

VALLEY CLEAN ENERGY ALLIANCE**Staff Report – Item 15**

TO: Board of Directors

FROM: Mitch Sears, Executive Director

SUBJECT: Appoint Director of Finance & Internal Operations to serve as VCE's Board Auditor and Treasurer

DATE: December 14, 2023

RECOMMENDATION:

Adopt a resolution appointing VCE's Director of Finance & Internal Operations as VCE's Board Auditor and Treasurer.

BACKGROUND:

Under Section 3.9.3 of the Joint Powers Agency agreement, VCEA requires the appointment of Auditor and Treasurer to a qualified person. Pursuant to Government Code section 6505, the Board may appoint one VCE officer or employee to serve as both Auditor and Treasurer.

The Auditor/Treasurer acts as the depository of the VCE's funds and has custody of all the money of the Authority. The duties and obligations of the Auditor/Treasurer are further specified in Article 5 of the JPA. The Auditor/Treasurer reports directly to the Board in the performance of his or her duties as Auditor/Auditor and must comply with the requirements for Treasurers of general law cities. Government Code §6505 specifies the duties and obligations of the Auditor/Treasurer.

ANALYSIS & DISCUSSION

Since VCE's formation, the Board has appointed the County of Yolo Department of Financial Services Chief Financial Officer (CFO) as the Auditor and Treasurer. VCE has retired all outstanding debts with the County Treasury, member agencies, and built cash reserves to sustainable levels. VCE's financial strength and County of Yolo transition to a new CFO are both triggering events to appoint a new Auditor and Treasurer. Government Code §6505.6 allows an agency or entity to appoint an officer or one of its employees to either or both such positions.

Edward Burnham joined VCE on January 11, 2021 and brings to the position many years of experience in government and private sector financial leadership. He currently holds a Certified Public Accountant license with the California Board of Accountancy. VCE will continue to contract an independent Auditor

(currently James Marta & Company) for an annual audit of VCE's financial statements and review of internal controls.

CONCLUSION

Staff recommends the Board Approve the resolution to appoint Mr. Burnham to fulfill the duties associated with the Auditor and Treasurer. Upon appointment, Mr. Burnham shall serve until such time the Governing Board appoints a successor.

Attachment: Resolution 2023-XXX

VALLEY CLEAN ENERGY ALLIANCE

RESOLUTION NO. 2023 - ____

**A RESOLUTION OF THE BOARD OF DIRECTORS OF VALLEY CLEAN ENERGY ALLIANCE
APPOINTING THE DIRECTOR OF FINANCE AND INTERNAL OPERATIONS AS AUDITOR
AND TREASURER**

WHEREAS, the Valley Clean Energy Alliance (“VCE”) was formed as a community choice aggregation agency (“CCA”) on November 16, 2016, under the Joint Exercise of Power Act, California Government Code sections 6500 et seq., among the County of Yolo, and the Cities of Davis and Woodland, to reduce greenhouse gas emissions, provide electricity, carry out programs to reduce energy consumption, develop local jobs in renewable energy, and promote energy security and rate stability in all of the member jurisdictions. The City of Winters, located in Yolo County, was added as a member of VCE and a party to the JPA in December of 2019; and,

WHEREAS, it is in the interest of Valley Clean Energy Authority (“VCE”) to designate an VCE employee to assume the responsibilities and duties of auditor and treasurer in accordance with Government Code Section 6505.5; and

WHEREAS, pursuant to Government Code Section 6505.6, VCE may appoint one of its officers or employees to either or both positions of Treasurer or of Auditor-Controller, and such person or persons shall comply with the duties and responsibilities of the office or officers as set forth in subdivisions (a) to (d), inclusive, of Government Code Section 6505.5; and

WHEREAS, Edward Burnham, who currently serves as the Director of Finance and Internal Operations of VCE, is qualified to serve as treasurer and can perform the required functions and duties of treasurer.

NOW, THEREFORE, the Board of Directors of Valley Clean Energy Alliance hereby appoints the Director of Finance and Internal Operations, Edward Burnham, as Auditor and Treasurer of VCE.

PASSED, APPROVED AND ADOPTED, at a regular meeting of the Valley Clean Energy Alliance, held on the _____ day of _____ 2023, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Tom Stallard, VCE Chair

Alisa M. Lembke, VCE Board Secretary