

## ORDINANCE NO. 4500

### ORDINANCE REPEALING MENDOCINO COUNTY CODE SECTION 2.16.041, ADDING SECTION 2.16.070 AND AMENDING CHAPTER 2.36 FOR THE PURPOSE OF CONSOLIDATING THE OFFICES OF THE AUDITOR-CONTROLLER AND THE TREASURER-TAX COLLECTOR

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

**Section 1:** Section 2.16.041 is hereby repealed.

**Section 2:** Section 2.16.070 is hereby added to read as follows:

#### **Sec. 2.16.070 – Office of County Auditor-Controller and County Treasurer-Tax Collector Consolidated.**

Pursuant to Government Code Sections 24304.2 and 24305, the duties and the budgets of the Offices of County Auditor-Controller and County Treasurer-Tax Collector are hereby consolidated effective 12 o'clock noon on January 2, 2023. The title of the officer performing the duties of the offices hereby consolidated shall be the "County Auditor-Controller-Treasurer-Tax Collector."

**Section 3:** Chapter 2.36 is hereby amended in its entirety to read as follows:

#### **CHAPTER 2.36 - COUNTY AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR**

##### **Sec. 2.36.010 - Qualifications for Office.**

Pursuant to the provisions of Government Code Sections 26946 and 27000.6, the provisions of Government Code Sections 26945 and 27000.7 are hereby made applicable to the position of County Auditor-Controller-Treasurer-Tax Collector. Accordingly, to be eligible for election or appointment to the office of County Auditor-Controller-Treasurer-Tax Collector, a person must possess the qualifications established by State law for both County Auditor and County Treasurer. Evidence of such qualifications shall be presented to the registrar of voters with a candidate's nomination papers.

##### **Sec. 2.36.010 – Continuing Education.**

Pursuant to the provisions of Government Code Sections 26946 and 27000.6, the provisions of Government Code Section 26945, concerning continuing education requirements for County Auditors, and the provisions of Government Code Sections 27000.8 and 27000.9, concerning continuing education requirements for County Treasurer, are hereby made applicable to the position of County Auditor-Controller-Treasurer-Tax Collector.

**Section 4. Severability.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**Section 5. Effective Date.** This ordinance shall take effect on the 31st day after the date of final passage, but shall become operative 12 o'clock noon on January 2, 2023.

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 14<sup>th</sup> day of December, 2021 by the following roll call vote:

AYES: Supervisors McGourty, Mulheren, Gjerde, and Williams  
NOES: Supervisor Haschak  
ABSENT: None

**WHEREUPON**, the Chair declared the Ordinance passed and adopted and **SO ORDERED**.

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

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DAN GJERDE, Chair  
Mendocino County Board of Supervisors

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Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

*APPROVED AS TO FORM:*  
CHRISTIAN M. CURTIS  
County Counsel

BY: CARMEL J. ANGELO  
Clerk of the Board

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Deputy