

**MARIN COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT**

**BYLAWS OF THE FLOOD CONTROL ZONE 3 ADVISORY BOARD**

**ARTICLE I: NAME**

This organization shall be called “The Marin County Flood Control and Water Conservation District Flood Control Zone 3 Advisory Board” (“Advisory Board”), existing by virtue of the Marin County Flood Control and Water Conservation District Act (“Act”), Water Code Appendix Section 68-6, and exercising the powers and authority, and assuming the responsibilities delegated to it under the Act.

Flood Control Zone 3 encompasses the City of Mill Valley and numerous unincorporated communities including Marin City, Alto, Sutton Manor, Almonte, Tamalpais Valley, Homestead Valley, and portions of Strawberry Point. The Flood Control Zone 3 boundaries were established by Marin County Flood Control and Water Conservation District Resolution No. 4514.

**ARTICLE II: PURPOSE**

The Advisory Board’s focus is on matters within the boundaries of Zone 3 referred to it by the Board of Supervisors of the Marin County Flood Control and Water Conservation District (“District Board”). The Advisory Board shall be consulted by the District Board in all matters affecting the zone, unless doing so is highly impractical or, because of the need to act expeditiously or otherwise, it would likely be contrary to the best interests of Flood Control Zone 3 to bring the matter to the Advisory Board prior to the District Board taking action.

Pursuant to California Water Code Appendix Section 68-6.2, the Advisory Board shall make a report to the District Board on all matters referred to it within 30 days after referral of the matter. The District Board may proceed with an action if the Advisory Board does not make a report within 30 days of referral to it.

Subject to the above considerations, in general, the following types of matters will be referred by the District Board to the Advisory Board for consultation:

- 1) Projects actually or proposed to be funded by the Flood Control Zone 3 budget.
- 2) Initiating or responding to a legal proceeding the results of which are likely to affect the Flood Control Zone 3 budget. (The item will be agendaized as a Closed Session item for the Advisory Board in

accordance with the Brown Act and staff will provide a briefing to the Advisory Board.)

- 3) Offering or consideration of an offer to settle a lawsuit, the terms of which are likely to affect the Flood Control Zone 3 budget. (The item will be agendaized as a Closed Session item for the Advisory Board in accordance with the Brown Act and staff will provide a briefing to the Advisory Board.)
- 4) Any action requiring the approval of the District Board that is likely to affect the Zone 3 budget, other than contracts or programs that have been reviewed by the Advisory Board through the annual work program and budgeting process.

Any action not requiring the approval of the District Board will not be brought to the Advisory Board for consideration.

If any member of the Advisory Board believes that an item on the District Board's agenda affects Flood Control Zone 3 and has not previously been brought to the Advisory Board pursuant to these bylaws, and the member believes the item should have been, pursuant to California Water Code Appendix Section 68-6.2, the member shall notify staff for the District so the Advisory Board may be provided an opportunity to render a recommendation. Failure to do so constitutes a waiver of the Advisory Board's ability to file a report regarding the particular matter once the District Board has taken action.

### **ARTICLE III: MEMBERSHIP**

The Advisory Board shall consist of seven (7) members, who shall be residents of Flood Control Zone 3, appointed by the District Board.

Standing Rules and Application and Appointment Procedures are specified in Marin County Resolution No. 2016-03 (as updated from time-to-time).

### **ARTICLE IV: TERM OF OFFICE**

#### **1. Term of Appointment**

Each member shall be appointed for a four-year term, which terms are staggered.

#### **2. Vacancy**

Notwithstanding the term of appointment, any member may be removed at any time by a majority vote of the District Board. If a vacancy occurs, the District Board shall appoint a new Advisory Board

member to serve for the remaining duration of the member's four-year term.

### **3. Resignation**

A resignation of an Advisory Board member shall be in writing and filed with the Clerk of the District Board.

## **ARTICLE V: MEETINGS**

### **1. General**

All meetings of the Advisory Board shall comply with all applicable laws, including the provisions set forth in California Government Code Sections 54950-54962, the Brown Act, and the Americans with Disabilities Act.

### **2. Meeting Frequency**

An annual meeting shall be held on the third Thursday of the month of March. At the annual meeting, the Advisory Board and District staff shall schedule one additional regular meeting to be held that calendar year. In addition, special meetings may be called by the District Engineer when District business needs so dictate. Special meetings may also be called at the request of the Advisory Board Chair. If, as a meeting date approaches, there is no business proposed to be conducted, the annual or regular meeting may be canceled by District staff by noticing the Advisory Board and providing a written update on Zone activities.

### **3. Meeting Time and Place**

Meetings shall be held at a place within or near the boundaries of Flood Control Zone 3 or at the principal office of the District.

### **4. Quorum**

A quorum shall consist of a majority of the seated members of the Advisory Board for the transaction of business and the issuance of reports on all referred items.

### **5. Conduct of Meetings**

All meetings shall be conducted and governed by the rules set forth in Robert's Rules of Order. There will be training, as needed, for all

members of the Advisory Board on meeting conduct and Robert's Rules of Order

## **6. Voting**

An affirmative vote of the majority of all members of the Advisory Board present at the time shall be necessary to approve any action item before the Advisory Board.

## **ARTICLE VI: OFFICERS AND DUTIES**

The officers of the Advisory Board shall be the Chairperson and Vice-Chairperson.

### **1. Election and Term**

Officers shall be elected to a two-year term by a majority vote of the Advisory Board.

### **2. Duties of the Chairperson**

The Chairperson shall preside at all meetings of the Advisory Board consistent with Robert's Rules of Order. The Chairperson shall perform such duties as are necessary to run meetings and assist with identification of training needs for board members.

### **3. Duties of the Vice-Chairperson**

The Vice-Chairperson shall carry out the duties of the Chairperson during her/his absence or disability or during a vacancy in the office of the Chairperson.

### **4. Resignations**

An officer may resign from his or her position as Chairperson or Vice-Chairperson at any time upon giving written notice to the Advisory Board.

### **5. Vacancies**

Any vacancies of the Chairperson or Vice-Chairperson shall be filled by a majority vote of the Advisory Board.

**ARTICLE VII: BYLAWS**

These bylaws may be recommended for amendment by a majority vote of all Advisory Board Members so long as the proposed amendment does not conflict with any provisions of the Marin County Flood Control and Water Conservation District Act.

No amendment to these bylaws shall take effect or be binding until the amendment is ratified by the District Board.