



MARIPOSA COUNTY

Human Resources/Risk Management • (209) 966-3222



ORDINANCE 2014-1107

MEETING: October 7, 2014

TO: The Board of Supervisors

FROM: Steve Dahlem, County Counsel/Interim HR Director-Risk Manager

RE: Waive Second Reading & Adopt an Ordinance Relative to the Clerk of the Board Department

RECOMMENDED ACTION AND JUSTIFICATION:

Waive second reading and adopt an Ordinance removing Section 2.08.030 entitled “The clerk of the board of supervisors” from Chapter 2.08 of the Mariposa County Code and adding it as a new Chapter 2.10 entitled “Clerk of the Board of Supervisors” and amending it accordingly.

The Board of Supervisors approved a new and separate department for the Clerk of the Board function; the Clerk of the Board was previously supervised by the County Administrative Officer. Currently, reference to the Clerk of the Board is contained in Chapter 2.08 of the Mariposa County Code, more specifically, Section 2.08.030 and it includes information about the office of the Clerk of the Board. With the Board’s recent action which separated the office of the Clerk of the Board and the Clerk’s staff from the County Administrative Office, it is necessary to remove section 2.08.030 from Chapter 2.08 and add a new chapter for the Clerk of the Board function as it is now a stand-alone department with the Clerk of the Board as department head.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

At their meeting of July 8, 2014, the Board of Supervisors approved the separation of the Clerk of the Board function, which includes the Clerk’s staff, from the County Administrative Office. The ordinance was introduced on September 16, 2014.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A. The Board has already approved that the Clerk of the Board function is a separate department. This action will amend the County Code to reflect the Board’s action.

ATTACHMENTS:

Clerk of the Board Ordinance-2nd reading 10-7-14(DOCX)

Clerk of the Board Ordinance-1st Reading 9-16-14 (PDF)

CAO RECOMMENDATION

Mary Hodson

Mary Hodson, Interim CAO 9/11/2014

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

MARIPOSA COUNTY ORDINANCE NO. 1107

AN ORDINANCE REMOVING SECTION 2.08.030 ENTITLED “THE CLERK OF THE BOARD OF SUPERVISORS” FROM CHAPTER 2.08 OF THE MARIPOSA COUNTY CODE AND ADDING IT AS A NEW CHAPTER 2.10 ENTITLED “CLERK OF THE BOARD OF SUPERVISORS” AND AMENDING IT ACCORDINGLY

WHEREAS, the Clerk of the Board of Supervisors and the Clerk’s staff was under the supervision of the County Administrative Office, and

WHEREAS, at their meeting of July 8, 2014, the Board of Supervisors approved the separation of the Clerk of the Board and Board staff from the County Administrative Office and established a new department of the Clerk of the Board, and

WHEREAS, Chapter 2.08 of the Mariposa County Code contains section 2.08.030 that discusses the establishment of the office of the Clerk of the Board of Supervisors and included in that section, it states that the Clerk of the Board shall not constitute a separate department , and

WHEREAS, with the Board’s approval of separating the Clerk of the Board and the Clerk’s staff and establishing a separate department, it is necessary to amend the County Code to reflect the Board’s action.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, a political subdivision of the State of California, does ordain as follows:

SECTION I: Section 2.08.030 of Chapter 2.08 of the Mariposa County Code is hereby abolished.

SECTION II: A new Chapter 2.10 entitled “Clerk of the Board of Supervisors” is hereby added to the Mariposa County Code and shall read as follows:

2.10.010 Office established.

The office of the clerk of the board of supervisors is hereby established. The clerk of the board of supervisors shall be appointed by the board of supervisors of the county of Mariposa pursuant to Government Code Section 25100.5, in the same manner as other county officers are appointed. Upon the effective date of this ordinance, the county clerk shall no longer serve as the ex officio clerk of the board of supervisors.

2.10.020 Department established.

The office of the clerk of the board of supervisors shall be a separate department. The clerk of the board shall be a department head, shall serve at the pleasure of the board of supervisors, and may be removed from office by majority vote of the board.

2.10.030 Salary and benefits.

The compensation of the clerk of the board of supervisors shall be established by resolution of the board of supervisors; benefits shall be the same as for other appointed county department heads.

2.10.040 Duties.

The clerk of the board of supervisors shall perform those duties prescribed by law for the county clerk as ex officio clerk of the board of supervisors or for the clerk of the board of supervisors, together with such additional duties as the board of supervisors shall prescribe from time to time by ordinance, including but not limited to supervision of clerical staff under the direction of the board of supervisors. The clerk of the board of supervisors may perform all of the duties vested in the county clerk excepting those duties vested in the county clerk as ex officio clerk of the superior court, registrar of voters and commissioner of marriages, and the clerk of the board of supervisors may take acknowledgments and administer and certify oaths in the performance of the clerk of the board of supervisors official duties.

2.10.050 Deputies.

The clerk of the board of supervisors shall have the authority to appoint an individual to serve on his or her behalf and to perform his or her duties in the absence of the clerk of the board of supervisors.”

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

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 7th day of October, 2014, by the following vote:

AYES: STETSON, JONES, BIBBY, CANN, CARRIER
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE



KEVIN CANN, Chair
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:



RENÉ LaROCHE, Clerk of the Board



STEVEN W. DAHLEM, County Counsel