



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

II

For the meeting of: August 28, 2018

Date: August 10, 2018

To: Board of Supervisors

From: Auditor-Controller *CS*

Subject: Introduction of Ordinance Adding Section 243-3 to Chapter 3 of Division 4 of Title II of the Humboldt County Code Relating to Waiting Periods for Consideration of Claims and Issuance of Warrants

RECOMMENDATIONS:

That the Board of Supervisors:

1. Introduce the attached ordinance by title and waive the first reading;
2. Set the attached ordinance for adoption on September 4, 2018, or at least one (1) week away from the date of the Board of Supervisors meeting at which the attached ordinance was first introduced;
3. Direct the Clerk of the Board of Supervisors to publish the pre-adoption summary of the attached ordinance and to post a certified copy of the full text of the ordinance in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the ordinance will be adopted [Government Code Section 25124(b)(1)]; and
4. Direct the Clerk of the Board of Supervisors to publish, within fifteen (15) days after adoption of the attached ordinance, a post-adoption summary of the ordinance with the names of the Supervisors voting for and against the ordinance and to post in the office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those Supervisors voting for and against the Ordinance [Government Code Section 25124(b)(1)].

SOURCE OF FUNDING:

General Fund

Prepared by Cheryl Dillingham

CAO Approval *[Signature]*

REVIEW:

Auditor

County Counsel *Sm*

Human Resources

Other

TYPE OF ITEM:

☐ Consent
☒ Departmental
☐ Public Hearing
☐ Other

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *Bass* Seconded by Supervisor *Fennell*

Ayes *Bass, Fennell, Suenkelberg, Bohn*

Nays

Abstain

Absent *Wilson*

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *8/28/18*

By: *[Signature]*

Kathy Hayes, Clerk of the Board

DISCUSSION:

California Government Code Section 29701 ("Section 29701") provides that a board of supervisors shall not consider any claim for money or damages against the county unless it is presented not less than three (3) days prior to the date of the meeting of the board of supervisors at which it is considered. Similarly, California Government Code Section 29742 ("Section 29742") provides that a county auditor shall not issue a warrant for any claim that has not been on file in the office for at least three (3) days. Pursuant to Sections 29701 and 29742, a board of supervisors, upon recommendation of the county auditor, may waive the above-referenced three (3) day waiting periods by ordinance. In an effort to continue improving efficiency and eliminating unnecessary practices, the Humboldt County Auditor-Controller recommends that your Board adopt the attached ordinance waiving the three (3) day waiting periods required by Sections 29701 and 29742.

FINANCIAL IMPACT:

Adoption of the attached ordinance will have a minimal impact to the Humboldt County General Fund. However, it could cause claims to be processed sooner which may allow the county to receive certain discounts.

The recommended actions support the Board of Supervisors' Strategic Framework by managing resources to ensure sustainability of services.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to adopt the attached ordinance regarding waiver of the above-referenced three (3) day waiting periods. However this alternative is not recommended because it would cause delays in processing claims for payment.

ATTACHMENTS:

1. Ordinance No. _____ Adding Section 243-3 to Chapter 3 of Division 4 of Title II of the Humboldt County Code Relating to Waiting Periods for Consideration of Claims and Issuance of Warrants
2. Pre-Adoption Summary of the Proposed Ordinance
3. Post-Adoption Summary of the Proposed Ordinance

Attachment 1

Ordinance No. _____ Adding Section 243-3 to Chapter 3 of Division 4 of Title II of the Humboldt
County Code Relating to Waiting Periods for Consideration of Claims and Issuance of Warrants

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT
ADDING SECTION 243-3 TO CHAPTER 3 OF DIVISION 4 OF TITLE II OF THE HUMBOLDT
COUNTY CODE RELATING TO WAITING PERIODS FOR CONSIDERATION OF CLAIMS
AND ISSUANCE OF WARRANTS**

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. Section 243-3 is hereby added to Chapter 3 of Division 4 of Title II of the Humboldt County Code as shown on the attached pages.

SECTION 2. This ordinance shall take effect and be in force thirty (30) days from the date of its passage. A summary shall be published at least five (5) days before the date set for adoption and again fifteen (15) days after passage of this ordinance. It shall be published once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2018.

AYES: Supervisors –
NOES: Supervisors –
ABSENT: Supervisors –

Chair of the Board of Supervisors of the
County of Humboldt, State of California

(SEAL)

ATTEST:

Kathy Hayes, Clerk of the Board of Supervisors
County of Humboldt

TITLE II – ADMINISTRATION

DIVISION 4 COUNTY DEPARTMENTS AND OFFICES

Chapter 1 Department of County Administrative Officer of Humboldt County

- § 241-1. Department of County Administrative Officer.
- § 241-2. County Administrative Officer.
- § 241-3. Appointment and Tenure.
- § 241-4. Qualifications.
- § 241-5. Salary and Allowances for Department.
- § 241-6. Duties.
- § 241-7. No Authority or Duty of Others Given to County Administrative Officer.
- § 241-8. Authority to Secure Reports and Information.
- § 241-9. Copy of Report or Recommendation to Affected Head.

Chapter 2 Consolidation of the Offices of Public Administrator Coroner of Humboldt County

- § 242-1. Consolidation of Offices.

Chapter 3 Separation of the Offices of Auditor and Recorder of Humboldt County

- § 243-1. Separation of Offices.
- § 243-2. Qualifications for County Auditor.
- § 243-3. No Waiting Period for Consideration of Claims or Issuance of Warrants.

Chapter 4 Consolidation of the Offices of Tax Collector and Treasurer of Humboldt County

- § 244-1. Consolidation of Offices.

Chapter 5 The Purchasing Agent of Humboldt County

- § 245-1. Purchasing Agent.
- § 245-2. Specific Duties.
- § 245-2.5. Emergency Duties.
- § 245-2.6. Non-Binding Purchases and Contracts.
- § 245-3. Central Purchasing; Exceptions.
- § 245-4. Bidding Procedures.
- § 245-4.5. Deviation from Specifications.
- § 245-5. Availability of Funds.
- § 245-5.5. Purchasing Procedure.
- § 245-6. Surplus Property.
- § 245-7. Standards.
- § 245-8. Inspection.
- § 245-9. Return of Merchandise.
- § 245-10. Record Retention.

Chapter 6 The Department of Public Works and the Office of the Director of Public Works of Humboldt County

- § 246-1. Establishment of Department of Public Works.

- § 246-2. Duties of Director of Public Works.
- § 246-3. Functions of Department of Public Works.
- § 246-4. Purchase of Real Property Less than \$50,000.
- § 246-5. Acquisition of Interest in Real Property as Condition of Development/Land Use Project(s) or Building Permit(s).
- § 246-6. Delegation to Subordinates.
- § 246-7. Five (5) Year Limitation on Authority.

Chapter 6.5 Office of County Surveyor

- § 246.5-1. Establishment of the Office of the County Surveyor.
- § 246.5-2. Appointment and Supervision.
- § 246.5-3. Qualifications.
- § 246.5-4. Duties.
- § 246.5-5. References to County Surveyor.

Chapter 7 The Planning and Building Department of Humboldt County

- § 247-1. Functions of the Planning and Building Department.
- § 247-2. Staff, Supplies and Office Space Prescribed by Board.
- § 247-3. Director of Planning and Building.
- § 247-4. Planning Commission Staff Support.

Chapter 8 The Department of Buildings and Grounds of Humboldt County *[Repealed]*

[Repealed by Ordinance 1611, § 1, 8/16/1983]

Chapter 9 The Department of Agriculture of Humboldt County

- § 249-1. Consolidation of the Offices of County Agricultural Commissioner and County Sealer of Weights and Measures into Department of Agriculture.
- § 249-2. Functions of Department of Agriculture.

Chapter 10 The Office of Public Defender of Humboldt County

- § 2410-1. Qualifications.
- § 2410-2. Authorization.

Chapter 11 – The Office of Public Guardian of Humboldt County *[Repealed]*

- § 2411-1 through 2411-4. *[Repealed by Ord. 2318, § 1, 6/8/2004]*

Chapter 12 The Department of Health and Human Services of Humboldt County

- § 2412-1. Creation of the Department of Humboldt County Health and Human Services.
- § 2412-2. Control of Public Welfare Programs.
- § 2412-3. Control of Public Health Programs.
- § 2412-4. Control of Public Mental Health Programs.
- § 2412-5. Control of Employment Training Programs.
- § 2412-6. Control of Public Guardian/Conservatorship Programs.
- § 2412-7. Public Guardian Bond.
- § 2412-8. Public Guardian Fees.

§ 2412-9. Control of Veterans Services Office.

Chapter 13 Employment Training Department and Office of Director *[Repealed]*

[Repealed by Ordinance 2273, § 2, 5/7/2002]

Chapter 14 Office of Director of the Humboldt Medical Center – Hoopa *[Repealed]*

§ 2414-1. *[Repealed by Ord. 2298, § 1, 4/1/2003]*

Chapter 15 The Health Officer of the County of Humboldt

§ 2415-1. Appointment.

§ 2415-2. Definitions.

§ 2415-3. Preparation and Promulgation of Rules and Regulations.

§ 2415-4. Provisions Supplementary to State Law.

§ 2415-5. Provisions Regarding Communicable Disease.

§ 2415-6. Powers Regarding Quarantine.

§ 2415-7. Right of Entry and Inspection.

§ 2415-8. Interference with Health Officer.

§ 2415-9. Penalty.

Chapter 16 The Clerk of the Board of Supervisors of Humboldt County

§ 2416-1. Office Created.

§ 2416-2. Duties.

§ 2416-3. Appointment.

Chapter 17 Consolidation of the Offices of County Clerk and Recorder

§ 2417-1. Consolidation of Offices.

Chapter 18 The Humboldt County Department of Child Support Services

§ 2418-1. Creation of the Humboldt County Department of Child Support Services.

§ 2418-2. Duties and Control of Child Support Programs.

CHAPTER 3
SEPARATION OF THE OFFICES OF AUDITOR AND RECORDER OF HUMBOLDT COUNTY

Sections:

§ 243-1. Separation of Offices.

§ 243-2. Qualifications for County Auditor.

§ 243-3. No Waiting Period for Consideration of Claims or Issuance of Warrants.

243-1. Separation of Offices.

The public interest will best be served by separating the duties of the offices of Auditor and Recorder of the County of Humboldt by providing that the duties of each of said offices shall be performed by a separate person. Therefore, at each general election there shall be a separate person elected for the office of Auditor of the County of Humboldt, and at each general election there shall also be a separate person elected for the office of Recorder of the County of Humboldt. (Ord. 94, §§ 2 & 3, 12/15/1904)

243-2. Qualifications for County Auditor.

(a) No person shall hereafter be elected or appointed to the office of County Auditor of the County of Humboldt unless the person meets at least one of the following criteria: (Ord. 2190, § 1, 02/23/1999)

(1) The person possesses a valid certificate issued by the California State Board of Accountancy under Chapter 1 (commencing with Section 5000) of Division 3 of the Business and Professions Code showing the person to be, and a permit authorizing the person to practice as, a certified public accountant or as a public accountant. (Ord. 2190, § 1, 2/23/1999)

(2) The person possesses a baccalaureate degree from a accredited university, college, or other four-year institution, with a major in accounting or its equivalent, as described in subdivision (a) of Section 5081.1 of the Business and Professions Code, and has served within the last five years in a senior fiscal management position in a county, city, or other public agency, a private firm, or a nonprofit organization, dealing with similar fiscal responsibilities, for a continuous period of not less than three years. (Ord. 2190, § 1, 2/23/1999)

(3) The person possesses a certificate issued by the Institute of Internal Auditors showing the person to be a designated professional internal auditor, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance. (Ord. 2190, § 1, 2/23/1999)

(4) The person has served as county auditor, chief deputy county auditor, or chief assistant county auditor for a continuous period of not less than three years. (Ord. 2190, § 1, 2/23/1999)

(b) Any person serving in the capacity of County Auditor shall complete at least 40 hours of qualifying continuing education, pursuant to subdivision (c), for each two-year period, and completing at least 10 hours in each of the two-year period. At least 20 of the 40 hours of continuing education shall be obtained in governmental accounting, auditing, or related subjects. (Ord. 2190, § 1, 2/23/1999)

(c) Qualifying continuing education may be obtained in the areas of accounting, auditing, or related subjects. In addition, qualifying continuing education may be obtained in any other subject, if it can be demonstrated that the specific educational program contributes to professional competence. (Ord. 2190, § 1, 2/23/1999)

(d) With respect to a county auditor who is a licensee of the California Board of Accountancy, or of the

accountancy licensing authority of any other state, or who possesses a certificate issued by the Institute of Internal Auditors, continuing education obtained for purposes of renewal of the license or certificate may be applied to satisfy the requirements of this section. (Ord. 2190, § 1, 2/23/1999)

243-3. No Waiting Period for Consideration of Claims or Issuance of Warrants.

The three-day waiting periods for consideration of claims and issuance of warrants prescribed by Sections 29701 and 29742 of the California Government Code shall not apply to any claim considered and/or processed by the Humboldt County Board of Supervisors or the Humboldt County Auditor-Controller.

Attachment 2

Pre-Adoption Summary of the Proposed Ordinance

SUMMARY FOR PUBLICATION PRIOR TO ADOPTION OF ORDINANCE

(This summary shall be published, and a certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk of the Board of Supervisors, at least five (5) days prior to the Board of Supervisors meeting at which the proposed ordinance is to be adopted.)

SUMMARY

On _____, 2018, at its regularly scheduled Board meeting, the Humboldt County Board of Supervisors will consider for adoption a proposed ordinance adding Section 243-3 to Chapter 3 of Division 4 of Title II of the Humboldt County Code Relating to Waiting Periods for Consideration of Claims and Issuance of Warrants.

The text of the proposed ordinance is available from the Clerk of the Board, Room 111, 825 Fifth Street, Eureka, California.

Attachment 3

Post-Adoption Summary of the Proposed Ordinance

SUMMARY FOR PUBLICATION AFTER ADOPTION OF ORDINANCE

(This summary shall be published within fifteen (15) days after the adoption of the proposed ordinance.)

SUMMARY

On _____, 2018, the Humboldt County Board of Supervisors adopted Ordinance No. _____ adding Section 243-3 to Chapter 3 of Division 4 of Title II of the Humboldt County Code Relating to Waiting Periods for Consideration of Claims and Issuance of Warrants.

A copy of the ordinance is posted in the office of the Clerk of the Board of Supervisors, Room 111, 825 Fifth Street, Eureka, California.

The votes were:

AYES:

NOES:

ABSENT: