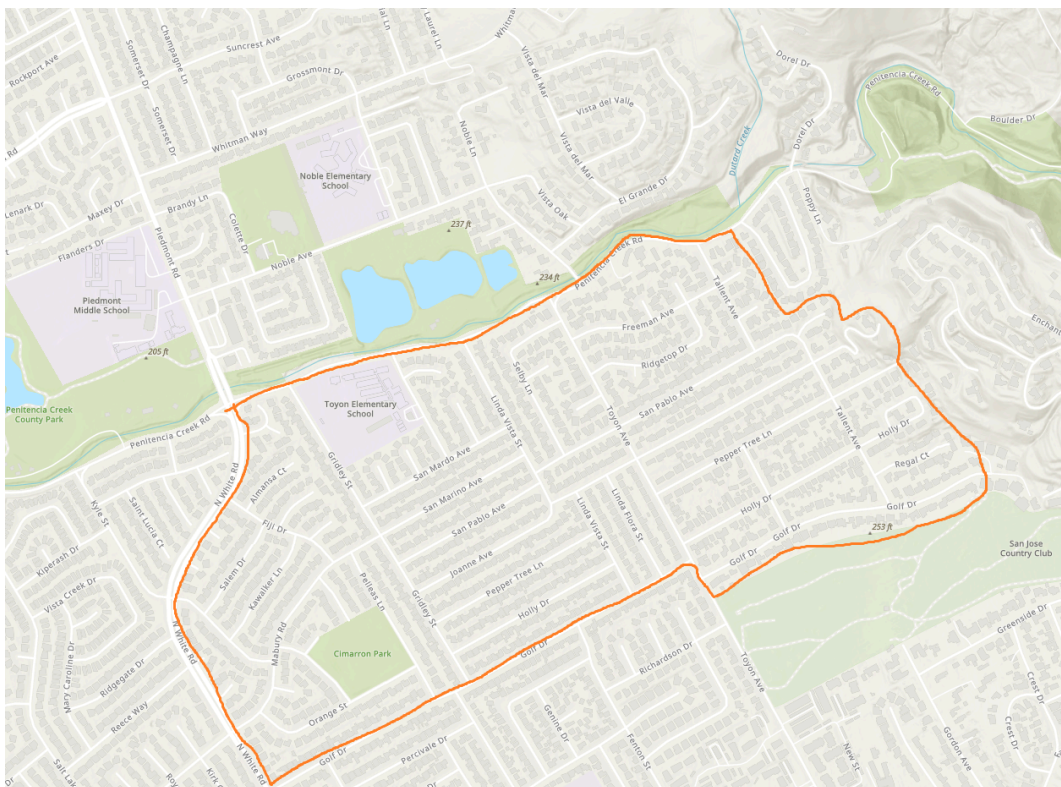
These By-Laws may be amended by a **two-thirds (2/3)** majority vote of Association members present at a general meeting.

Article IX: Property and Assets

1. CNA plans to obtain nonprofit status so that it can more easily apply for and spend grants on behalf of the community. The Treasurer will be the lead contact for this task, with the President and/or Vice President serving as co-signers on all decisions regarding funds.
2. The property of the CNA is not owned by any Association Board member or community member. It is held for the purposes of community education and the preservation and enhancement of the community. No part of the CNA income shall ever go to the personal benefit of any officer or member.
3. Upon dissolution of the Association, its assets shall be used first for payment of any outstanding debts or liabilities. The Board shall distribute any remaining assets free of charge to a non-profit organization, community group, school, or corporation organized for purposes consistent with those of the CNA.



Google Map overview of the Creekside Neighborhood Association area



Street level view of Creekside NA area with current boundaries drawn