

MARIPOSA COUNTY  
BOARD OF SUPERVISORS

AGENDA  
ACTION FORM

DATE: May 14, 1996  
AGENDA ITEM NO.: 7

5-28-96 Adopt  
900

DEPARTMENT: County Counsel BY: Jeffrey G. Green PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes \_\_\_ No X)

Ordinance

~~Skx~~ Waive first reading and introduce Ordinance <sup>5/28</sup> Waive second reading and adopt Ordinance rescinding the Ordinance which set the following elected officials' salaries: Assessor/Recorder, Auditor, District Attorney, Sheriff, and Treasurer/Tax Collector/County Clerk. It is not required for the Board to set salaries of elected officials by Ordinance, except for members of the Board of Supervisors, pursuant to Article 11, section 1, of the California Constitution. Effective January 1, 1996, certain elected officials' salaries were increased pursuant to Resolution No. 96-143 (exception: Constable - see requested action below.) To avoid a conflict with the Board's action which provided a mechanism to set the salaries (Resolution No. 96-144), rescission of the existing Ordinance is required.

Resolution

Adopt this Resolution preserving the Constable's salary at the rate of \$34,321 until January 1, 1997.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board considered and approved adjusting elected officials' salaries and provided a mechanism for future cost of living adjustments at their meeting of April 9, 1996.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A. The Board has previously directed staff to formalize these actions.

COSTS: ( ) Not Applicable

A. Budgeted current FY \$ \_\_\_\_\_

B. Total anticipated costs \$ \_\_\_\_\_

C. Required additional funding \$ \_\_\_\_\_

D. Internal transfers \$ \_\_\_\_\_

SOURCE: ( ) 4/5ths Vote Required

A. Unanticipated revenues \$ \_\_\_\_\_

B. Reserve for contingencies \$ \_\_\_\_\_

C. Source description: \_\_\_\_\_

Balance in Reserve for Contingencies, if approved: \$ \_\_\_\_\_

SPECIAL INSTRUCTIONS:  
List the attachments and number the pages consecutively:

Ordinance.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CLERK'S USE ONLY:

Res. No.: \_\_\_\_\_ Ord. No. 900

Vote - Ayes: 3 Noes: \_\_\_\_\_

Absent: Barbara Taylor Abstained: \_\_\_\_\_

( ) Approved ) Denied

( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_

ATTEST: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:  
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: \_\_\_\_\_

A.O. Initials: (Signature)

**RECISSION OF ORDINANCE WHICH SET ELECTED OFFICIALS'  
COMPENSATION RATES (SECTION 2.060.020  
OF THE MARIPOSA COUNTY CODE)**

**WHEREAS**, pursuant to the California Constitution, Article 11, § I, the Board of Supervisors is not required to set salaries of elected officials by Ordinance, with the exception of the Board members themselves, and

**WHEREAS**, the Board of Supervisors adopted Resolution No. 96-143 which increased the annual salaries for certain elected officials, i.e., Assessor/Recorder, Auditor, District Attorney, Sheriff, and Treasurer/Tax Collector/County Clerk, effective January 1, 1996, and

**WHEREAS**, it is necessary to rescind the existing Ordinance to avoid conflict with Resolution No. 96-144 which set the salaries of the elected officials listed above to be increased or decreased the same percentage as that of the Mariposa County Superior Court Judge as of January 1, 1997 (to be reviewed and approved by the Board every year thereafter);

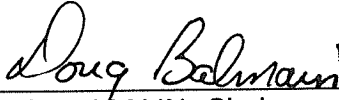
**NOW, THEREFORE, THE BOARD OF SUPERVISORS** of Mariposa County, a political subdivision of the State of California, does ordain as follows:

**SECTION I:** Section 2.60.020 entitled "Elected officials' compensation rates" of Chapter 2.60 entitled "Schedule of Officers' Compensation Rates" of the Mariposa County Code is hereby rescinded in its entirety.

**SECTION II:** This Ordinance shall become effective thirty (30) days after final passage pursuant to Government Code § 25123.

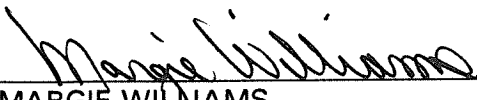
**PASSED AND ADOPTED** by the Board of Supervisors of Mariposa County this 28th day of May, 1996 by the following vote:


AYES:	REILLY, BALMAIN, STEWART
NOES:	NONE
ABSENT:	PARKER, TABER
ABSTAINED:	NONE

  
\_\_\_\_\_  
DOUG BALMAIN, Chairman  
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
MARGIE WILLIAMS  
Clerk of the Board

  
\_\_\_\_\_  
JEFFREY G. GREEN  
County Counsel