

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: 2/18/97
AGENDA ITEM NO.: CA-4

DEPARTMENT: Administration

BY: Janet Hogan
County Administrative Officer

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No x)
Adopt the attached Resolution Electing to Become Subject to the Provisions of the Trial Court Program for the Fiscal Year July 1, 1997 through June 30, 1998

BACKGROUND AND HISTORY OF BOARD ACTIONS:

An opting resolution is required for each fiscal year for the Trial Court Funding Program. The Board has opted into the Trial Court Funding Program for each fiscal year beginning 1991/92. In order to opt to participate in fiscal year 1997/98 in the funding established under the Brown-Presley Trial Court Funding Act, the County must agree by resolution to be bound by the provisions of the program and certify that the majority of the Board and judges of the courts request State funding.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Approve the resolution and the Trial Court Funding program will continue.
2. Do not approve the resolution. The County will not qualify for the appropriated State funding for trial courts.

COSTS: (x) 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: Resolution _____ Letter from the State Controller _____ _____ _____ _____
CLERKS USE ONLY: Res. No. <u>97-58</u> Ord. No. _____ Vote - Ayes: <u>5</u> Noes: _____ Absent: _____ Abstained: _____ Approved () Denied () 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		ADMINISTRATIVE OFFICER'S RECOMMENDATION: This item on agenda as: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> For Policy Determination <input type="checkbox"/> Submitted with Comment <input type="checkbox"/> Returned for Further Action Comment: _____ CAO's Initials: <u>JH</u>

MARIPOSA COUNTY RESOLUTION NO. 97- 58

RESOLUTION

**ELECTING TO BECOME SUBJECT TO THE PROVISIONS OF
THE TRIAL COURT PROGRAM**

FOR THE FISCAL YEAR JULY 1, 1997 THROUGH JUNE 30, 1998

WHEREAS, the passage of SB 612, Chapter 945 Statutes of 1988 which repealed and added Chapter 13 commencing with Section 77000 to Title 8 of the Government Code, known as the Brown-Presley Trial Court Funding Act, and with the passage of AB 1197, Chapter 1944 Statutes of 1988, allows an option county to receive from the State quarterly block grants based on sums specified pursuant to Government Code Section 77200; and

WHEREAS, the Brown-Presley Trial Court Funding Act establishes a program of State funding of trial courts as specified in Government Code Section 77300 provided that sufficient monies have been appropriated in the State Budget Act for the fiscal year to adequately fund the program; and

WHEREAS, the decision by the County of Mariposa to opt into the program pursuant to Government Code Section 77300 shall result in the option county agreeing to perform all duties and provide services required by the Brown-Presley Trial Court Funding Act and all other provisions of law;


NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors, the presiding Judge of the Superior Court, and the presiding Judge of the Municipal Court of Mariposa County hereby elect, pursuant to Government Code Section 77301 to opt into the Trial Court Funding Program for the 1997-98 fiscal year beginning July 1, 1997, and agree to be bound by the provisions of this program in consideration for State funding of trial courts; and certify that a majority of each of the Board of Supervisors, the Judge of the Superior Court and the Judge of the Municipal Court in the County request State funding;

BE IT FURTHER RESOLVED, that the Clerk of the Board is directed to notify the State Controller forthwith of this election.

This Resolution shall take effect upon its adoption.

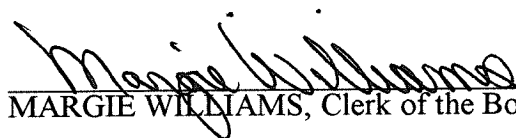
PASSED AND ADOPTED by the Mariposa County Board of Supervisors, a political subdivision of the State of California, this 18th day of February, 1997 by the following vote:

AYES: Reilly, Balmain, Stewart, Parker, and Pickard
NOES: None
ABSENT: None
ABSTAINED: None

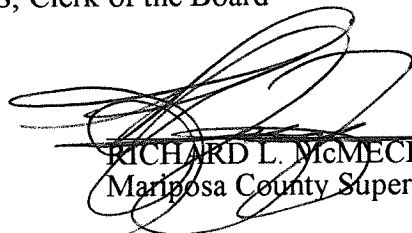


Robert C. Stewart, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS, Clerk of the Board




RICHARD L. McMECHAN, Presiding Judge
Mariposa County Superior Court

ATTEST:



DON Z. PHILLIPS, County Clerk



CARLOS LA ROCHE, Presiding Judge
Mariposa County Municipal Court

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY G. GREEN, County Counsel