

**CITY OF STOCKTON, CALIFORNIA
CITY COUNCIL POLICY**

Subject: MEASURE W OVERSIGHT COMMITTEE	Policy No. 500-2	Page No. 1 of 5
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BACKGROUND:

In November of 2004 the voters of Stockton adopted an ordinance entitled **FUNDING FOR POLICE AND FIRE PROTECTION SERVICES**. The ordinance provides for a one-quarter cent sales and use tax for provision of police and fire personnel and services to protect the community. The ordinance calls for Program Guidelines which were developed and adopted by the City Council. The Program Guidelines prescribe two methods of assuring that tax monies collected will be used as specified in the ordinance. The first method is an independent audit and the second method is a citizens' committee. The citizens' committee is charged by the Program Guidelines to review whether expenditures of the funds were made as promised to Stockton residents.

PURPOSE:

This Policy establishes the responsibilities and processes to be used by the citizens' committee.

POLICY:

The Measure W Oversight Committee will have qualified members and a prescribed term of office, will be given pertinent information to monitor the special tax revenues and expenditures, will meet and report their findings as required by ordinance, and will operate using standards of ethics.

PROCEDURE:

1. Appointments

The City Council shall make appointments to the Oversight Committee by resolution. The Oversight Committee shall be composed of seven members.

2. Qualification Standards

To be qualified a person must be at least 18 years of age and reside within the City's geographic boundary. The Oversight Committee may not include any employee or official of the City, or any vendor, contractor or consultant doing business with the City.

3. Conflicts of Interest

By accepting appointment to the Oversight Committee, each member agrees to comply with Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code and the Political Reform

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Act (Gov. Code §§ 81000 et seq.), and to complete the Form 700 as required by all “designated employees” of the City. Additionally, each member shall comply with the Oversight Committee Ethics Policy which is presented in paragraph 14, below.

4. Term

Oversight Committee members shall serve for a term of two years. Members shall serve no more than two terms.

At the end of the first term it is intended that one-half of the member’s terms be staggered. At the Committee’s first meeting, members will draw lots to select three members. These selected members will be limited to one term. The remaining members may serve a second term.

5. Chair

The mayor shall appoint the initial Chair. Thereafter, the Oversight Committee shall annually elect a chair and a vice-chair who shall act as chair only when the chair is absent.

6. Compensation

The Oversight Committee members shall not be compensated for their services.

7. Informational Materials

At least quarterly, financial reports will be sent to each Oversight Committee member. The reports will show detailed lists of revenue and expenditure transactions to the Fund.

8. Meetings

A. The Oversight Committee shall conduct a mid-year meeting usually in February and an annual meeting each year following the closing of the prior fiscal year’s books. The purpose of the mid-year and annual meetings is for Oversight Committee members to review the revenues and expenditures of the Fund, and to ask for explanations and documentation from City staff. The annual meeting will also include the task of adopting an annual report of their findings for presentation to the City Council.

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- B. Special meetings may be called by the Oversight Committee's chair. Special meetings may also be called by Oversight Committee members if three or more members petition the chair for a special meeting.
- C. All meetings shall be held in the Stockton City Council Chambers or another room having space for the public to attend.
- D. All meetings shall be open to the public in accordance with the Ralph M. Brown Act, Government Code Section 54950 et seq. Each member of the Oversight Committee will be given a current copy of the Ralph M. Brown Act.
- E. A majority of the Oversight Committee members shall constitute a quorum for the transaction of any business.
- F. Except as otherwise provided by adopted Oversight Committee policies, City Council Policy, or applicable law, meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised.

9. Authorized Activities

- A. Review copies of revenue and expenditure reports for Measure W.
- B. Receive and review copies of the City's annual independent audit which is required the ordinance.
- C. Observe Public Safety activities for which tax proceeds have been or will be expended, in accordance with access procedures established by the City Manager.
- D. Oversight Committee members shall not have the authority to direct staff of the City.
- E. Individual members of the Oversight Committee retain the right to address the Council, either on behalf of the Committee or as an individual.

10. Annual Report

Annually the Oversight Committee will submit a report to the City Council with the results of their work. The report is also made available to the public.

11. Vacancies and Removal

- A. The City Council shall fill any vacancies on the Oversight Committee.

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- B. The City Council may remove any Oversight Committee member for any reason, including failure to attend two consecutive Oversight Committee meetings without reasonable excuse or for failure to comply with the Committee Ethics Policy. Upon a member's removal, his or her seat shall be declared vacant.

12. City Support

The City shall provide to the Oversight Committee necessary technical and administrative assistance as follows:

- A. Preparation of and posting of public notices as required by the Brown Act ;
- B. Ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the City Council;
- C. Providing of a meeting room, including any necessary audio/visual equipment;
- D. Preparing and copying documentary meeting materials, such as agendas and reports;
- E. Retaining all Oversight Committee records, and providing public access to such records on an Internet website maintained by the City; and
- F. Attending all Oversight Committee proceedings and answering Committee questions on the use of funds.

13. Termination

The Oversight Committee shall automatically disband if the enabling ordinance is revoked.

14. CITIZENS' BOND OVERSIGHT COMMITTEE ETHICS POLICY STATEMENT

This Ethics Policy Statement provides general guidelines for Oversight Committee members to following carrying out their roles. Not all ethical issues that Committee members face are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for Oversight Committee members. The provisions of this Statement were developed from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices. Committee members are expected to strictly adhere to the provisions of this Ethics Policy.

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A. **CONFLICT OF INTEREST.** An Oversight Committee member shall not make or influence a City decision related to any City purchase or contract which will benefit the committee member's outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent.

B. **OUTSIDE EMPLOYMENT.** An Oversight Committee member shall not use his or her influence over a Committee matter to negotiate future employment with any person or organization that relates to a City purchase or contract. For a period of two (2) years after leaving the Oversight Committee, a former Committee member may not represent any person or organization for compensation in connection with any matter pending before the City that, as a Committee member, he or she participated in personally and substantially.

C. **COMMITMENT TO UPHOLD LAW.** An Oversight Committee member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California and all other applicable government entities, and the charter, policies, procedures, rules and regulations of the City.

Adopted by Resolution No. 05-0372 dated 8/23/05

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