

96-71

DEPARTMENT: Administration BY: Mike Coffield PHONE: 966-3222
County Administrative Officer

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, 1996 through June 30, 1997

BACKGROUND AND HISTORY OF BOARD ACTIONS:

An opting resolution is required for each fiscal year for the Trial Court Funding Program. The Board opted into the Trial Court Funding Program for 1991/92, 92/93 and 93/94 (Resolutions Nos. 90-490, 92-89, and 93-96), and for 1994/95 and 1995/96 (Resolutions Nos. 94-41 and 95-34). In order to opt to participate in fiscal year 1996/97 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 _____

CLERK'S USE ONLY:

Res. No.: 96-21 Ord. No. _____

Vote - Ayes: 5 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:

_____ Recommended

_____ Not Recommended

_____ For Policy Determination

_____ Submitted with Comment

_____ Returned for Further Action

Comment: _____

A.O. Initials: _____

MARIPOSA COUNTY RESOLUTION NO. 96- 71

RESOLUTION

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

FOR THE FISCAL YEAR JULY 1, 1996 THROUGH JUNE 30, 1997

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;

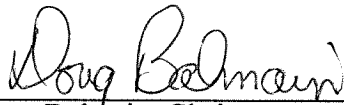
NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors, the presiding Judge of the Superior Court, and the presiding Judge of the Municipal Court of Mariposa County hereby elect, pursuant to Government Code Section 77301 to opt into the Trial Court Funding Program for the 1996-97 fiscal year beginning July 1, 1996, 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.

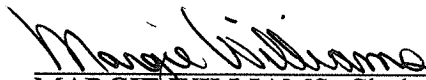
PASSED AND ADOPTED by the Mariposa County Board of Supervisors, a political subdivision of the State of California, this 27th day of February, 1996 by the following vote:

AYES: REILLY, BALMAIN, STEWART, PARKER, TABER
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE



Doug Balmain, 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

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: MIKE COFFIELD, County Administrative Officer
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: RESOLUTION NO. 96-71

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,
ADOPTED THIS Order on February 27, 1996

ACTION AND VOTE:

- Mike Coffield, County Administrative Officer, advised of an off-agenda item relative to providing notification of the County's desire to continue to participate in the Trial Court Funding Program for FY 1996-97. (M)Parker, (S)Stewart, Board waived its rules requiring 72 hours agenda noticing to consider this matter, finding the matter was not scheduled on the agenda due to a calendaring error; however, action is required prior to the next Board meeting in order for the County to continue to participate in the Program/Ayes: Unanimous. Following discussion, (M)Parker, (S)Stewart, Res. 96-71 adopted electing to become subject to the provisions of the Trial Court Funding Program for FY 1996-97/Ayes: Unanimous.

cc: Honorable Richard L. McMechan, Superior Court Judge
Honorable Carlos C. LaRoche, Municipal Court Judge
Ken Hawkins, Auditor
Jeffrey G. Green, County Counsel
File