



BOARD OF SUPERVISORS
COUNTY OF VENTURA

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800 SOUTH VICTORIA AVENUE, VENTURA, CALIFORNIA 93009

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December 15, 2009

Board of Supervisors
Ventura County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Dear Board Members;

Subject: ADOPT ORDINANCE ESTABLISHING QUALIFICATIONS AND CONTINUING EDUCATION REQUIREMENTS FOR THE OFFICE OF TREASURER-TAX COLLECTOR.

Recommendations:

1. On December 15, 2009:
 - a) Introduce, read in title only, and waive further reading of the attached Ordinance.
 - b) Hear and consider testimony on the proposed Ordinance.
 - c) Set a second hearing for January 12, 2010.
2. On January 12, 2010: Pass and adopt the Ordinance directing changes be made pursuant to Government Code section 27000.7, 27000.8 and 27000.9 , providing qualifications and continuing education requirements for the office of Treasurer-Tax Collector.
3. Direct the CEO to review and report back to the Board on any additional laws providing for qualifications or continuing education requirements for elected officials within the oversight authority of the Ventura County Board of Supervisors.

Fiscal/Mandates Impact:

No fiscal impact associated with this action.

Discussion:

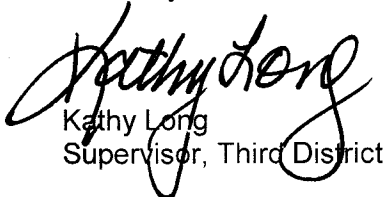
With the announcement that our current Treasurer Tax Collector Larry Matheney was retiring, Government Code (G.C.) 27000.7 was brought to my attention, (Attachment B), which calls for eligibility and criteria for the officeholder for County Treasurer and Tax Collector. Prior to the 1994 Orange County loss of \$1.6 Billion and bankruptcy filing, all counties in the state applied

the qualifications for Treasurer Tax Collector in G.C. 24001; and Elections Code (E.C.) 201: "Except as otherwise provided, a person is not eligible to a county or district office unless at the time of issuance of nomination papers or appointment he/she is a registered voter of the county or district in which the duties of the office are to be exercised."

In an analysis of the Orange County bankruptcy, the Public Policy Institute of California opined reasonable qualifications were essential for this position. Legislators unanimously agreed and in 1995 passed SB863 establishing professional and educational criteria individuals must meet if adopted by the Board of Supervisors, in order "to be eligible for election or appointment of the office of County Treasurer". With the current dysfunctional financial relationship between the State of California and local government, and yet another significant state budget deficit projected to be \$21 Billion plus next year, it is critical that we have the expertise in this elected office that understands the complexities of financial and investment management practices and tax collection. The Board of Supervisors has the responsibility to minimize the potential risk for inadequate management decisions relating to monetary losses, as we learned in dealing with the fraud and abuse that occurred in the Treasurer Tax Collector/Public Guardian's office.

Government Code section 27000.6 explains that the qualification and continuing education requirements become effective only if a county's Board of Supervisors enacts an ordinance adopting the provisions in that county. The Ventura County Board of Supervisors in 1995 did not take the necessary action to adopt the state provisions, and awareness of this code was not passed forward to future Boards. Today we have the opportunity and the responsibility to ensure that Ventura County taxpayers will have candidates who when asked for their vote, have at least one of the professional criteria. The voters expect candidates to have common sense, integrity and ethics; and I believe they also expect a level of experience that can stand up to the responsibility of the job. By enacting the attached Ordinance, we can assure them of the latter. The Treasurer-Tax Collector oversees more than \$1.0 Billion in property tax collections, \$4.0 Billion in financial transactions, and as an ex officio member of the Retirement Board oversees \$2.0 Billion in Retirement Board investments. There is too much at risk to not enact this ordinance. The other elected offices of Sheriff, District Attorney, Assessor, and Auditor Controller have professional standards and eligibility requirements. Certainly the conservative position to protect the taxpayers would call for the same for this office. I ask that you do the right thing for the taxpayers and join me in adopting this ordinance.

Sincerely,



Kathy Long
Supervisor, Third District

Attachment A – Ordinance adopting provisions of Government Code Sections 27000.7 – 27000.9 providing qualifications and continuing education requirements for the office of Treasurer-Tax Collector.

Attachment B – California Government Code Sections 27000.6 thru 27000.9