MARIPOSA COUNTY RESOLUTION 79-101

A RESOLUTION DECLARING THE COUNTY BOARD OF EDUCATION AND THE COUNTY SUPERINTENDENT OF SCHOOLS FISCALLY INDEPENDENT AS OF JULY 1, 1979, AND TRANSFERRING TO THE COUNTY BOARD OF EDUCATION ALL FUNCTIONS AND DUTIES WHICH ARE BY LAW REQUIRED OR PERMITTED TO BE PAID FROM THE COUNTY GENERAL FUND

RESOLVED, by the Board of Supervisors of the County of Mariposa, State of California, that:

WHEREAS, §§1043 and 1080 of the Education Code provide for the transfer of certain duties and functions of the Board of Supervisors to the County Board of Education; and

WHEREAS, these duties and functions include approval of the County Superintendent of Schools estimate of anticipated revenue and expenditures, allowance of the actual and necessary travel expenses, the expenses of the office of the County Superintendent of Schools, and the expenses of providing housing for all the services of the County Superintendent of Schools pursuant to §§1200, 1201, 1202, and 1203 of the Education Code; and

WHEREAS, §§1310 and 1318 of the Education Code provide, among other things, that County employees assigned to the office of the County Superintendent of Schools shall cease to be employees of the County upon the establishment of a separate budget for the office of the County Superintendent of Schools and shall thereafter be paid from the County School Service Fund; and

WHEREAS, Part 2, Chapter 5, of Division 1 (commencing with §1620) of the Education Code provides for the adoption of a single budget which is to show all the purposes for which the County School Service Fund, County Board of Education, County
Committee on School District Organization, and the office of the County Superintendent of Schools will need money; and

WHEREAS, the successful passage of Article XIII A of the California Constitution and the resulting reduction in property taxes have caused the Board of Supervisors to re-evaluate past priorities under the concept of zero-based budgeting; and

WHEREAS, it is the expressed desire of the Board of Supervisors to declare the County Superintendent of Schools, County Board of Education, and County Committee on School District Organization fiscally independent; and

WHEREAS, the County Board of Education and County Superintendent of Schools concur with said desire of the County Board of Supervisors; and

WHEREAS, by Resolution 73-093 (September 4, 1973) the Board of Supervisors established a maximum tax rate of Six Cents ($0.06 [1.5% of $4]) for the operation of the County Superintendent of Schools office; and

WHEREAS, historically the County of Mariposa has provided the County Superintendent of Schools with housing for services, insurance and benefits, maintenance, custodial services, and utilities out of the County General Fund;

NOW, THEREFORE, this Board hereby determines and orders as follows:

1. **Single Budget**: The County Board of Education and County Superintendent of Schools shall be fiscally independent as of July 1, 1979. The provisions of Part 2, Chapter 5 (commencing with §1620, Division 1, of the Education Code shall be applicable in Mariposa County commencing July 1, 1979.
2. **Transfer of Functions and Duties:** As authorized by Part 2, Chapter 1 (commencing with §1080), Division 1, of the Education Code, this Board hereby transfers all of its following duties and functions to the County Board of Education:

   a. Approval of the County Superintendent of Schools estimate of anticipated revenue and employees pursuant to Education Code §1042 following which it shall be filed with the Board of Supervisors.

   b. Allowance of the actual and necessary travel expenses, the expenses of the office of the County Superintendent of Schools, and expenses of providing housing for all the services of the County Superintendent of Schools pursuant to Education Code §§1200, 1201, 1202, and 1203.

   c. By agreement with the County Board of Education, all other duties and functions of an education nature which by law are required to be performed by the County Board of Supervisors.

   d. By agreement with the County Board of Education and in addition to the function specified in Education Code §1043, all duties and functions relative to the organization or re-organization of school districts and community college districts.

   e. By agreement with the County Board of Education, the community recreational function authorized by Chapter 10 (commencing with §10900) of Part 7 of the Education Code.

   Provided that all expenses for such duties and functions required or permitted under any provision of law to be paid out of the County General Fund shall not be paid out of the County General Fund, but shall be included in that part of the single budget prepared by the County Board of Education pursuant to Education Code §1623 for which a County tax rate of Six Cents ($0.06 [1.5% of $4]) is fixed pursuant to Resolution 73-093.

3. **Employees:** Those provisions of Article V (commencing with §1310), Part 2, Chapter 2, Division 1, of the Education Code shall become operative in Mariposa County on July 1, 1979.
4. **Transfer of Functions Relating to School District**

Names, Organizations, Re-Organizations, Boundaries, Lapsations, and Annexations: All of the functions specified in §1043 of the Education Code shall be transferred from the Board of Supervisors to the County Board of Education.

5. **Support Services:** Notwithstanding anything herein to the contrary, the County Board of Supervisors shall continue to provide the County Board of Education and County Superintendent of Schools services of the various departments of the County government, including but not limited to, legal services of the County Counsel, the County Treasurer, the County Auditor, the County Assessor, the County Clerk, and the County Purchasing Agent.

6. **Transfer of Buildings:** The title to the County Schools administration building, the building lot, and the existing parking lot shall be transferred to the County Board of Education and County Superintendent of Schools at a cost of One Dollar ($1.00). All future costs of said buildings, including maintenance, custodial services, insurance and benefits, utilities, and renovation will be the responsibility of the County Board of Education and County Superintendent of Schools.

7. **Option To Purchase Undeveloped Lot:** The County Board of Education and County Superintendent of Schools shall have an option to purchase the undeveloped lot adjacent to the County Schools administration building, at a price to be determined by an independent appraisal. Said option shall expire July 1, 1980.

8. **Personal Property:** All fixed assets, office machines, furnishings, books, supplies automotive equipment, and
the like located at the County Superintendent of Schools office shall be transferred to the County Board of Education and County Superintendent of Schools for the life of the respective assets; however, any replacement, maintenance, or augmentation of such items shall be the responsibility of the County Board of Education and County Superintendent of Schools.

9. **Insurance:** The County Board of Education shall provide insurance coverage for all offices and employees of the County Board of Education and County Superintendent of Schools office.

10. **County Contributions:** The County contributions to the County Board of Education and County Superintendent of Schools for the fiscal years 1977/78 and 1978/79, to be utilized for reporting purposes to the State of California only, have been determined by the County Auditor and the Deputy County Superintendent of Schools-Business to be:

   FY 1977-78  $103,729
   FY 1978/79   $105,941

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 26th day of June, 1979, by the following vote:

**AYES:** Clark, Erickson, Weber, Owings.

**NOES:** Dalton.

**ABSENT:** None.

**ABSTAINED:** None.

EUGENE P. DALTON, JR., Chairman
Board of Supervisors

ATTEST:

JOAN LYNK, Clerk of the Board

by DONNA HATLOCK
Board Secretary

APPROVED AS TO FORM:
06-26-79
NEIL S. VAN WINKLE, COUNTY COUNSEL
COUNTY OF MARIPOSA
DATE: 06-26-79