RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes No)

Ordinance
Waive first reading and introduce Ordinance to rescind 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 $ __________
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.: 900
Vote - Ayes: 2 Noes: 0
Absent: 0,0,0,0
Approved: 3,0,0,0
Denied: 0,0,0,0
( ) 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
By: ____________________________
County of Mariposa, State of California
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: __________

Action Form Revised 5/92
MARIPOSA COUNTY ORDINANCE NO. 900

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, § 1, 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 2.060.020 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:

MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEFFREY C. GREEN
County Counsel