

BOARD OF SUPERVISORS  
Yolo County, California

To: Fin. Svcs. ✓  
Co. Counsel ✓

CONSENT CALENDAR

Excerpt of Minute Order No. 16-116 Item No. 17, of the Board of Supervisors' meeting of September 13, 2016.

MOTION: Rexroad. SECOND: Villegas. AYES: Chamberlain, Villegas, Saylor, Rexroad, Provenza.

17.

Waive second reading and adopt first amendment to Ordinance No. 1450 establishing the Financial Oversight Committee. (No general fund impact) (Newens)

Approved **Ordinance No. 1471** on Consent.



# County of Yolo

www.yolocounty.org

To: Supervisor Jim Provenza, Chair  
and Members of the Board of Supervisors

## Consent-General Government # 17.

### Board of Supervisors

### Financial Services

**Meeting Date:** 09/13/2016

**Brief Title:** Ordinance Establishing Financial Oversight Committee

**From:** Howard Newens, Chief Financial Officer, Department of Financial Services

**Staff Contact:** Howard Newens, Chief Financial Officer, Department of Financial Services,  
x8217

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### Subject

Waive second reading and adopt first amendment to Ordinance No. 1450 establishing the Financial Oversight Committee. (No general fund impact) (Newens)

### Recommended Action

Waive second reading and adopt first amendment to Ordinance No. 1450 establishing the Financial Oversight Committee.

### Strategic Plan Goal(s)

Operational Excellence

### Reason for Recommended Action/Background

On July 26, 2016, the Board of Supervisors introduced a proposed amendment to Ordinance No. 1450, waived the first reading and received public comment regarding the adoption of such amendment to the ordinance establishing the Financial Oversight Committee. The amendment essentially revises the membership requirements and imposes disclosure requirements that are more applicable to the functioning of a modern financial oversight committee.

Since no public comment was received, staff now recommends that the Board waive the second reading and adopt the amendment as proposed.

### Collaborations (including Board advisory groups and external partner agencies)

Revisions were reviewed by members of the Financial Oversight Committee and approved by County Counsel.

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### Fiscal Information

No Fiscal Impact

Fiscal Impact of this Expenditure

Total cost of recommended action  
Amount budgeted for expenditure  
Additional expenditure authority needed \$0  
On-going commitment (annual cost)

Source of Funds for this Expenditure  
General Fund \$0

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**Attachments**

Att. A. Ordinance

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**Form Review**

<b>Inbox</b>	<b>Reviewed By</b>	<b>Date</b>
Howard Newens	Howard Newens	08/12/2016 05:26 PM
County Counsel	Hope Welton	08/15/2016 09:15 AM
Form Started By: Howard Newens		Started On: 08/12/2016 03:42 PM
Final Approval Date: 08/15/2016		

**FILED**

SEP 16 2016

ORDINANCE NO. 1471

BY Rupita Ramirez CLERK OF THE BOARD  
DEPUTY

**AN ORDINANCE OF THE YOLO COUNTY BOARD OF SUPERVISORS  
ADOPTING ADDITIONS AND MODIFICATIONS TO THE COUNTY CODE OF  
ORDINANCES TO ESTABLISH AND CLARIFY MEMBERSHIP REQUIREMENTS  
FOR THE COUNTY'S FINANCIAL OVERSIGHT COMMITTEE**

The Board of Supervisors of the County of Yolo, hereby ordains as follows:

**SECTION 1. PURPOSE**

The purpose of this Ordinance is to establish and clarify conduct requirements for members of the County's Financial Oversight Committee.

**SECTION 2. ADDITIONS, AMENDMENTS, AND RESCISSIONS TO TITLE 2  
OF THE COUNTY CODE**

*Section 2-2.3801 is hereby amended as follows:*

Sec. 2-2.3801. Creation of Financial Oversight Committee.

- (a) There shall be created a Financial Oversight Committee to advise the Board regarding the oversight of financial reporting, audit, the treasury, budgeting, and tax allocation.
- (b) The Committee shall, subject to Board approval, adopt and revise a charter for the Committee setting forth membership criteria and powers consistent with the County Code of Ordinances.
- (c) The Committee's charter shall include the following requirements for members of the Committee:**

- (i) **A member shall disclose to the committee at a regular meeting any activities that directly or indirectly raised money for:**
- a. **a candidate for local treasurer; or**
  - b. **a member of the governing board of any local agency that has deposited funds in the county treasury while a member of the committee.**

**For purposes of this subsection, raising money includes soliciting, receiving, or controlling campaign funds of a candidate, but not the member's individual campaign contributions or non-financial support. This section does not apply to a member raising money for his or her own campaign.**

- (ii) A member shall disclose to the Committee at a regular meeting any contributions, in the previous three years or during the period that the employee is a member of the committee, by an employer to:
  - a. the campaign of a candidate for the office of local treasurer; or
  - b. to the campaign of a candidate to be a member of a legislative body of any local agency that has deposited funds in the county treasury.
- (iii) A member cannot secure employment with, or be employed by, bond underwriters, bond counsel, security brokerages or dealers, financial services firms, financial institutions, and municipal advisors with whom the County is doing business during the member's Financial Oversight Committee membership period or for one year after leaving the Financial Oversight Committee. This subsection only applies to employment or soliciting employment, and not other relationships with such companies with whom the County is doing business.
- (iv) A member shall disclose to the Committee any honoraria, gifts, and gratuities from advisors, brokers, dealers, bankers, or other persons who conduct business with the County Treasurer while a member of the Committee. All members shall also comply with the requirements of the Political Reform Act or any other law or regulation regarding to receipt and disclosure of financial benefits and conflicts.

*Section 2-2.3804(c) is hereby amended as follows:*

- (c) A member may be terminated **for cause** by the Board at any time. The Committee may, by two-thirds vote, recommend to the Board that a member be terminated. At a public meeting within 60 days of the Committee's recommendation, the Board shall decide, in its sole discretion, whether or not to terminate the member.

*Section 2-2.3805(e) is hereby amended as follows:*

- (e) All meetings shall be held and conducted in accordance with the provisions of the **Ralph M. Brown Act**, Government Code section 54950 et seq.

*Section 2-2.3806 is hereby amended as follows:*

Sec. 2-2.3806. Duties and Responsibilities.

- (a) The Committee shall provide oversight on treasury operations, leadership and independence over the monitoring, review, and audit of the County's business activities, and ensure accountability and transparency over the budgetary and tax distribution process.

(b) The Committee shall perform all of its duties in an advisory role to the Board of Supervisors, and shall have no direct authority over the Chief Financial Officer or any County officer or staff regarding County financial operations.

(c) ~~To the extent consistent with existing law, the Committee supersedes and encompasses the authority of the County's Treasury Oversight Committee and Audit Committee.~~ **The Committee shall not be designated the treasury oversight committee under Government Code section 27131.**

(d) The Committee shall advise the Board on the selection of an independent, qualified, and licensed outside auditor to conduct an annual audit of the internal controls of the County. The auditor shall report to the Committee the results of the audit upon completion of the audit report. The Committee shall review the audit report and make recommendations to the Board related to the audit's findings.

(e) The Committee shall advise the Board on the recruitment, hiring, and termination of the Chief Financial Officer.

### **SECTION 3. SEVERABILITY**

If any section, sub-section, sentence, clause, or phrase of this Ordinance is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance, and each section, sub-section, sentence, clause, and phrase hereof, irrespective of the fact that one or more sections, sub-sections, sentences, clauses, and phrases be declared invalid.

### **SECTION 4. EFFECTIVE DATE**

This Ordinance shall take effect and be in force thirty (30) days following its adoption. Prior to expiration of fifteen (15) days after its passage of this Ordinance, it shall be published by title and summary only in the Davis Enterprise or other newspaper of general circulation together with the names of members of the Board of Supervisors voting for and against the same.

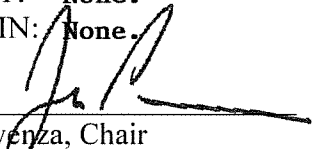
I HEREBY CERTIFY that the foregoing Ordinance was introduced before the Board of Supervisors of the County of Yolo and, at a further public hearing, said Board adopted this Ordinance on the 13 th day of September, 2016, by the following vote:

AYES: **Chamberlain, Villegas, Saylor, Rexroad, Provenza.**

NOES: **None.**

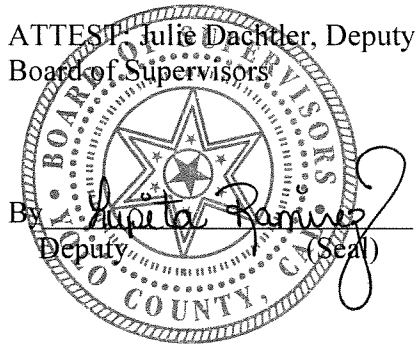
ABSENT: **None.**

ABSTAIN: **None.**

  
\_\_\_\_\_  
Jim Provenza, Chair  
Yolo County Board of Supervisors

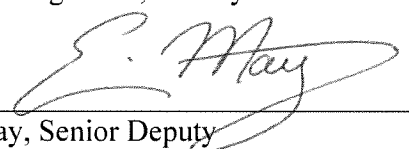
ATTEST ~~Julie Dachtler, Deputy Clerk,~~  
~~Board of Supervisors~~

By   
\_\_\_\_\_  
~~Anita Ramirez~~  
Deputy (Seal)



APPROVED AS TO FORM:

Philip J. Pogledich, County Counsel

By   
\_\_\_\_\_  
Eric May, Senior Deputy