

**BOARD OF DIRECTORS OF THE
BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT**

Adopted this Resolution on July 14, 2013, by the following vote:

AYES: Karno, Grossman, Levitan, Grossman

NOES: None.

ABSENT: None.

ABSTAIN: None.

RESOLUTION NO. 2013/01

RESOLUTION ACKNOWLEDGING RESIGNATION OF BOARD MEMBER ZAN MARQUIS AND IMPLEMENTING PROCESS FOR APPOINTING SUCCESSOR

WHEREAS, on September 12, 2011, the Malibu City Council adopted Resolution No. 11-41 approving and ordering the formation of the Broad Beach Geologic Hazard Abatement District (BBGHAD); and

WHEREAS, state law (Public Resources Code §§ 26500 *et seq.*) allows the City Council to either appoint itself to act as the BBGHAD Board of Directors (BBGHAD Board) or appoint five landowners of real property within the BBGHAD boundaries to act as the BBGHAD Board; and

WHEREAS, the Malibu City Council appointed five landowners to serve as the BBGHAD Board; state law allows these Board Members to serve an initial term of four years; and

WHEREAS, Zan Marquis was one of the five landowners appointed by the Malibu City Council to serve on the BBGHAD Board for an initial four year term; and

WHEREAS, state law requires Board Members of the BBGHAD to be owners of real property within the BBGHAD; and

WHEREAS, on June 14, 2013, Zan Marquis provided notification of his resignation from the BBGHAD Board due to the sale of his real property within the BBGHAD boundaries; and

WHEREAS, since June 14, 2013, BBGHAD staff has undertaken various actions, including consultation with the Los Angeles County Registrar-Recorder's Office (Election Information and Preparation Division), election counsel, and preparation of various documents, in connection with filling the Board vacancy created by Mr. Marquis' resignation; and

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WHEREAS, the BBGHAD notified the Los Angeles County Registrar-Recorder's Office (Election Information and Preparation Division) of the vacancy within 15 days of Mr. Marquis' resignation (as required by Cal. Gov. Code §1780); and

WHEREAS, the BBGHAD Board has opted to fill the Board vacancy by appointing a successor Board Member; and

WHEREAS, a Notice of Vacancy (as required by Cal. Gov. Code §1780) was posted at three (3) separate points within the boundaries of the BBGHAD on July 10, 2013 and such notices shall remain in place until July 25, 2013; and

WHEREAS, the BBGHAD is a political subdivision of the State of California, governed by state law (Pub. Res. Code §§ 26500 *et seq.*), and constitutes a legal entity separate and distinct from the City of Malibu, with operations independent of City functions; and

WHEREAS, on July 14, 2013, the BBGHAD Board held a public hearing to consider the situation presented by Mr. Marquis' resignation; and

The Board of Directors of the BBGHAD HEREBY RESOLVES THAT:

1. The June 14, 2013 resignation of Zan Marquis from the BBGHAD Board is acknowledged.
2. The BBGHAD Board thanks, and will forever be grateful to, Mr. Marquis for his countless hours of service to the BBGHAD Board, the BBGHAD and its constituents, Broad Beach, and the Malibu community in general. The Chair will forward a letter to Mr. Marquis expressing the Board's gratitude for Mr. Marquis' dedication and service to the BBGHAD.
3. California Government Code § 1780 specifies the process for appointing a successor to serve the remainder of Mr. Marquis' BBGHAD Board term.
4. The actions of BBGHAD staff to date in implementing the process specified in Government Code § 1780 to appoint a successor to serve the remainder of Mr. Marquis' Board term are acknowledged and ratified.
5. BBGHAD staff is directed to continue following the process specified in Government Code § 1780 to allow the BBGHAD Board to consider applications and appoint a successor Board Member at a BBGHAD Board meeting on or before August 13, 2013.

ATTEST:


Clerk of the BBGHAD Board