RECOMMENDED ACTION AND JUSTIFICATION:

This action is to correct the inclusion of Treasurer services. After reviewing the prior proposed Amendment the Treasurer has advised that pursuant to Government Code Section 53684 she is reimbursed for investment services provided to the School District. This information was not known during the negotiation of the Second Amendment with the School District and was not something the Agreement was to affect. The revised Agreement reflects this change. It is therefore recommended that the Board rescind Resolution 05-222 and approve the revised Resolution adopting and authorizing the Chairman to sign the revised Second Amendment to Agreement for Fiscal Independence of the Mariposa County Board of Trustees and same Agreement for Fiscal Independence of the Mariposa County Office of Education.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

This revised Agreement clarifies the School District’s obligations to pay for specified County services above current levels of effort and for election costs. The revision corrects wording to avoid any claim that the Agreement was to waive statutory payments to the County Treasurer. There has historically been disagreement between the County and the District regarding the District’s obligation to pay for County services. When this was last before you instructions were given to County Counsel to negotiate a resolution of the issue with the District as the District had failed to pay approximately $11,000 in past election expenses. This Amendment will require that the School District reimburse the Elections Department for election expenses. The County has in the past taken the position that it would waive staff costs for such expenses, but that out of pocket costs would have to be paid.

The Board of Supervisors has entered into a number of Agreements with the School District since the District’s fiscal independence from the County in 1979.

Financial Impact? ( ) Yes (x) No Current FY Cost: $ Annual Recurring Cost: $
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded
Amount in Budget: $ Additional Funding Needed: $
Source:
Internal Transfer
Unanticipated Revenue 4/5's vote
Transfer Between Funds 4/5's vote
Contingency 4/5's vote
( ) General ( ) Other

List Attachments, number pages consecutively Revised Agreements for Fiscal Independence

CLERK’S USE ONLY:
Res. No.: 25260 Ord. No. 
Vote – Ayes: 4 Noes: 
Absent: 
Approved
( ) 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

COUNTY ADMINISTRATIVE OFFICER:
( ) Requested Action Recommended ( ) No Opinion
Comments:

CAO: ___________
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: TOM GUARINO, County Counsel

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: REVISED SECOND AMENDMENT TO AGREEMENT FOR FISCAL INDEPENDENCE OF THE MARIPOSA COUNTY BOARD OF TRUSTEES AND AGREEMENT FOR FISCAL INDEPENDENCE OF THE MARIPOSA COUNTY OFFICE OF EDUCATION

Resolution No. 05-240

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on June 7, 2005

ACTION AND VOTE:

Consent Agenda item 15 – Supervisor Bibby initiated discussion, and advised that she still has concerns about not defining the current level of services and costs. She also questioned the January 20, 2005 date in the agreement versus today’s date. She asked for clarification of the use of Board of Trustees and Office of Education in one of the agreements, and she asked whether the publication costs should be specific to ordinances. (M)Fritz, (S)Stetson, item 15 was approved, with the use of today’s date in the agreement/Ayes: Stetson, Turpin, Fritz, Pickard; Noes: Bibby.

CA-15 Adopt a Resolution Rescinding Resolution 05-222, Adopting and Authorizing the Chairman of the Board of Supervisors to Sign the Revised Second Amendment to Agreement for Fiscal Independence of the Mariposa County Board of Trustees and Same Agreement for Fiscal Independence of the Mariposa County Office of Education (County Counsel); Res. 05-240

cc: Rich Inman, County Administrative Officer
Ken Hawkins, Auditor
Marjorie Wass, Tax Collector/Treasurer/County Clerk
Patrick Holland, Superintendent of Schools
File