

**SOUTHERN MARIN FIRE PROTECTION DISTRICT
MEASURE U CITIZENS OVERSIGHT COMMITTEE**

APPROVED BY SMFPD Board of Directors 3/27/2019

1.1 Purpose

These Bylaws govern the proceedings of the Citizens' Oversight Committee (committee), an advisory committee established by the Governing Board of the Southern Marin Fire Protection District (SMFD).

1.2 Adoption and Amendment of Bylaws

- The Committee shall have adopted Bylaws approved by the SMFD Board of Directors within 90 days of its formation.
- These Bylaws may be amended by the Committee by majority vote of its total membership, with approval of the SMFD Board of Directors.

ARTICLE II

DUTIES AND AUTHORITY

2.1 Duties

- Review all Measure U related expenditures for consistency with the voter-approved Measure U Ordinance of the County of Marin to Authorize the Levy of a Special Parcel Tax to Finance Public Safety Services.
- Review annual reports on Measure U parcel tax collections and expenditures. Copies of this document must be made widely available to the public at large.
- Review the findings of independent compliance audits of Measure U which determines whether tax revenues collected pursuant to the Measure U Ordinance are collected managed and expended in accordance with Ordinance requirements.

2.2 Authority and Limitations

- The Committee will have full access to SMFD's independent auditor and will have the authority to request and review specific information and to comment on the auditor's reports.
- The Committee shall only have advisory powers to the Southern Marin Fire Protection District.
- Except for Measure U Annual Reports and Independent Compliance Auditor input, the Committee shall not have the authority to communicate externally. All communications by the

Committee shall go to and through the SMFD Board of Directors. No expenditures or requisitions for services and supplies shall be made by the Committee. No individual member shall be entitled to reimbursement for per diem or other expenses.

ARTICLE III MEMBERSHIP

3.1 Qualifications

The Committee shall be composed of 5 members who are private citizens and who collectively represent the diversity of the Fire District. Members shall neither be elected officials nor public employees from any agency that either oversees or benefits from the proceeds of the parcel tax. Membership shall be limited to Southern Marin Fire Protection District residents and property taxpayers without economic interest in any of the Southern Marin Fire Protection District's projects. Members will be required to comply with the disclosure and conflict of interest requirements of the Political reform Act of 1974, California Code Section 81000 et seq. (as amended).

3.2 Terms

- Initial terms are two (2) years for two (2) members and four (4) years for three (3) members. Thereafter, all terms are four (4) years with no term limits.
- To provide for staggered terms, at the first meeting of the Committee, the members will draw lots to determine whether their initial appointment is for two or four years.
- All initial appointment terms shall commence on confirmation by the SMFD Board of Directors. Initial appointments shall expire two (2) years or four (4) years thereafter.
- Committee candidates are required to complete and submit an application. Applications shall be submitted to the Southern Marin Fire District Fire Chief. Existing members who wish to continue serving in their appointed capacity for an additional term are required to complete and submit a new application or may update and resubmit their original application if no pertinent information has changed, Applications shall be submitted to the Southern Marin Fire District Fire Chief.

3.3 Vacancies

- If a Committee member or alternate is unable to complete his or her term, a replacement member will be appointed by the SMFD Board of Directors to fill the vacancy and complete the appointed term.
- All qualifying applications for the vacancy will be submitted to the Southern Marin Fire Protection District for consideration, selection and appointment. When a vacancy exists in the Committee and no applications have been submitted, the vacancy will be continued until such time as an appointment is made. The SMFD Board of Directors may, at any time, move to continue an appointment to a subsequent date.

3.4 Conduct

- Members shall be responsible for having a working knowledge of the establishing ordinance, Bylaws, and any other governing regulations that define and set forth the intent and purpose of their appointment and shall only represent and take action of matters related thereto.
- Members shall not misrepresent the scope of their influence or authority, in matters assigned, or represent recommendations of the Committee as Southern Marin Fire Protection District policy until such time as formal action has been taken by the SMFD Board of Directors.

ARTICLE IV OFFICERS

- 4.1** The Committee shall elect a Chairperson. In the absence of the Chair, a Chair Pro Tem shall be selected by the Committee Majority.

The committee shall select a member to act as the Secretary who is responsible to transcribe meeting minutes.

4.2 Duties of the Chairperson

- The Chairperson’s duties include calling meetings to order and presiding over each meeting.

ARTICLE V MEETINGS

5.1 Regular Meetings

- Regular meetings of the Committee shall be held, twice annually, on the third (3rd) Wednesday of the month at 6:30 p.m. The Committee meeting shall be conducted at Fire Station 9 (308 Reed Blvd), Mill Valley, California.
- Whenever a regular meeting falls on a holiday observed by the Southern Marin Fire Protection District, the meeting shall be held on another day or canceled at the direction of the Committee.
- A rescheduled regular meeting shall be designated a regular meeting.
- All meeting locations shall be ADA compliant.

5.2 Special Meetings

- A special meeting may be called by the Chairperson with the approval of the Fire Chief. The meeting shall be called and noticed as provided in Section 5.3 below.

5.3 Calling and Noticing of Open Meetings

- All meetings shall be called, noticed and conducted in accordance with the applicable provisions of the Brown Act, which mandates open meetings for legislative bodies. Information announcing the hearings must be well publicized and posted in advance. The Southern Marin Fire Protection District Fire Chief shall be given notice of all meetings. The Committee may meet in a session closed to the public only for purposes permitted by the Brown Act.
- Writings which are public records, and which are distributed before the Committee meeting shall be made available for public inspection prior to the meeting.

5.4 Quorum; Vote; Committee of the Whole

- The presence of a majority of the Committee members shall constitute a quorum for the transaction of business. All official acts of the Committee shall require the presence of a quorum and the affirmative vote of a majority of the members present.
- A quorum for this Committee is three (3). The majority will report to the Southern Marin Fire Protection District Board of Directors. At any regularly called meeting not held because of a lack of a quorum, the members present may constitute themselves a “committee of the whole” for the purpose of discussing matters on the agenda of interest to the Committee members present. The Committee of the whole shall automatically cease to exist if a quorum is present at the meeting.

5.5 Attendance

- Members are expected to attend all meetings; however, it is anticipated that some members may not be able to attend all meetings for various reasons. If a member is unable to attend a meeting, he or she should notify the Southern Marin Fire Protection District Fire Chief or designee.
- If a member is absent from the two Committee meetings in any twelve-month period without notifying the Southern Marin Fire Protection District Fire Chief or designee, the position shall automatically be vacated, and a successor shall be appointed to fill the remainder of that member’s term.

5.6 Public Comment

- For a regular meeting, members of the public shall be given an opportunity to address the Committee either before or during the Committee’s consideration of the item, if it is listed on the agenda, or, if it is not listed on the agenda but is within the scope of the Committee, under the agenda item heading “Public Comments.”
- Each member of the public shall limit their comments to two minutes. Any person addressing the Committee may submit written documents to complement their comments.
- The Chairperson may change the time limit and/or the order of public comments as deemed appropriate but may not reduce the time limit to less than two minutes.

5.7 Rosenberg's Rules of Order

- All rules of order not herein provided for shall be determined in accordance with *Rosenberg's Rules of Order*, latest edition. Available: https://www.cacities.org/Resources/Open-Government/RosenbergText_2011.aspx

ARTICLE VI AGENDAS AND MEETING NOTICES

6.1 Agenda Preparation

- The Southern Marin Fire Protection District Fire Chief or designee shall produce the agenda for each meeting in consultation with the Authority and the Committee Chairperson, in accordance with SMFD Policy on Agendas.

6.2 Agenda Posting and Delivery

- The written agenda for each regular meeting shall be posted by SMFD staff at least 72 hours before the meeting is scheduled to begin. The agenda shall be posted in designated locations that are freely accessible to the public. Together with supporting documents, the agenda shall be delivered to each Committee member and the Southern Marin Fire Protection District Fire Chief at least 72 hours before each regular meeting and at least 24 hours before each special meeting.

6.3 Meeting Notices

- The Southern Marin Fire Protection District Fire Chief or designee shall provide notice of every regular meeting and every special meeting. The notice shall be provided at least one week prior to the date set for the meeting. All notices shall clearly indicate that reasonable accommodations will be provided upon request.

6.4 Meeting Minutes

- The Committee shall cause to be kept at SMFD offices a record of minutes of all meetings and actions of the Committee with the time and place of holding, the names of those present at the Committee meetings and the proceedings.
- Draft minutes will be prepared by the Southern Marin Fire Protection District Fire Chief or designee and will be distributed with agendas before the next meeting. Adoption of minutes shall occur at the next meeting with the support of the majority of the members present. Meeting minutes will be posted on SMFD's website.

ARTICLE VII MISCELLANEOUS

7.1 Public Information List of Members

- The Southern Marin Fire Protection District Fire Chief shall maintain a public information list of members appointed to the Committee. The list shall include the name of the appointee and dates the term expires. The list shall be updated whenever there are changes in membership.

7.2 Staff Support

- The Southern Marin Fire Protection District Fire Chief or designee shall prepare and distribute the Committee's agendas, notices, minutes, correspondence and other documents. The Southern Marin Fire Protection District Fire Chief or designee shall maintain a record of all proceedings of the Committee as required by law and shall perform other duties as provided in these Bylaws.