



COUNTY of MARIPOSA

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BOB PICKARD, CHAIRMAN	DISTRICT V
GARRY R. PARKER, VICE-CHAIRMAN	DISTRICT IV
PATTI A. REILLY	DISTRICT I
DOUG BALMAIN	DISTRICT II
ROBERT C. STEWART	DISTRICT III



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: ELNORA GEORGE, John C. Fremont Healthcare District CEO, CFO
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: Creation of the Mariposa County Healthcare Authority

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on December 7, 1999

ACTION AND VOTE:

Jeff Green, County Counsel;

Request from the John C. Fremont Healthcare District that the Board of Supervisors Adopt a Resolution Creating the Mariposa County Healthcare Authority

BOARD ACTION: Discussion was held. Jeff Green advised that it is his understanding that the Hospital Board would be the Board for the taxing authority; and that if the voters do not pass the sales tax increase, the Authority would cease to exist.

Suzette Prue, Hospital Board member, provided information on their request.

Further discussion was held relative to the request and whether a majority or two-thirds vote would be required to pass the tax. (M)Parker, (S)Stewart, Res. 99-354 adopted creating the Mariposa County Healthcare Authority, with the resolution wording as prepared by County Counsel/Ayes: Reilly, Stewart, Parker, Pickard; Noes: Balmain.

cc: Janet Hogan, County Administrative Officer
Jeff Green, County Counsel
Ken Hawkins, Auditor
File

DEPARTMENT: County Counsel

BY: Jeffrey G. Green

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ No__)

Request from the John C. Fremont Healthcare District to have the Board of Supervisors adopt a Resolution creating a Taxing Authority pursuant to Revenue and Taxation Code § 7285.5 to impose a .5% Sales and Use Tax for the benefit of the John C. Fremont Healthcare District.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

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:

CLERK'S USE ONLY:

Res. No.: 49-354 Ord. No. _____

Vote - Ayes: 4 Noes: 0

Absent: _____ Abstained: _____

Approved _____ Denied _____

Minute Order Attached () No Action Necessary

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: JG

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

EXHIBIT "A"

Before the Board of Supervisors in and for
the County of Mariposa, State of California

Resolution 99-354

**Resolution Creating the Mariposa County Healthcare
Authority and Specifying Its Purposes**

WHEREAS, the John C. Fremont Healthcare District ("District") has boundaries coterminous with the boundaries of Mariposa County; and

WHEREAS, the District provides health care services to the residents of Mariposa County; and

WHEREAS, the District is in need of augmented revenues for operation and maintenance expenses in order to adequately provide health care services to the residents of Mariposa County; and

WHEREAS, pursuant to California Revenue and Taxation Code Section 7285.5, the Board of Supervisors of Mariposa County may create an Authority for specific purposes; and

WHEREAS, the Board of Supervisors desires to create an Authority for the purpose of augmenting revenues for maintenance and operation expenses for the District, in order to continue the provisions of health care services for the residents of the County of Mariposa.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That, pursuant to Revenue and Taxation Code § 7285.5, there is hereby created and established in the County of Mariposa the Mariposa County Healthcare Authority ("Authority").
2. That, in addition to any other taxes authorized by law, the Authority may impose a transaction and use tax conforming to Part 1.6, commencing with Section 7251, of the Revenue and Taxation Code at a rate of one-half percent (1/2%) for the purposes set forth below. Such tax may be imposed and collected for a period not to exceed four (4) years from and after the effective date of an ordinance passed and adopted for the purpose of imposing such tax; The Authority shall have no power to impose any taxes above and beyond the one-half percent (1/2 %) described herein;

3. That the Authority shall have as its specific purposes the collection and administration of the collection of such revenues, and the use of such revenues for the following specific purpose: To augment the revenues available to District for the payment of operation and maintenance expenses authority, but not limited to, salaries of personnel.
4. Should the voters fail to approve the tax as described in Paragraph 2, above, the Authority shall cease to exist as a taxing authority and all of the power herein granted shall be revoked upon failure of the taxing measure to pass.
5. That the Authority shall have all the powers set forth in Revenue and Taxation Code § 7285.5, as limited by Paragraph 2 above, and shall have the following additional powers:
 - a. The Authority may enter into contracts as necessary or convenient to carrying out its purposes and powers.
 - b. The Authority may sue and be sued, except as otherwise provided by law, in all action proceedings, in all courts and tribunals of competent jurisdiction. All claims for money or damages against the Authority shall be governed by Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, except as provided therein, or by other statutes or regulations expressly applicable thereto.
 - c. The Authority may adopt a seal and alter it at its pleasure.
 - d. The Authority may do all things necessary or convenient to carry out the purposes for which it is established and created.
6. That the Authority shall be organized as follows:
 - e. The Authority shall be governed by a Board of Directors appointed by the Board of Supervisors and consisting of five members. Each director be a member of the Board of Directors of District and shall serve during the term of each respective District Director.
 - f. The Board of Directors shall have a Chair and a Vice Chair who shall be elected by a majority vote of all the members of the Authority, who shall hold office at the pleasure of the Authority not to exceed one year, and who shall have such duties as the Authority may prescribe.
 - g. The Authority shall have at least one regular meeting each year during the month of August. All meetings of the Authority shall be called, held, and conducted in accordance with the provisions of the Ralph M. Brown Act.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 7th day of December, 1999, by the following vote:

Ayes: Reilly, Stewart, Parker, Pickard


Noes: Balmain

Excused:



BOB PICKARD, Chairman

ATTEST:



MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY G. GREEN, County Counsel