

COUNTY OF SAN DIEGO

CHIEF ADMINISTRATIVE OFFICE
AGENDA ITEM

[ms-0398-040.002.001]
BOARD OF SUPERVISORS

BRIAN P. BILBRAY
FIRST DISTRICT
GEORGE F. BAILEY
SECOND DISTRICT
SUSAN GOLDING
THIRD DISTRICT
LEON L. WILLIAMS
FOURTH DISTRICT
JOHN MACDONALD
FIFTH DISTRICT

33

AGENDA

INTERGOVERNMENTAL AND LEGISLATIVE AFFAIRS

TUESDAY, MARCH 3, 1992

A. STATE LEGISLATIVE MATTERS CAO

1. AB 2090 (Katz) -- Water Transfers

This bill would encourage voluntary water marketing by authorizing water users to sell their allocation of water.

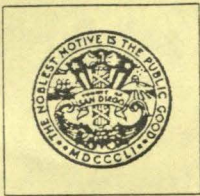
Recommendation: Support

B. STAFFING LEGISLATION FOR MUNICIPAL COURTS AND THE MARSHAL CAO

This is a request to seek legislative amendments to municipal court staffing provisions to add positions and classifications for each Municipal Court and the Marshal, and to authorize benefit adjustments in each Municipal Court.

agncov03.02

MAR 3 1992



COUNTY OF SAN DIEGO

CHIEF ADMINISTRATIVE OFFICE
AGENDA ITEM

LEGISLATIVE ANALYSIS

BOARD OF SUPERVISORS

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Summary

33

Bill Number: AB 2090 (as amended 9/11/91) -- Water Transfers

Author: Assembly Member Katz

Proposed Law: Would (1) authorize water users to sell, lease, exchange, or transfer their allocation of water, (2) establish procedures for reviewing and approving water marketing proposals, and (3) create a fund to mitigate long-term harm caused by water transfers.

Recommendation: Support

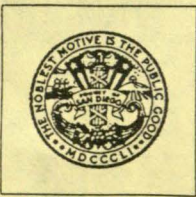
Sponsor: Assembly Member Katz

Proponents: Metropolitan Water District
San Diego County Water Authority
Los Angeles Department of Water and Power
Orange County Water District
Committee for Water Policy Consensus
California Business Roundtable
Bay Area Economic Forum
Sierra Club
Planning and Conservation League
Environmental Defense Fund
Various urban counties and cities in Southern California

Opponents: Various Rural water agencies

Status: In Senate Committee on Agriculture & Water Resources; no hearing date set.

Previous Board Action on Related Bill(s):
December 4, 1990 (56): Approved Water Supply, Conservation and Reclamation Policy.



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33

Bill Number: AB 2090 (as amended 9/11/91) -- Water Transfers

Author: Assembly Member Katz

Present Law: Authorizes local or regional public water agencies to sell, lease, exchange, or otherwise transfer water that is surplus to the needs of its water customers for use by others outside of the agency for temporary (less than one year) or long-term (more than one year) duration if approved by the State Water Resources Control Board.

Proposed Law: Would (1) authorize water users to sell, lease, exchange, or transfer their allocation of water, (2) establish procedures for reviewing and approving water marketing proposals, and (3) create a fund to mitigate long-term harm caused by water transfers.

Recommendation: Support

Discussion: AB 2090 would encourage voluntary water marketing efforts by authorizing individual water users to sell their water allocations inside or outside a water agency service area. Current law only allows the water agency itself to transfer surplus or conserved water. Water marketing has the potential to increase the supply of water available to Southern California and San Diego County.

Some additional features of AB 2090 include the following:

- Allows for temporary or long term sale, lease, exchange or transfer of water by individual water users for use inside or outside of a public water agency if approved by the State Water Resources Control Board.
- Requires the Water Resources Control Board to notify, in writing, the board of supervisors of the county from which a proposed water transfer has been received and the Department of Fish and Game.
- Provides a procedure for arbitration in the event a water agency and the water user are unable to agree on the terms and conditions to be imposed on a water transfer.
- Requires the Water Resources Control Board, prior to approving any water marketing proposal, to determine if the transfer of water would result

in injury to any legal user of water or unreasonably affect the environment.

- Provides for consultations between the Water Resources Control Board and Department of Fish and Game on the effects of a water transfer to fish and wildlife.

San Diego County imports 90% of its water. AB 2090 could facilitate the region's acquisition of short-term or long-term sources of water that does not harm the environment or infringe on the rights of existing water users. The bill includes provisions which would prohibit water transfers that would harm existing water users and the environment. The bill would also prohibit water transfers from water basins that have overdraft conditions. The Water Resources Control Board would be prohibited from approving water transfers from the counties of Inyo and Mono, or from the Colorado River.

The State Department of Fish and Game would be responsible for mitigating any adverse effects to the aquatic environment. AB 2090 would establish the Aquatic Habitat Mitigation Account in the Fish and Game Preservation Fund. The transferee of water would be responsible for (1) providing Fish and Game 10% of the water approved for transfer, or (2) paying 10% of the cost paid for the water to the department. In addition the department would also be authorized to purchase 10% of the water proposed to be transferred at the same cost as paid by the transferee. The department would be responsible for using the water and money to mitigate long-term aquatic harm caused by water transfers.

AB 2090 is consistent with the Board's Water Policy (A-106), and the water policy adopted by the Southern California Water Committee. The bill is supported by the San Diego County Water Authority and the Metropolitan Water District.

Fiscal Impact: Undetermined

AMENDED IN SENATE SEPTEMBER 11, 1991

AMENDED IN SENATE AUGUST 19, 1991

AMENDED IN SENATE AUGUST 19, 1991

AMENDED IN ASSEMBLY JUNE 30, 1991

AMENDED IN ASSEMBLY JUNE 11, 1991

AMENDED IN ASSEMBLY MAY 21, 1991

AMENDED IN ASSEMBLY MAY 13, 1991

CALIFORNIA LEGISLATURE—1991-92 REGULAR SESSION

ASSEMBLY BILL

No. 2090

Introduced by Assembly Members Katz and Filante
(Principal coauthor: Senator Roberti)
(Coauthor: Assembly Member Nolan)

March 8, 1991

An act to amend Sections 382, 1725, 1727, 1735, and 1736 of, to amend and renumber Article 1 (commencing with Section 1725), Article 2 (commencing with Section 1735), and Article 3 (commencing with Section 1740), of Chapter 10.5 of Part 2 of Division 2 of, to add Sections 1733, 1738, and 1739 to, to add Chapter 8 (commencing with Section 490) to Division 1 of, and to add Article 1 (commencing with Section 1720) and Article 2 (commencing with Section 1723) to Chapter 10.5 of Part 2 of Division 2 of, the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2090, as amended, Katz. Water transfers.

(1) Existing law authorizes a permittee or licensee to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if the State Water Resources Control Board determines

AB 2090

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that the transfer meets prescribed conditions, including that the proposed change would not unreasonably affect fish, wildlife, or other instream beneficial uses.

This bill would delete that requirement and instead require that the proposed change would not unreasonably affect the environment, as prescribed. The bill would require the board, upon receipt of notification of the proposed temporary change, to notify in writing the Department of Fish and Game and the appropriate county board of supervisors of the proposed transfer.

(2) Existing law authorizes the board to approve a petition for a long-term transfer, as defined, of water or water rights involving a change of point of diversion, place of use, or purpose of use if the board determines that the transfer meets certain conditions, including a requirement that the change would not unreasonably affect fish, wildlife, or other instream beneficial uses.

This bill would delete that requirement and instead impose the requirements that the proposed long-term transfer would not unreasonably affect the environment, as prescribed, and would not unreasonably affect the overall economy of the county or the local community from which the water is being transferred. The bill would require the board, upon receipt of a petition for a long-term transfer or water rights, to notify in writing the department and the appropriate county board of supervisors of the proposed change. The bill would create the Aquatic Habitat Mitigation Account in the Fish and Game Preservation Fund and would require the department to mitigate long-term harm caused by transfers undertaken pursuant to these provisions, as prescribed.

(3) This bill would authorize the board, upon request of a holder of an appropriative right initiated prior to December 19, 1914, or a holder to a right to extract groundwater for beneficial use, to authorize a short-term or long-term change in the holder's point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights, subject to certain conditions. The bill would exclude prescribed water from these provisions.

(4) Existing law authorizes every local or regional public agency authorized by law to serve water to sell, lease,

— 3 —

AB 2090

exchange, or otherwise transfer water that is surplus to the needs of the agency's water users for use outside the agency.

This bill would authorize those agencies to sell, lease, exchange, or otherwise transfer water, the use of which is foregone during the transfer period by an agency water user, for use inside or outside the agency. The bill would authorize a water user to transfer its water allocation received from a public water agency, as specified. The bill would exclude prescribed water from these provisions.

(5) This bill would require the board to prepare and submit a report on the feasibility of allowing the transfer of riparian water rights to the Governor and the Legislature by December 31, 1992.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 382 of the Water Code is
2 amended to read:

3 382. (a) Notwithstanding any other provision of law,
4 every local or regional public agency authorized by law
5 to serve water to persons or entities within the service
6 area of the agency may sell, lease, exchange, or otherwise
7 transfer (1) water that is surplus to the needs of the water
8 users of the agency for use outside of the agency or (2)
9 water, the use of which is foregone during the period of
10 transfer by a water user of the agency, for use inside or
11 outside the agency.

12 ~~(b) The authority granted to local and regional public~~
13 ~~agencies by this chapter does not prohibit or restrict the~~
14 ~~transfer of water or water rights pursuant to authority~~
15 ~~granted public agencies by provisions of law other than~~
16 ~~this chapter.~~

17 ~~(b) This chapter does not prohibit or restrict the~~
18 ~~transfer of water or water rights by local or regional~~
19 ~~public agencies pursuant to other provisions of law.~~

20 SEC. 2. Chapter 8 (commencing with Section 490) is
21 added to Division 1 of the Water Code, to read:

1 CHAPTER 8. TRANSFERS OF PUBLIC AGENCY WATER
2 ALLOCATIONS

3
4 Article 1. Temporary Transfers

5
6 490. This article applies to the temporary transfer of
7 a water user's water allocation from a public agency.

8 490.1. (a) Any water user receiving water at retail
9 from a public agency shall notify the agency, in writing,
10 on or before April 1 or on or before a later date
11 established by the public agency, of the user's intent to
12 transfer a portion, or all, of the user's allocation of water
13 for that calendar year.

14 (b) The water user shall specify in the notice all of the
15 following:

16 (1) The terms of any contract with a federal agency to
17 limit crop production and the terms of any other contract
18 entered into by the water user affecting the use of the
19 water or the land.

20 (2) The intended use of the water if the transfer does
21 not occur.

22 (3) The amount of water proposed to be transferred.

23 (4) The minimum selling price per acre-foot.

24 (5) The date by which a decision is required to be
25 made on the transfer to enable the user to make use of
26 the water if the transfer is not made.

27 (6) Other data or evidence that, in the judgment of
28 the water user, is relevant to the setting of terms and
29 conditions.

30 490.2. (a) Upon receipt of the notice pursuant to
31 Section 490.1, the public agency shall determine the
32 user's allocation of water available for transfer. The
33 allocation shall be based on either or both of the
34 following:

35 (1) The user's consumptive use of water that would
36 occur in the absence of the transfer.

37 (2) The user's average annual consumptive use of
38 water estimated to have occurred from 1980 to 1990,
39 inclusive.

40 (b) If the allocation is less than 10 acre-feet, the

1 allocation available for transfer is zero.

2 (c) If the public agency is unable to quantify the
3 allocation, the public agency shall describe the proposed
4 method of allocation and shall prepare an estimate of the
5 allocation, which may be based upon hydrologic
6 conditions.

7 (d) The allocation is subject to adjustment by the
8 public agency based on changes in the water supply of
9 the agency its water supply, even after the approval of
10 the transfer, if any adjustment is generally applicable to
11 all similarly situated customers of the agency whether
12 they transfer water or not.

13 490.3. The public agency shall notify the water user,
14 within 15 days of receipt of the notice described in
15 Section 490.1, of all of the following:

16 (a) The allocation of water available for transfer, as
17 determined pursuant to Section 490.2 or a reasonable
18 estimate of that allocation.

19 (b) The terms and conditions to be imposed by the
20 public agency, including the factual bases for the terms
21 and conditions. The terms and conditions shall not be
22 more stringent than the terms and conditions applied to
23 transfers undertaken by the public agency. The public
24 agency may impose terms and conditions which do any
25 of the following:

26 (1) Require the water user to pay the same amount to
27 continue to pay the water charges imposed by the public
28 agency whether the water is used or transferred by the
29 water user.

30 (2) Require that the transfer does not unreasonably
31 interfere with the financial condition or operations of the
32 public agency.

33 (3) Protect water supply contracts. Political
34 subdivisions of the state shall make changes in contracts
35 or ordinances, and other necessary changes, to facilitate
36 transfers pursuant to this article by removing restrictions
37 on place of use, purpose of use, or points of diversion,
38 subject to restrictions necessary to protect the financial
39 integrity and water supply operations of those political
40 subdivisions.

1 (4) Protect its ability to comply with permit and
2 license conditions established by regulatory agencies.

3 (c) Whether the agency is willing to transfer the
4 allocation of water.

5 (d) Whether the agency is willing to buy the allocation
6 of water.

7 490.4. (a) If the water user and the public agency are
8 unable to agree on terms and conditions to be imposed on
9 the transfer, the water user may request arbitration, in
10 writing, in the manner specified in this section.

11 (b) The request shall be initiated by the filing of a
12 request for arbitration, by the water user, with the public
13 agency which specifies the terms and conditions
14 proposed by the public agency which the water user
15 deems unreasonable and specifies the user's proposed
16 terms and conditions.

17 (c) Within five working days of the filing of the
18 request for arbitration, the user and the public agency
19 shall each choose a panel member. Failure by a party to
20 select a panel member within five working days shall
21 result in the imposition of the terms and conditions
22 proposed by the other party. Failure by both parties to
23 select a panel member within five working days shall be
24 deemed to be a withdrawal of the water user's notice of
25 intent to transfer submitted pursuant to Section 490.1.

26 (d) Within five days after the selection of the two
27 panel members, the two panel members shall select a
28 third panel member. If the two arbitrators are unable to
29 agree upon the third arbitrator within five working days,
30 the Secretary of the Resources Agency, or his or her
31 designee, shall act as the third arbitrator.

32 (e) The public agency shall prepare an administrative
33 record within 10 working days of after the receipt of the
34 request for arbitration. The administrative record shall
35 consist of both of the following:

36 (1) Each document presented to the decisionmaking
37 authority of the public agency relating to the setting of
38 the terms and conditions.

39 (2) Each document relating to the deliberations and
40 decision of the decisionmaking authority with regard to

1 each term and condition proposed.

2 (f) (1) The panel shall review the administrative
3 record. The panel may hold a public hearing prior to
4 making its decision.

5 (2) If a hearing is held, the panel shall make a record
6 of the hearing.

7 (g) Within 20 working days after the appointment of
8 the third panel member, the panel shall notify the water
9 user and the public agency of its determination. The
10 notification and determination shall be in writing.

11 (h) The decision of the panel shall be final and not
12 subject to review by a court, except that review may be
13 undertaken pursuant to Section 1285 of the Code of Civil
14 Procedure and the court shall be limited to vacating the
15 decision of the panel based on one or more of the factors
16 set forth in paragraphs (a) to (d), inclusive, of Section
17 1286.2 of the Code of Civil Procedure.

18 (i) The time limits specified in this section may be
19 extended pursuant to an agreement of the water user and
20 the public agency.

21 (j) The costs incurred by, or on behalf of, the panel
22 shall be shared equally by the public agency and the
23 water user, unless the panel determines all issues in favor
24 of one party, in which case the costs shall be paid by the
25 losing party.

26 490.5. The public agency and the water user may
27 enter into an agreement in which the public agency
28 agrees to transfer the user's allocation.

29 490.6. The public agency and the water user may
30 enter into an agreement in which the public agency
31 agrees to purchase the user's allocation.

32 490.7. If the water agency notifies the water user,
33 pursuant to Section 490.3, that the agency chooses not to
34 transfer the user's allocation and chooses not to purchase
35 the user's allocation, or if the water user and the water
36 agency are unable to enter into an agreement pursuant
37 to Section 490.6, the water user may transfer the water
38 pursuant to Article 3 (commencing with Section 1725) of
39 Chapter 10.5 of Part 2 of Division 2, consistent with the
40 terms and conditions which have been agreed to by the

1 parties or determined by the panel.
 2 490.8. If the water is not sold or transferred, the water
 3 user shall retain all rights to receive a water supply from
 4 the agency as if the user had not submitted a notice of
 5 intent to transfer pursuant to Section 490.1.
 6 490.9. The public agency shall not lose any water right
 7 and the water user shall not lose any right to receive a
 8 future water supply from the public agency because of a
 9 transfer undertaken pursuant to this article.
 10 490.10. This article does not apply to water within
 11 Inyo County or Mono County, or to Colorado River water
 12 within the Colorado River Hydrologic Basin as defined in
 13 the Department of Water Resources Bulletin No. 160-87.
 14 490.11. The purchaser of any water transferred
 15 pursuant to this article shall pay the public agency for
 16 that water. Upon receipt of the payment, the public
 17 agency shall pay the water user after doing all of the
 18 following:
 19 (1) Subtracting the agency's actual costs in effecting
 20 the transfer, if any.
 21 (2) Adding the actual savings to the agency as a result
 22 of the transfer, if any.
 23 (3) Subtracting any delinquent water charges,
 24 assessments, taxes, or other fees which are owed by the
 25 transferor to the water agency.
 26 (4) Subtracting the ~~taxpayer subsidy, if any,~~
 27 ~~applicable to subsidy, if any, paid by local taxpayers to the~~
 28 ~~county or a local water district which lowers the cost of~~
 29 ~~the water to be transferred, less the amount of the~~
 30 ~~subsidy paid by the owner of the land from which the~~
 31 ~~water was, or will be, transferred, computed on a 10-year~~
 32 ~~average. The amount ascertained pursuant to this~~
 33 ~~paragraph shall be deposited in the appropriate county or~~
 34 ~~local water district fund.~~
 35 490.12. Not more than 20 percent of the irrigated
 36 agricultural lands within the service area of a public
 37 agency that supplies water at retail may be followed as
 38 the result of a water transfer undertaken pursuant to this
 39 article, unless the public agency agrees to a larger
 40 percentage.

1 charges imposed by the public agency on the amount of
 2 water conserved and transferred pursuant to this article.
 3 (f) The public agency shall not lose any water right
 4 and the water user shall not lose any right to receive a
 5 future water supply from the public agency because of a
 6 transfer undertaken pursuant to this article.
 7 (g) This article does not apply to water within Inyo
 8 County or Mono County, or to Colorado River water
 9 within the Colorado River Hydrologic Basin as defined in
 10 the Department of Water Resources Bulletin No. 160-87.
 11 SEC. 3. Article 1 (commencing with Section 1720) is
 12 added to Chapter 10.5 of Part 2 of Division 2 of the Water
 13 Code, to read:
 14
 15 Article 1. General Provisions
 16
 17 1720. The Legislature finds and declares that water
 18 transfers are an important part of the solution to the
 19 state's water supply problems, along with conservation,
 20 reclamation, development, desalination, and other
 21 programs.
 22 1720.2. In enacting Sections 1733 and 1738, it is the
 23 intent of the Legislature to create another transfer
 24 mechanism for the transfer of groundwater or water
 25 which is subject to an appropriative right initiated prior
 26 to December 19, 1914, but it is not the intent of the
 27 Legislature, to change the nature, quantity or priority of
 28 groundwater or water which is subject to an
 29 appropriative right initiated prior to December 19, 1914.
 30 It is not the intent of the Legislature to grant to the state
 31 any new authority to regulate groundwater or that water
 32 which is subject to an appropriative right initiated prior
 33 to December 19, 1914, except as to those right-holders
 34 who chose to undertake transfers pursuant to Section
 35 1733 or 1738.
 36 1720.3. This chapter does not affect Article 1.7
 37 (commencing with Section 1215) of Chapter 1 of Part 2
 38 of Division 2, Sections 11460 to 11463, inclusive, and
 39 Sections 12201 and 12931.
 40 1720.4. All proposed transfers of water undertaken

Article 2. Long-Term Transfers

1 495. (a) This article applies to the long-term transfer
 2 of that part of a water user's allocation from a public
 3 agency which the user conserves other than in
 4 connection with an agency-sponsored water conservation
 5 program.
 6 (b) Any water user receiving water at retail from a
 7 public agency shall notify the agency and the board, in
 8 writing, of the user's intent to conserve water for the
 9 purposes of transferring the conserved water. The notice
 10 shall specify all of the following:
 11 (1) The terms of any contract with a federal agency to
 12 limit crop production and the terms of any other contract
 13 entered into by the water user affecting the use of the
 14 water or the land.
 15 (2) The intended use of the water if the transfer does
 16 not occur.
 17 (3) The amount of water proposed to be conserved
 18 and transferred.
 19 (4) The programs and equipment which will be used
 20 to effect the conservation.
 21 (5) The life expectancy of the conservation
 22 equipment.
 23 (6) Data which demonstrates that the conservation
 24 can be physically accomplished.
 25 (7) The methods which enable the agency to
 26 determine that the conservation is being accomplished.
 27 (8) The time period of the transfer.
 28 (c) A water user within a public agency may seek the
 29 benefit of Section 1011 as if ~~they~~ the water user were a
 30 permittee or licensee.
 31 (d) The water user who seeks the benefit of this
 32 section shall file any reports required by the board
 33 describing the extent and the amount of the reduction
 34 in water use due to water conservation efforts. Failure to
 35 file the reports shall deprive the water user of the
 36 benefits of this article.
 37 (e) The water user shall continue to pay the water

1 pursuant to this chapter which require diversion through
 2 the facilities of the State Water Resources Development
 3 System (State Water Project) in the Sacramento-San
 4 Joaquin Delta, or which require a change in place of use
 5 from within to outside the service area of a State Water
 6 Project contractor, shall be submitted to the department
 7 for review and recommendations to the board to ensure
 8 both of the following:
 9 (a) Transfers through the Sacramento-San Joaquin
 10 Delta will not diminish or adversely affect the State
 11 ~~Water Project water supplies or operations; water~~
 12 ~~supplies or operations of the State Water Project.~~
 13 (b) There will be no adverse impact on the finances or
 14 the fiscal integrity of the State Water Project.
 15 SEC. 4. Article 2 (commencing with Section 1723) is
 16 added to Chapter 10.5 of Part 2 of Division 2 of the Water
 17 Code, to read:

Article 2. Definitions

1 1723. Unless the context otherwise requires, the
 2 definitions of this article govern the construction of this
 3 chapter.
 4 1723.1. "Consumptive use" means water which meets
 5 any of the following requirements:
 6 (1) Has been consumed through evapotranspiration.
 7 (2) Percolates to unusable groundwater.
 8 (3) After initial beneficial use, flows without
 9 intermediary beneficial uses to saline bodies of water
 10 which do not have beneficial uses related to ~~fresh water~~
 11 ~~freshwater~~ flows.
 12 (4) Becomes part of a product, such as an agricultural
 13 crop.
 14 1723.2. "Critically overdrafted groundwater basins"
 15 are those groundwater basins that are identified as
 16 critically overdrafted in the Department of Water
 17 Resources Bulletin No. 118-80, p. 3, as revised December
 18 24, 1982.
 19 1723.3. An "overdrafted groundwater basin" is a
 20 groundwater basin that has a long-term overdraft

1 problem, as determined by the board, but is not a
2 critically overdrafted groundwater basin.
3 1723.4. "Water user" means one of the following:
4 (1) The landowner, if there is no tenant.
5 (2) The tenant if the tenant has sole control of the land
6 and water.
7 (3) If paragraphs (1) and (2) are not applicable, the
8 landowner and the tenant, subject to their contractual
9 relationship.
10 SEC. 5. Article 1 (commencing with Section 1725) of
11 Chapter 10.5 of Part 2 of Division 2 of the Water Code is
12 amended and renumbered to read:

Article 3. Temporary Changes

16 SEC. 6. Section 1725 of the Water Code is amended to
17 read:

18 1725. A permittee or licensee may temporarily
19 change the point of diversion, place of use, or purpose of
20 use due to a transfer or exchange of water or water rights
21 if the transfer would only involve the amount of water
22 that would have been consumptively used or stored by
23 the permittee or licensee in the absence of the proposed
24 temporary change, would not injure any legal user of the
25 water, and would not unreasonably affect fish, wildlife, or
26 other instream beneficial uses.

27 SEC. 7. Section 1727 of the Water Code is amended to
28 read:

29 1727. (a) Upon receipt by the board of notification of
30 a proposed temporary change, the board shall notify, in
31 writing, the board of supervisors of the county from
32 which the water is proposed to be transferred and the
33 Department of Fish and Game of the proposed transfer.

34 (b) ~~(1)~~ The board shall make an evaluation sufficient
35 to determine that the change would not do either of the
36 following:

37 ~~(A)~~
38 (1) Result in injury to any legal user of the water,
39 during any potential hydrologic condition, through
40 resulting significant changes in water quantity, water

1 quality, timing of diversion or use, consumptive use of the
2 water, reduction in return flows, or reduction in the
3 availability of water within the watershed of the
4 transferor.

5 ~~(B)~~
6 (2) Unreasonably affect the environment, including,
7 but not limited to, fish, wildlife, wetlands, or other
8 instream beneficial uses.

9 ~~(2)~~ ~~(A)~~ The
10 The board shall consider the recommendations of the
11 Department of Fish and Game, including
12 recommendations on the timing or method of transfer or
13 diversion which would enhance fish and wildlife.

14 ~~(B)~~ The The board shall make a written record of its
15 reasons, if the board does not follow the
16 recommendations of the Department of Fish and Game.

17 (c) Upon making the determination pursuant to
18 subdivision (b), and finding that no injury or
19 unreasonable effect would result, the board shall so notify
20 the transferor, and those legal users of water identified
21 pursuant to subdivision (b), of its finding and the order
22 approving the temporary change by personal delivery or
23 registered mail. The temporary change shall take effect
24 five days after the order is issued.

25 (d) If the board does not make the determination that
26 no injury or unreasonable effect would result within 60
27 days after the receipt of the notice of a proposed
28 temporary change, or within any extension of that period
29 agreed to by the transferor, it shall so notify the transferor
30 and those legal users of the water identified pursuant to
31 subdivision (b), by personal delivery or registered mail,
32 and shall fix a time and place for a hearing on the issues
33 set forth in subdivision (b).

34 SEC. 8. Section 1733 is added to the Water Code, to
35 read:

36 1733. Upon the request of a holder of an appropriative
37 right initiated prior to December 19, 1914, or a holder of
38 a right to extract groundwater for beneficial use, the
39 board may authorize a temporary change pursuant to this
40 article in the holder's point of diversion, place of use, or

1 purpose of use due to a transfer or exchange of water or
2 water rights, subject to all of the following:

3 (a) The board shall determine that the amount of
4 water to be used by the right holder, plus the amount to
5 be transferred by the right holder, does not exceed the
6 amount to which the right holder is entitled.

7 (b) (1) The board shall not approve a transfer of
8 groundwater out of a critically overdrafted groundwater
9 basin. The board shall not approve a transfer of surface
10 water if the surface water is to be replaced by
11 groundwater from a critically overdrafted groundwater
12 basin.

13 (2) The board shall not approve a transfer of
14 groundwater out of an overdrafted groundwater basin
15 unless the transfer will lessen the amount of the overdraft
16 that would have occurred without the transfer. The
17 board shall not approve a transfer of surface water if the
18 surface water is to be replaced by groundwater from an
19 overdrafted groundwater basin unless the transfer will
20 lessen the amount of the overdraft that would have
21 occurred without the transfer.

22 (3) The board shall not approve a transfer which
23 would subject a groundwater basin to a condition of
24 overdraft.

25 (4) This subdivision does not affect programs or
26 transfers involving surface water stored in the
27 underground as part of a conjunctive use program.

28 (c) This section is not a limitation on any other
29 provision of law authorizing transfers.

30 (d) The transferor of the water shall not lose any water
31 right, other than that specified in the transfer agreement,
32 because of a transfer undertaken pursuant to this section.

33 (e) This section does not apply to water within Inyo
34 County or Mono County, or to Colorado River water
35 within the Colorado River Hydrologic Basin as defined in
36 the Department of Water Resources Bulletin No. 160-87.

37 (f) Notwithstanding Section 1729, the temporary
38 transfer of water undertaken pursuant to this section is
39 subject to the requirements of Division 13 (commencing
40 with Section 21000) of the Public Resources Code.

1 SEC. 9. Article 2 (commencing with Section 1735) of
2 Chapter 10.5 of Part 2 of Division 2 of the Water Code is
3 amended and renumbered to read:

Article 4. Long-Term Transfers

7 SEC. 10. Section 1735 of the Water Code is amended
8 to read:

9 1735. (a) The board may consider a petition for a
10 long-term transfer of water or water rights involving a
11 change of point of diversion, place of use, or purpose of
12 use.

13 (b) A long-term transfer is a transfer for any period in
14 excess of one year.

15 (c) Upon receipt of a petition pursuant to this section,
16 the board shall notify in writing the board of supervisors
17 of the county from which the water is proposed to be
18 transferred and the Department of Fish and Game of the
19 proposed change.

20 SEC. 11. Section 1736 of the Water Code is amended
21 to read:

22 1736. The board, after providing notice and
23 opportunity for a hearing, may approve such a petition
24 for a long-term transfer if the change would not do any
25 of the following:

26 (a) Result in substantial injury to any legal user of
27 water.

28 (b) ~~(1)~~ Unreasonably affect the environment,
29 including, but not limited to, fish, wildlife, or other
30 instream beneficial uses.

31 ~~(2)~~ The
32 The board shall consider the recommendations of the
33 Department of Fish and Game, including
34 recommendations on the timing or method of transfer or
35 diversion which would enhance fish and wildlife.

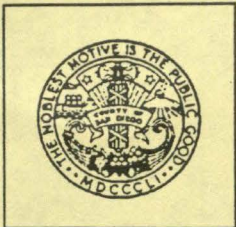
36 ~~(3)~~ The
37 The board shall make a written record of its reasons if
38 the board does not follow the recommendations of the
39 Department of Fish and Game.

40 (c) Unreasonably affect the overall economy of the

1 county or the local community from which the water is
 2 being transferred.
 3 SEC. 12. Section 1738 is added to the Water Code, to
 4 read:
 5 1738. Upon the request of a holder of an appropriative
 6 right initiated prior to December 19, 1914, or a holder of
 7 a right to extract groundwater for beneficial use, the
 8 board may authorize a long-term change pursuant to this
 9 article in the holder's point of diversion, place of use, or
 10 purpose of use due to a transfer or exchange of water or
 11 water rights, subject to all of the following:
 12 (a) The board shall determine that the amount of
 13 water to be used by the right holder, plus the amount to
 14 be transferred by the right holder, does not exceed the
 15 amount to which the right holder is entitled.
 16 (b) (1) The board shall not approve a transfer of
 17 groundwater out of a critically overdrafted groundwater
 18 basin. The board shall not approve a transfer of surface
 19 water if the surface water is to be replaced by
 20 groundwater from a critically overdrafted groundwater
 21 basin.
 22 (2) The board shall not approve a transfer of
 23 groundwater out of an overdrafted groundwater basin
 24 unless the transfer will lessen the amount of the overdraft
 25 that would have occurred without the transfer. The
 26 board shall not approve a transfer of surface water if the
 27 surface water is to be replaced by groundwater from an
 28 overdrafted groundwater basin unless the transfer will
 29 lessen the amount of the overdraft that would have
 30 occurred without the transfer.
 31 (3) The board shall not approve a transfer which
 32 would subject a groundwater basin to a condition of
 33 overdraft.
 34 (4) This subdivision does not affect programs or
 35 transfers involving surface water stored in the
 36 underground as part of a conjunctive use program.
 37 (e) ~~The local agency shall not approve a final map for~~
 38 ~~a subdivision pursuant to the Subdivision Map Act~~
 39 ~~(Division 2 (commencing with Section 66410) of Title 7~~
 40 ~~of the Government Code) for any parcel of land from~~

1 which water or water rights have been transferred
 2 pursuant to this section, for the duration of the transfer
 3 period, unless the landowner is able to verify that he or
 4 she has fully replaced the water.
 5 (d)
 6 (c) Not more than 20 percent of the irrigated
 7 agricultural lands within the service area of a public
 8 agency that supplies water at retail may be followed as
 9 the result of a water transfer undertaken pursuant to this
 10 section.
 11 (e)
 12 (d) This section is not a limitation on any other
 13 provision of law authorizing transfers.
 14 (f)
 15 (e) The transferor of the water shall not lose any
 16 water right, other than that specified in the transfer
 17 agreement, because of a transfer undertaken pursuant to
 18 this section.
 19 (g)
 20 (f) This section does not apply to water within Inyo
 21 County or Mono County, or to Colorado River water
 22 within the Colorado River Hydrologic Basin as defined in
 23 the Department of Water Resources Bulletin No. 160-87.
 24 SEC. 13. Section 1739 is added to the Water Code, to
 25 read:
 26 1739. (a) The Legislature finds and declares that
 27 many of the state's ~~freshwater~~ freshwater aquatic
 28 habitats are under severe long-term stress, primarily due
 29 to human-caused changes in the physical environment.
 30 The Legislature hereby further finds and declares that
 31 the transfer of water undertaken pursuant to this article
 32 may have adverse effects upon the aquatic environment
 33 that will be difficult to quantify especially in the
 34 aggregate and over time. By enacting this section, the
 35 Legislature intends to assist in the mitigation of these
 36 adverse effects.
 37 (b) The transferee shall do one of the following:
 38 (1) Make available 10 percent of the amount of the
 39 water approved for transfer to the Department of Fish
 40 and Game.

1 (2) With the consent of the Department of Fish and
 2 Game, pay 10 percent of the cost paid for the water to be
 3 transferred into the Aquatic Habitat Mitigation Account
 4 in the Fish and Game Preservation Fund, which is hereby
 5 created.
 6 (c) The transferee shall also provide the Department
 7 of Fish and Game a reasonable opportunity to purchase
 8 up to 10 percent of the amount of water proposed to be
 9 transferred pursuant to this article at the same cost as
 10 paid by the transferee.
 11 (d) The Department of Fish and Game shall use any
 12 water provided pursuant to this section, or money
 13 deposited into the Aquatic Habitat Mitigation Account in
 14 the Fish and Game Preservation Fund pursuant to
 15 paragraph (2) of subdivision (b), to mitigate long-term
 16 aquatic harm caused by transfers undertaken pursuant to
 17 this article. The first priority of the mitigation work is to
 18 mitigate damage in the watershed of the transferor.
 19 SEC. 14. Article 3 (commencing with Section 1740) of
 20 Chapter 10.5 of Part 2 of Division 2 of the Water Code is
 21 amended and renumbered to read:
 22
 23 Article 5. Transfer of Decreed Rights
 24
 25 SEC. 15. The board shall prepare a report on the
 26 feasibility of allowing the transfer of riparian water rights,
 27 including how the board would quantify the amounts of
 28 water available for transfer. The board shall submit the
 29 report, which shall include recommendations relating to
 30 proposed legislation, to the Governor and the Legislature
 31 by December 31, 1992.
 32 SEC. 16. If any provision of this act or the application
 33 thereof to any person or circumstances is held invalid,
 34 that invalidity shall not affect other provisions or
 35 applications of the act which can be given effect without
 36 the invalid provision or application, and to this end the
 37 provisions of this act are severable.



COUNTY OF SAN DIEGO

CHIEF ADMINISTRATIVE OFFICE

AGENDA ITEM

BOARD OF SUPERVISORS

BRIAN P. BILBRAY
First District

GEORGE F. BAILEY
Second District

SUSAN GOLDING
Third District

LEON L. WILLIAMS
Fourth District

JOHN MACDONALD
Fifth District

33

DATE: March 3, 1992

TO: Board of Supervisors

SUBJECT: Resolution to seek Amendments to Municipal Court Staffing Legislation which would add Positions and Classifications to the Municipal Courts and the Marshal, and Authorize Benefits Adjustments in San Diego County's Municipal Courts.

SUMMARY:

ISSUE:

Should the County adopt a resolution seeking legislative amendments to municipal court staffing portions of the California Government Code which would add positions and classifications to the El Cajon Municipal Court, the North County Municipal Court, the San Diego Municipal Court, the South Bay Municipal Court, and the Marshal, and authorize benefits adjustments in San Diego County's municipal courts.

RECOMMENDATION

CHIEF ADMINISTRATIVE OFFICER:

1. Adopt a resolution in support of the enactment of amendments to the legislation of the San Diego County Municipal Courts and the Marshal which would authorize the following:
 - A. Adding positions to the El Cajon Municipal Court, the North County Municipal Court, the San Diego Municipal Court, the South Bay Municipal Court, and the Marshal.
 - B. Adding new classifications to the North County Municipal Court, the San Diego Municipal Court, the South Bay Municipal Court, and the Marshal.
 - C. Adjusting benefits in the municipal courts.

SUBJECT: Resolution to Add Positions and Classifications to the Municipal Courts and the Marshal, to Authorize Benefits Adjustments in San Diego County's Municipal Courts, and to Seek Amendments to Municipal Court Staffing Legislation

33

ADVISORY STATEMENT

No advisory statements or other recommendations have been received relative to this action. Concurrences of the Marshal and the Municipal Court Administrators are attached.

FISCAL IMPACT

The funding source is the budgets of the municipal courts and the Marshal. If approved by the Legislature, and if all new positions were filled and funded, these amendments will result in \$ 0 current year cost, \$ 3.39 million annual cost and will require addition of 102 staff years.

ALTERNATIVES

- Do not seek amendments to San Diego County Marshal and Municipal Court staffing legislation.
- Allow certain positions and classes established by Board and court joint resolutions since June 12, 1990 to expire.

BACKGROUND INFORMATION

Staffing authorized for the municipal courts and the Marshal is reflected in both the County's budget and in the California Government Code. Statutes specify classes, positions, compensation, benefits and related issues which are specific to the Marshal and to each court. These statutes must be revised and updated periodically in order to reflect current conditions.

Existing law also authorizes the Board and a majority of the judges in a court to add positions or classes by joint action. Any joint actions have the effect of law for a specified time and must then be brought to the Legislature for inclusion in statute in order for the classes or positions to continue.

The last revision of staffing legislation occurred in 1990 when your Board proposed legislation which adjusted the number of municipal court and Marshal positions in this County as a result of opting into the State's Trial Court Funding Program.

The Board also added classes and positions to the municipal courts and the Marshal's office by joint actions in 1990, [9-10-90 (44) and 11-13-90 (11)] and in 1992 [2-4-92 (8)].

SUBJECT: Resolution to Add Positions and Classifications to the Municipal Courts and the Marshal, to Authorize Benefits Adjustments in San Diego County's Municipal Courts, and to Seek Amendments to Municipal Court Staffing Legislation

33

1992 PROPOSED LEGISLATION

The attached proposed legislation amends municipal court and marshal staffing legislation to:

- Add positions and classes authorized by joint action in 1990 and 1992 and included in the 1991-92 Adopted Budgets for the Municipal Courts and the Marshal.
- Add and delete positions and classes in the San Diego, El Cajon, North County and South Bay Municipal Courts, and in the Marshal's Office which reflect administrative reorganization efforts associated with increased workloads and new or reorganized facilities.
- Add positions and classes to allow for flexible staffing in the Municipal Courts.
- Adjust benefits to certain classes in the Municipal Courts.
- Update language in some areas to recognize changes since the last legislation.

If the recommendations contained in the proposed Municipal Court Staffing Legislation are fully implemented for those new positions not already approved by prior Board/Court resolutions and not included in 91-92 budgets, the maximum estimated fiscal impact on the Courts' and the Marshal's budgets will be as follows. The actual dollar value will vary according to actual positions filled and the classifications and pay levels utilized.

COURT	POSITIONS	COST
El Cajon Municipal	4	\$ 147,895
North County Municipal	45	1,512,231
San Diego Municipal	41	1,351,207
South Bay Municipal	2	89,222
Marshal	<u>10</u>	<u>290,196</u>
TOTAL	102	\$3,390,751

The detailed fiscal and positional summary of the above courts is attached.

The next adjustment to staffing legislation will occur in 1994. Any additional positions, new classes or reclassifications which occur before that date will be addressed through joint action of the Board and the Courts.

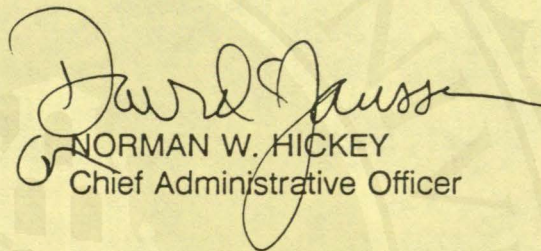
SUBJECT: Resolution to Add Positions and Classifications to the Municipal Courts and the Marshal, to Authorize Benefits Adjustments in San Diego County's Municipal Courts, and to Seek Amendments to Municipal Court Staffing Legislation

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Classification studies have been or will be conducted by the Department of Human Resources.

The details of the legislative changes are summarized in Attachment B. The actual proposed legislation is included as Attachment A to the Resolution. Following action by your Board, this package will be forwarded to your Sacramento representative to be introduced in the State Legislature. If approved, the effective date of all provisions in the attached legislation will be January 1, 1993.

Respectfully submitted,



NORMAN W. HICKEY
Chief Administrative Officer

SUBJECT: Resolution to Add Positions and Classifications to the Municipal Courts and the Marshal, to Authorize Benefits Adjustments in San Diego County's Municipal Courts, and to Seek Amendments to Municipal Court Staffing Legislation

33

SUPV. DIST.: ALL

COUNTY COUNSEL APPROVAL: Form and Legality *JS* ☒ Yes ☐ N/A
☐ Standard Form ☐ Ordinance ☒ Resolution

AUDITOR APPROVAL: *JSK* ☐ N/A ☒ Yes 4 VOTES: ☐ Yes ☒ No

FINANCIAL MANAGEMENT REVIEW: ☒ Yes *D* ☐ No

CONTRACT REVIEW PANEL: ☐ Approved _____ ☒ N/A

CONTRACT NUMBER(S): N/A

PREVIOUS RELEVANT BOARD ACTION: 8-7-90 (28-29) Resolution Authorizing Legislative Changes RE: Municipal Courts of San Diego County.

BOARD POLICIES APPLICABLE: N/A

CITIZEN COMMITTEE STATEMENT: NO

CONCURRENCE(S): SEE ATTACHED CONCURRENCES

ORIGINATING DEPARTMENT: CHIEF ADMINISTRATIVE OFFICER

CONTACT PERSON: Richard C. Dietz (S30) 531-6224 A-214

David J. Janssen

for CHIEF ADMINISTRATIVE OFFICER

March 3, 1992

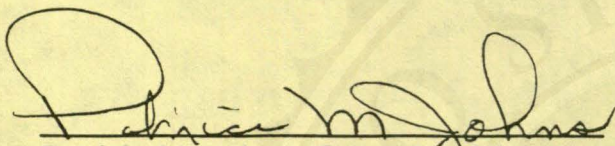
MEETING DATE

SUBJECT: Resolution to Add Positions and Classifications to the Municipal Courts and the Marshal, to Authorize Benefits Adjustments in San Diego County's Municipal Courts, and to Seek Amendments to Municipal Court Staffing Legislation

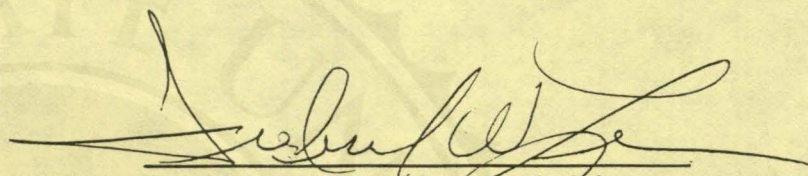
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CONCURRENCES FOR BOARD OF SUPERVISORS AGENDA ITEM

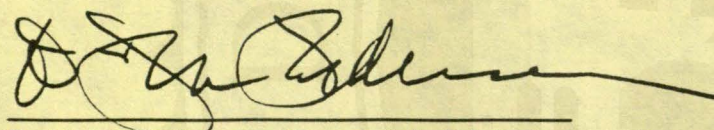
MARCH 3, 1992



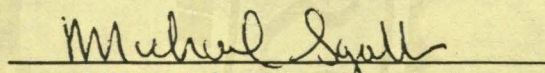
Patricia M. Johns, Court Administrator
North County Municipal Court



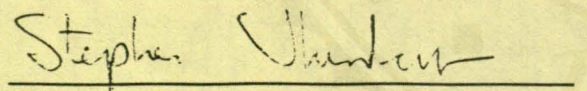
Fredrick W. Lear, Court Administrator
El Cajon Municipal Court



D. Kent Pedersen, Court Administrator
San Diego Municipal Court



Michael Sgobba, Marshal



Stephen Thunberg, Court Administrator
South Bay Municipal Court

FISCAL IMPACT STATEMENT

33

DEPARTMENT: MUNICIPAL COURTS OF SAN DIEGO COUNTY

PROGRAM: Municipal Courts

PROPOSAL: Resolution to Add Positions and Classifications to the Municipal Courts, to Authorize Benefits Adjustments in San Diego County's Municipal Courts, and to Seek Amendments to Municipal Court Staffing Legislation

Level of Mandate for this Program/Service Level is:

☒ Mandated/Mandated ☐ Discretionary/Mandatory
☐ Mandated/Discretionary ☐ Discretionary/Discretionary

Level of Mandate for this Proposal/Service Level is:

☒ Mandated/Mandated ☐ Discretionary/Mandatory
☐ Mandated/Discretionary ☐ Discretionary/Discretionary

	FUTURE YEAR ESTIMATED BUDGET OF PROPOSAL IF ADOPTED				
	(a) Budgeted Amount For Proposal	(b) Proposed Change in Budgeted Amount	(c) Proposed Revised Current Year Budget (a+b)	(d) 1st Subsequent Year	(e) 2nd Subsequent Year
Direct Cost	\$0	\$0	\$0.00	\$3,390,751	\$3,390,751
Revenue	\$0	\$0	\$0.00	\$0	\$0
NET GENERAL FUND COST	\$0.00	\$0.00	\$0.00	\$3,390,751	\$3,390,751
Staff Years	0.00	0.00	0.00	102	102
Sources of Revenue for Proposed Change and Subsequent Years					
Current appropriations/Trial Court Funding		\$0		\$3,390,751	\$3,390,751

Space-Related Impacts: Will this proposal result in any additional space requirements? ☐ Yes ☒ No
 If yes, how will these requirements be accommodated?

Support/Other Departmental Impacts: ☐ Yes ☒ No

Remarks:

No adjustments to appropriations are requested at this time.

FISCAL IMPACT - SUMMARY

If the recommendations contained in the proposed Municipal Court Staffing Legislation are fully implemented for those new positions not already approved by prior Board/Court resolutions and not included in 91-92 budgets, the maximum estimated fiscal impact on the Courts' and the Marshal's budgets will be as follows. The actual dollar value will vary according to actual positions filled and the classifications and pay levels utilized.

EL CAJON MUNICIPAL COURT:

	Positions	Cost
Sr, Assoc, Asst, Trainee Systems Analyst	1	57,346
Deputy Clerk III,II,I	3	90,549
Sub-Total	4	147,895

NORTH COUNTY MUNICIPAL COURT

	Positions	Cost
Commissioners (3 req, 1 in budget now)	2	145,662
Division Manager I	-1	(44,437)
Senior Deputy Clerk	3	111,936
Deputy Clerk IV	7	249,627
Deputy Clerk III,II,I	10	301,830
Admin Svcs Mgr I,II option to AA class	1	8,499
Admin Clerk III,II,I	1	35,661
Research Attorney I	1	46,649
Staff Develop Specialist or Coordinator	1	44,584
Sr, Assoc, Asst, Trainee Systems Analyst	1	57,346
Associate Systems Analyst	1	52,324
Computer Specialist I,II,III	1	33,950
Data Entry Supervisor	1	27,795
Data Entry Operator	10	235,460
Rev & Recovery Officer II,III	5	167,685
Supervising Judicial Secretary	1	37,660
Sub-Total	45	1,512,231

SAN DIEGO MUNICIPAL COURT

	Positions	Cost
Commissioners	1	72,831
Deputy Court Administrators	3	153,192
Division Manager II	1	44,437
Dep Clerk V/Div Mgr I calendar bonus	1	4,720
Deputy Clerk III,II,I	17	458,864
Sr, Assoc, Asst Accountant	2	93,514
Admin Secretary IV option	1	2,355
Principal Systems Analyst option	1	2,867
LAN Systems Analyst I,II,III,Supvr	2	119,952
Research Attorney IV option	1	3,830
Research Attorney I,II	2	112,530

Legal Assistant I,II	1	36,073
Admin Clerk III,II,I	4	120,732
MuniCourt Personnel Officer option	1	3,530
Analyst III,II,I,Trainee	2	77,196
Staff Develop Coordinator	1	44,584
<hr/>		
Sub-Total	41	1,351,207

SOUTH BAY MUNICIPAL COURT

	Positions	Cost
<hr/>		
Assistant Court Administrator	-1	(70,356)
Deputy Court Administrator	3	191,490
Admin Svcs Manager III	-1	(62,920)
Division Manager III	-1	(54,559)
Division Manager I or II	-1	(44,437)
Staff Develop Coord option	1	2,860
Deputy Clerk III,II,I	-1	(30,183)
Admin Clerk III,II,I	-1	(35,661)
Deputy Clerk V	2	78,296
Sr, Assoc, Asst, Trainee Systems Analyst	1	57,346
LAN Systems Analyst I,II,III	1	57,346
<hr/>		
Sub-Total	2	89,222

MARSHAL

	Positions	Cost
<hr/>		
Lieutenant	1	61,578
Sergeant	1	59,685
Lead Deputy eligibility	3	5,568
Accounting Technician	1	24,596
Senior Typists	-3	(80,529)
Legal Procedures Clerks II,I (6 vac)	6	161,952
Senior Systems Analyst	1	57,346
<hr/>		
Sub-Total	10	290,196

COURTS TOTAL	102	3,390,751
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SUMMARY OF CHANGES

EL CAJON MUNICIPAL COURT

Adds authorization for a majority of judges to appoint a Commissioner and a Traffic Trial Commissioner and establishes salary and benefits. Sets salary equal to 80% of a municipal judge.

Adds one Substance Abuse Assessor I.

Adds one Senior Systems Analyst, Associate Systems Analyst, Assistant Systems Analyst, or Systems Analyst Trainee and ties the salaries to their equivalents in County classified service.

Adds three Deputy Clerks III, II, I or Intermediate Clerk/Typist.

Adds the Municipal Court Trainee V option to the MC Trainee class and ties the salary to that of a Student Worker V in the County classified service.

Adjusts salary tie language for Municipal Court Secretary to Confidential Legal Secretary III from Criminal Legal Secretary III.

Adjusts salary tie language so that a Deputy Administrative Clerk III is now tied to a Deputy Clerk IV.

Allows Judicial Secretary to be appointed at any step within the salary range.

Ties the benefits of Chief Reporter to those of the Chief Reporter of the Superior Court.

NORTH COUNTY MUNICIPAL COURT

Adds authorization for a majority of judges to appoint up to four Commissioners, one Traffic Trial Commissioner and one Traffic Referee. However, the maximum number of total appointees is limited to four. Sets salaries of Traffic Trial Commissioner and Traffic Referee to 80% and 65% (one step increase to 70%) of a municipal judge. Sets benefits for all three classes.

Deletes one Division Manager I or II.

Adds ten Deputy Clerks IV or Senior Deputy Clerks. The class of Senior Deputy Clerk shall not exceed three.

Ties salary of the Senior Deputy Clerk to a rate 5% higher than that of a Deputy Clerk IV.

Adds ten Deputy Clerks III, II, I or Intermediate Clerk/Typist.

Adjusts salary tie language for Municipal Court Secretary to Confidential Legal Secretary III from Criminal Legal Secretary III.

Adds Admin Services Manager I or II as an option to the position of Admin Assistant I, II, or III, and ties the salary of the ASM's to their equivalent in County classified service.

Adds one Deputy Administrative Clerk III, II, or I and ties the salary to a Deputy Clerk IV.

Adds one Research Attorney I or Law Clerk.

Adds one Staff Development Specialist or Staff Development Coordinator. The StfDevSpec salary is tied to the equivalent class in the County classified service while the StfDevCoord will receive 5% more than a StfDevSpec in the classified service.

Adds one Senior Systems Analyst, Associate Systems Analyst, Assistant Systems Analyst, or Systems Analyst Trainee and ties the salaries to their equivalents in County classified service.

Adds one Associate Systems Analyst and ties the salary to the equivalent class in the County classified service.

Adds one Municipal Court Computer Specialist I, II, or III and ties the salary to the equivalent class in the County classified service.

Adds one Data Entry Supervisor and ties the salary to the equivalent class in the County classified service.

Adds ten Data Entry Operators and ties salaries to the equivalent classes in the County classified service.

Adds five Revenue and Recovery Officers II or III and ties the salaries to the equivalent classes in the County classified service.

SUMMARY OF CHANGES (continued)

NORTH COUNTY MUNICIPAL COURT (continued)

Adds one Judicial Secretary or Supervising Judicial Secretary. Ties the Supervising Judicial Secretary's salary to that of a Confidential Legal Secretary III instead of to a Criminal Legal Secretary III. Further allows the appointment of the Judicial Secretary at any step in the salary range.

Sets the salary of a Traffic Trial Commissioner equal to 80% of that of a municipal judge.

Sets the salary of a Traffic Referee equal to 65% of that of a municipal judge with one one-year step increase of 5%.

Ties benefits of a Commissioner, Traffic Trial Commissioner or Traffic Referee to those of a Deputy County Counsel IV in the County classified service.

SAN DIEGO MUNICIPAL COURT

Adds three Commissioners.

Adds three Deputy Court Administrators who will serve at the pleasure of the Court Administrator.

Adds one Division Manager II.

Allows the Court Administrator to designate one Deputy Clerk V or Division Manager I as calendar coordinator with a bonus of 15.5% or 5.5% respectively.

Adds seventeen Deputy Clerks III, II, I, or Intermediate Clerk/Typists.

Adds two Assistant, Associate or Senior Accountants.

Adds the option of appointing one Chief Interpreter.

Adjusts salary tie language for Municipal Court Secretary to Confidential Legal Secretary III from Criminal Legal Secretary III.

Adds the Admin Secretary IV option to the position of Admin Secretary III, II, or I and ties the salary to the equivalent class in the County classified service.

Adds the Administrative Assistant III option to the class of Admin Assistants and deletes one Admin Assistant II. The net total of three Admin Assistants is unchanged but now includes AAIII, II, I, or Trainee.

Adds one Principal Systems Analyst option in the systems analyst group and ties the salary to the equivalent class in the County classified service.

Adds two LAN Systems Analyst I, II, III or Supervisor in the systems analyst group and ties salaries to the equivalent classes in the County classified services.

Adds the class of Research Attorney IV option to the one position of research attorney. Ties the salary of the Research Attorney IV to that of a Deputy County Counsel IV in the classified service.

Adds two Research Attorneys I or II.

Adds one Legal Assistant I or II.

Adds the Municipal Court Trainee V option to the MC Trainee class and ties the salary to that of a Student Worker V in the County classified service.

Adds four Administrative Clerks III, II, or I.

Adds Municipal Court Personnel Officer as an option in the one position personnel officer class and ties the salary to that of a Personnel Officer III in the County classified service.

Adds two Analyst Trainees, I, II or III.

Adds one Staff Development Specialist or Staff Development Coordinator. The StfDevSpec salary is tied to the equivalent class in the County classified service while the StfDevCoord will receive 5% more than a StfDevSpec in the classified service.

SUMMARY OF CHANGES (continued)

SAN DIEGO MUNICIPAL COURT (continued)

Ties the benefits of Chief Reporter to those of the Chief Reporter of the Superior Court

SOUTH BAY MUNICIPAL COURT

Adds authorization for a majority of judges to appoint a Traffic Referee and establishes salary and benefits of a Traffic Referee. Sets salary equal to 65% of a municipal judge with one annual 5% step increase.

Deletes one Assistant Court Administrator.

Adds three Deputy Court Administrators.

Deletes one Administrative Services Manager I, II, III.

Deletes one Division Manager III.

Deletes one Division Manager I or II.

Adds the option of Staff Development Coordinator to the staff development specialist position.

Deletes one Deputy Clerk III, II, or I.

Adds Municipal Court Trainee V to the MC Trainee class and ties salary to that of a Student Worker V in the County classified service.

Deletes one Deputy Administrative Clerk III, II, or I.

Ties salary of Deputy Administrative Clerk III to that of Deputy Clerk IV.

Adds two Deputy Clerks V.

Adjusts salary tie language for Municipal Court Secretary to Confidential Legal Secretary III from Criminal Legal Secretary III.

Adds one Senior Systems Analyst, Associate Systems Analyst, Assistant Systems Analyst, or Systems Analyst Trainee and ties the salaries to their equivalents in County classified service.

Adds one LAN Systems Analyst I, II, or III and ties the salaries to their equivalents in County classified service.

MARSHAL

Adds one Lieutenant.

Adds one Sergeant.

Adds three to number of eligible Lead Deputies. No change in total Deputies.

Adds one Accounting Technician.

Deletes three Senior Typists, twenty Intermediate Typists and one Junior Typist.

Adds one Department Computer Specialist I, II, or III.

Adds twelve Legal Procedures Clerks II or I.

Deletes the one EDP Coordinator option and adds one Senior Systems Analyst.

Removes the 50% limit of Court Service Officers eligible for 7 1/2% Bonus Pay.

CHANGES APPLICABLE TO ALL

Extends temporary appointment period for extra help positions (hourly rate) from 90 to 120 days or 720 to 960 hours, whichever is greater, during a fiscal year.

TUESDAY, MARCH 3, 1992

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BOARD OF SUPERVISORS
COUNTY OF SAN DIEGO
RESOLUTION AUTHORIZING LEGISLATIVE CHANGES
RE: THE MUNICIPAL COURTS AND MARSHAL
OF SAN DIEGO COUNTY

On motion of Supervisor _____, seconded by
Supervisor _____, the following resolution is adopted.

WHEREAS, the Board of Supervisors of the County of San Diego has, subject to determination of funding availability and budget approval, approved numerous changes to the staffing schedules of the municipal courts and the Marshal of the County of San Diego; and

WHEREAS, such changes as outlined in Attachment A attached hereto and by reference incorporated herein, require modification by the state legislature of various sections of the state statutes; and

WHEREAS, in adopting this resolution, the Board of Supervisors of San Diego County recognizes and acknowledges that the resolution constitutes a "local request" as defined by and within the meaning of Government Code Section 17556(a) and that San Diego County is therefore precluded from obtaining any reimbursement of any resultant costs from the state under Section 6 of Article XIII B of the California Constitution.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of San Diego County hereby authorizes its Sacramento Representative to secure amendment of the legislative changes authorized by this Board on this date into appropriate legislative measures; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of San Diego County does hereby affirm that, subject to funding availability and budget approval, it shall fund any and all added costs which may result from the staffing modification hereby approved.

PASSED AND ADOPTED BY THE Board of Supervisors of the County of San Diego this 3rd day of March, 1992, by the following vote:

AYES:	Supervisors
NOES:	Supervisors
ABSENT:	Supervisors

STATE OF CALIFORNIA)
County of San Diego) ss.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

BY: John J. Anson
DEPUTY

I, THOMAS J. PASTUSZKA, Clerk of the Board of Supervisors of the County of San Diego, State of California, hereby certify that I have compared the foregoing copy with the original resolution passed and adopted by said Board, at a regular meeting thereof, at the time and by the vote herein stated, which original resolution is now on file in my office; that the same contains a full, true and correct transcript therefrom and of the whole thereof.

Witness my hand and the seal of said Board of Supervisors, this _____
day of _____.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

(SEAL)

by _____
Deputy

EL CAJON MUNICIPAL COURT

§ 73641. Number of judges

There shall be 10 judges.

§ 73642. Additional benefits for judges

(a) In addition to any other compensation and benefits, each judge of the municipal court shall receive the same life insurance, accidental death and dismemberment insurance, comprehensive annual physical examinations, executive flexible benefits plan (except that if deferred compensation is selected, no adjustment based on retirement tier shall apply), and dental and vision insurance as provided by the County of San Diego for the classification of chief administrative officer. Changes in these benefits shall be effective on the same date as those for the classification of chief administrative officer.

(b) Subject to approval by the board of supervisors, each judge of the municipal court shall receive one or more of the following benefits: the same long-term disability insurance as provided by the County of San Diego for the classification of chief administrative officer or retiree health benefits whereby each judge of the municipal court serving on or after October 1, 1987, who retires from the municipal court on or after January 1, 1989, shall receive the same amount of insurance premium for retiree health benefits under the Public Employees' Medical and Hospital Care Act (Part 5 (commencing with Section 22751) of Title 2) that the state provides to retired superior court judges under that act.

§ 73643. Court Administrator; Compensation

There shall be one court administrator who shall serve as clerk of the court, and who shall be appointed by the majority of the judges of the court. The biweekly salary of the court administrator shall be within the biweekly rate range ES-13 indicated in the Compensation Ordinance of the County of San Diego. The biweekly salary, and any advancement or reduction within the range, shall be determined in accordance with the provisions set forth under Article 3.5 of the Compensation Ordinance of the County of San Diego and of subdivision (a) of Section 74345, except that any reference to "executive compensation committee" or "chief administrative officer" in Article 3.5 of the Compensation Ordinance of the County of San Diego shall be interpreted as "a majority of the judges."

§ 73644. Appointments by administrator; Salaries

The court administrator may appoint the following personnel:

(a) One assistant court administrator. The assistant court administrator shall serve as the assistant clerk of the court and shall receive a biweekly salary within the biweekly rate range ES-10 indicated in the Compensation Ordinance of the County of San Diego. The biweekly salary, and any advancement or reduction within the range, shall be determined in accordance with the provisions set forth under Article 3.5 of the Compensation Ordinance of the County of San Diego

and of subdivision (a) of Section 74345, except that any reference to "executive compensation committee" or "chief administrative officer" in Article 3.5 of the Compensation Ordinance of the County of San Diego shall be interpreted as "the court administrator."

(b) One deputy clerk-administrative assistant I, II, III or deputy clerk-administrative services manager I or II as the case may be. A deputy clerk-administrative assistant I shall receive a biweekly salary at a rate equal to that specified for administrative assistant I in the classified service of the County of San Diego. A deputy clerk-administrative assistant II shall receive a biweekly salary at a rate equal to that specified for administrative assistant II in the classified service of the County of San Diego. A deputy clerk-administrative assistant III shall receive a biweekly salary at a rate equal to that specified for administrative assistant III in the classified service of the County of San Diego. A deputy clerk-administrative services manager I shall receive a biweekly salary at a rate equal to that specified for administrative services manager I in the classified service of the County of San Diego. A deputy clerk-administrative services manager II shall receive a biweekly salary at a rate equal to that specified for administrative services Manager II in the classified service of the County of San Diego.

(c) Two deputy clerk-division managers III each of whom shall receive a biweekly salary at a rate 24.5 percent higher than that specified for deputy clerk-division manager II of the San Diego Judicial District.

(d) Five deputy clerk-division managers I or II, as the case may be. A division manager I shall receive a biweekly salary at a rate 10 percent higher than that specified for deputy clerk V of the San Diego Judicial District. A division manager II shall receive a biweekly salary at a rate 15.5 percent higher than that specified for deputy clerk V of the San Diego Judicial District.

(e) Sixteen deputy clerks IV. Each of the deputy clerks IV shall receive a biweekly salary at a rate equal to the greater of that specified for superior court clerk in the superior court service of the County of San Diego or 19.95 percent higher than that specified for deputy clerk III.

(f) ~~Sixty-three~~ Seventy deputy clerks III, II, I or deputy clerk-intermediate clerk typists as the case may be. Each of the deputy clerks III shall receive a biweekly salary at a rate equal to that specified for legal procedures clerk III in the classified service of the County of San Diego. Each of the deputy clerks II shall receive a biweekly salary at a rate equal to that specified for legal procedures clerk II in the classified service of the County of San Diego. Each of the deputy clerks I shall receive a biweekly salary at a rate equal to that specified for legal procedures clerk I in the classified service of the County of San Diego. At the discretion of the court administrator, appointments to deputy clerk I may be at any step within the salary range. Up to four of these positions may be filled at the level of deputy clerk-intermediate clerk typist. A deputy clerk-intermediate clerk typist shall receive a biweekly salary at a rate equal to that specified for intermediate clerk typist in the classified service of the County of San Diego.

(g) Four deputy clerk-data entry operators, each of whom shall receive a biweekly salary at a rate equal to that specified for data entry operator in the classified service of the County of San Diego.

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(h) One deputy clerk-municipal court secretary who shall receive a biweekly salary at a rate equal to that specified for ~~criminal confidential~~ legal secretary III in the classified service of the County of San Diego. At the discretion of the court administrator appointment to the deputy clerk-municipal court secretary may be at any step within the salary range. ~~Notwithstanding subdivision (b) of Section 74749, persons who hold the position of deputy clerk-administrative secretary IV on January 1, 1991, may be appointed by the court administrator to the position of deputy clerk-municipal court secretary without further examination subject to certification by the court administrator that the person possesses the minimum qualifications and necessary skills to perform the duties of the position.~~

(i) Three deputy clerk-court interpreters who shall receive a biweekly salary at a rate equal to that specified for superior court clerk interpreter in the superior court service of the County of San Diego.

(j) One deputy clerk-research attorney I, deputy clerk-research attorney II, or deputy clerk-law clerk, as the case may be. A deputy clerk research attorney I shall receive a biweekly salary equal to that specified for a deputy county counsel I in the classified service of the County of San Diego. A deputy clerk-research attorney II shall receive a biweekly salary equal to that specified for a deputy county counsel II in the classified service of the County of San Diego. A deputy clerk-law clerk shall receive a biweekly salary at a rate equal to that specified for a law clerk in the classified service of the County of San Diego.

(k) One deputy clerk-administrative secretary III, II, or I, as the case may be. A deputy clerk-administrative secretary III shall receive a biweekly salary at a rate equal to that specified for an administrative secretary III in the classified service of the County of San Diego. A deputy clerk-administrative secretary II shall receive a biweekly salary at a rate equal to that specified for an administrative secretary II in the classified service of the County of San Diego. A deputy clerk-administrative secretary I shall receive a biweekly salary at a rate equal to that specified for an administrative secretary I in the classified service of the County of San Diego.

(l) One deputy clerk-assistant, associate, or senior accountant as the case may be. A deputy clerk-assistant accountant shall receive a biweekly salary at a rate equal to that specified for the class of assistant accountant in the classified service of the County of San Diego. A deputy clerk-assistant accountant shall receive a biweekly salary at a rate equal to that specified for the class of associate accountant in the classified service of the County of San Diego. A deputy clerk-senior accountant shall receive a biweekly salary at a rate equal to that specified for the class of senior accountant in the classified service of the County of San Diego.

(m) ~~One~~ Two deputy clerk-substance abuse assessors I and one deputy clerk-substance abuse assessor II. Notwithstanding subdivision (b) of Section 73649, persons appointed to these positions on or after January 1, 1990, shall serve at the pleasure of the court administrator. The deputy clerk-substance abuse assessor II shall receive a biweekly salary at a rate equal to that specified for the class of deputy probation officer in the classified service of San Diego County. ~~The~~ A deputy clerk-substance assessor I shall receive a biweekly salary at a rate 9 percent below that specified for a deputy clerk-substance abuse assessor II. Appointments to deputy clerk-substance abuse assessor I and II may be at any step within the salary range.

(n) Notwithstanding subdivision (b) of Section 73649, up to 10 extra help positions (hourly rate) to be appointed by and serve at the pleasure of the court administrator in the class and salary level deemed appropriate. These appointments shall be temporary for a period not to exceed six months, plus one additional period of up to six months, at the court administrator's option. Notwithstanding any other provisions of this section, the court administrator may fill these positions with personnel employed for a period not to exceed 90 ~~120~~ days or 720 ~~960~~ hours, whichever is greater, during a fiscal year on a part-time basis.

(o) Notwithstanding subdivision (b) of Section 73649, up to 10 deputy clerk-court workers may be appointed by and serve at the pleasure of the court administrator. The class of deputy clerk-court worker provides for temporary appointments to positions in classes not listed in Sections 73640 to 73650, inclusive, pending a review and evaluation of the duties of these positions by the court administrator, and the establishment of specific classes as provided in this section. Prior to the establishment of those classes, the county personnel director shall conduct a classification review and make recommendations to the municipal court as to the establishment of those classes. The rate of pay for each individual employed in this class shall be within the range proposed for the class pending establishment, at a rate determined by the court administrator following consultation with the county personnel director. The rules regarding appointment and compensation as they relate to appointments to deputy clerk-court worker shall be the same as those applicable to the class that is pending establishment. Appointments shall be temporary and shall not exceed six months. Employee benefits, if applicable, shall be equal to those granted to the class in the service of the County of San Diego to which the pending class will be tied for benefit purposes. When such an appointment is made, the class, compensation (including salary and fringe benefits), and number of such positions may be established by joint action of the majority of the judges and the board of supervisors in accordance with established county personnel and budgetary procedures. In the event that the class pending establishment is tied to a class in the unclassified service of the County of San Diego, the joint action may designate that persons serving in the class pending establishment shall serve at the pleasure of the court administrator. The court administrator may then appoint additional attaches to such classes of positions in the same manner as those for which express provision is made, and they shall receive the compensation so provided. Persons occupying deputy clerk-court worker positions shall have their appointments expire not later than 30 calendar days following promulgation of a list of certified eligibles for the new class. Appointments to the new class shall continue at the stated compensation or as thereafter modified by joint action of the majority of the judges and board of supervisors.

(p) Notwithstanding subdivision (b) of Section 73649, the court administrator may appoint up to 15 temporary extra help deputy clerk-municipal court trainees I, II, ~~or~~ III, or V, who shall be paid at an hourly rate and shall serve at the pleasure of the court administrator. A deputy clerk-municipal court trainee I shall receive an hourly salary at a rate equal to that specified for student worker I in the unclassified service of the County of San Diego. A deputy clerk-municipal court trainee II shall receive an hourly salary at a rate equal to that specified for student worker II in the unclassified service of the County of San Diego. A deputy clerk-municipal court trainee III shall receive an hourly salary at a rate equal to that specified for student worker III in the unclassified service of the County of San Diego. A deputy clerk-municipal court trainee V shall receive an hourly salary at a rate equal to that specified for student worker V in the unclassified

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service of the County of San Diego. Persons who graduate and receive a degree in the field which qualified them for appointment to a deputy clerk-municipal court trainee class,

may remain in the class and be employed on a full-time basis for up to six months from the first day of the month following their date of graduation.

(q) Three deputy administrative clerks III, II, or I, as the case may be. A deputy administrative clerk III shall receive a biweekly salary at a rate ~~19.95 percent higher than equal to~~ that specified for a deputy administrative clerk II clerk IV. A deputy administrative clerk II shall receive a biweekly salary at a rate equal to that specified for deputy clerk III. A deputy administrative clerk I shall receive a biweekly salary at a rate equal to that specified for deputy clerk II.

(r) One deputy clerk-municipal court computer specialist I, II, or III, as the case may be. A deputy clerk-municipal court computer specialist I, II, or III shall receive a biweekly salary at a rate equal to that specified for departmental computer specialist I, II, or III, respectively, in the classified service of the County of San Diego.

(s) One deputy clerk-senior systems analyst, associate systems analyst, assistant systems analyst, or systems analyst trainee as the case may be. A deputy clerk-senior systems analyst shall receive a biweekly salary at a rate equal to that specified for senior systems analyst in the classified service of the County of San Diego. A deputy clerk-associate systems analyst shall receive a biweekly salary at a rate equal to that specified for associate systems analyst in the classified service of the County of San Diego. A deputy clerk-assistant systems analyst shall receive a biweekly salary at a rate equal to that specified for assistant systems analyst in the classified service of the County of San Diego. A deputy clerk-systems analyst trainee shall receive a biweekly salary at a rate equal to that specified for systems analyst trainee in the classified service of the County of San Diego.

~~(s) (t)~~ One deputy clerk-staff development specialist or deputy clerk-staff development coordinator as the case may be. A deputy clerk-staff development specialist shall receive a biweekly salary at a rate equal to that specified for staff development specialist in the classified service of the County of San Diego. A deputy clerk-staff development coordinator shall receive a biweekly salary at a rate 5 percent higher than that specified for staff development specialist in the classified service of the County of San Diego.

~~(t) (u)~~ Seven deputy clerks V, each of whom shall receive a biweekly salary equal to that specified for deputy clerk V in the San Diego Municipal Court. The duties of the class of deputy clerk V shall include supervisory responsibilities. ~~Notwithstanding subdivision (b) of Section 74749, persons who hold the position of senior deputy clerk IV on January 1, 1991, may be appointed by the court administrator to the position of deputy clerk V without further examination subject to certification by the court administrator that the person possesses the minimum qualifications and necessary skills to perform the duties of the position.~~

~~(u) (v)~~ Except as provided in this section, Section 74345 shall apply to the attaches appointed pursuant to this section and Section 73643.

~~(v) (w)~~ Notwithstanding any other provisions of law, the number of positions in classifications authorized under subdivision (b) to (m), inclusive, (o), (p), (q), (r), (s), ~~and (t), and (u)~~ of this section and under Section 73646 may be increased by up to 30 additional positions by joint action of the majority of the judges and the board of Supervisors in accordance with established county personnel and budgetary procedures. The rules regarding appointment and compensation (including salary and fringe benefits) as they relate to appointments of persons to those positions shall be the same as those applicable to the class of those positions. The action of the majority of the judges and the resolution of the board of supervisors adjusting such positions shall designate the class title or titles and number of positions to be added to each respective class. Any adjustment made pursuant to this subdivision shall be effective on adoption of the resolution by the board of supervisors and shall remain in effect only until January 1 of the second year following the year in which the resolution is adopted, unless earlier ratified by the Legislature.

§ 73645. Appointment of additional deputy clerks

In the event of an increase in the number of judges the court administrator may appoint one deputy clerk IV, one deputy clerk III, one deputy clerk II and one deputy clerk I, for each additional judgeship created.

§ 73646. Judicial secretaries

By order entered in the minutes of the court, a majority of judges may appoint three judicial secretaries who shall serve at the pleasure of the judges. Each judicial secretary shall receive a biweekly salary at a rate equal to that specified for administrative secretary IV in the classified service of the County of San Diego ~~commencing at step 4 at initial employment and advancing to step 5 at the end of year of continuous service. Appointments to judicial secretary may be at any step within the salary range.~~

The position of judicial secretary shall be deemed comparable to the position of administrative secretary IV in the classified service of San Diego County. Whenever the salary of the class of administrative secretary IV is adjusted by the Board of Supervisors of San Diego County, the salary of the class of judicial secretaries shall be adjusted a commensurate percentage in the salary schedule on the same date.

Notwithstanding Section 73649, the judicial secretaries shall receive and be entitled to the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be provided for administrative secretary IV in the classified service of the County of San Diego. However, the class of judicial secretary shall be entitled to: (a) earn sick leave credit at the rate of 5.385 percent of each hour of paid service during the pay period; (b) earn vacation credit at the rate of 5.769 percent of each hour of paid service during the pay period and accumulate vacation credit not to exceed 25 working days where the employee has less than 10 years of continuous service; and (c) earn vacation credit at the rate of 8.075 percent of each hour of paid service during the pay period and accumulate vacation credit not to exceed 35 working days where the employee has 10 years or more of continuous service. Persons appointed to this position on or after January 1, 1993, shall be entitled to earn and accrue the same sick leave credit and vacation credit as an administrative secretary IV in the classified service of the County of San

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Diego.

§ 73647. Persons succeeding to positions under Municipal and Justice Court Act of 1949

Persons who succeed to positions in the municipal court under provision of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county. In determining the rate of compensation to be paid to the officers and employees named in this article, service in any city, municipal, or justice court of the State of California and service in the sheriff's department or constabulary of the County of San Diego shall be deemed to be service in the respective offices and employments in the Municipal Court of the El Cajon Judicial District.

§ 73648. Location of sessions

The municipal court shall hold sessions at such location, or locations, within the El Cajon Judicial District as the board of supervisors of the County of San Diego may designate.

§ 73649. Privileges and benefits; Removal; Probationary period

(a) In addition to the salary provided in this article, the classes of attachés of the municipal court shall receive, and they shall be entitled to the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be provided for the employees of the County of San Diego in the comparable classes specified in Section 74345. The court administrator shall receive the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be received by the class of chief probation officer of the County of San Diego. The assistant court administrator shall receive the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be received by class of assistant chief probation officer of the County of San Diego. All persons employed as deputy clerk-division manager I, deputy clerk-division manager II, deputy clerk-division manager III, or deputy clerk-administrative assistant III shall receive the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be received by the class administrative assistant III in the classified service of the County of San Diego. However, all officers, employees, and attachés of the municipal court shall be eligible to enroll in the dental and vision group insurance plans sponsored by the County of San Diego. The purpose and intent of this subdivision is to provide all court attachés except the judicial secretaries employed, traffic trial commissioners, commissioner, traffic referee, and court reporters with any and all, but no more than, those fringe benefits which are available to their comparable classes in the service of the County of San Diego as specified in this section or in Section 74345. Whenever action or approval by the chief administrative officer or county personnel director is required for the county benefit, it shall be taken or given, as to municipal court officers and attachés other than those serving at the pleasure of the court, by the court administrator with the approval of the majority of the judges of the municipal court or their designees, or, as to those serving at the pleasure of the court, by the majority of the judges of the municipal court or their designees. Changes in fringe benefits shall be effective on the same date as those for employees of the County of San Diego in the specified comparable classes. The majority of all the municipal court judges may adopt rules for the conduct of and personnel privileges to be afforded the attachés of the court, excluding fringe

benefits.

(b) All attachés other than the court reporters, judicial secretaries, commissioners, traffic trial commissioners, traffic referees, and other persons serving at the pleasure of their appointing authorities, may be appointed, promoted, removed, suspended, laid off, or discharged for cause by the appointing authority subject in such appointment, promotion, removal, suspension, layoff, or discharge to civil service provisions applicable to the classified personnel of the County of San Diego. Whenever such attachés are appointed or promoted to a position, they must serve a probationary period of at least six months, and not to exceed 18 months, as specified in the job announcement for the class prior to appointment.

§ 73649.1. Salary of traffic trial commissioner; Benefits; Commissioner; Traffic Trial Commissioner; Traffic Referee; appointment; salary; benefits; Reimbursement of bar dues

(a) By order entered in the minutes of the court, a majority of judges may appoint a traffic trial commissioner who shall serve at the pleasure of the judges.

(a) (b) A traffic trial commissioner shall receive a salary equal to 80 percent of the salary of a judge of the municipal court.

(c) By order entered in the minutes of the court, a majority of judges may appoint a commissioner who shall serve at the pleasure of the judges.

(d) A commissioner shall receive a salary equal to 80 percent of the salary of a judge of the municipal court.

(e) By order entered in the minutes of the court, a majority of judges may appoint a traffic referee who shall serve at the pleasure of the judges.

(f) A traffic referee shall receive a salary equal to 65 percent of the salary of a judge of the municipal court. After each year, the traffic referee shall receive an increase of 5 percent of the salary of a judge of the municipal court but in no event shall he or she receive more than 70 percent of the judge of the municipal court.

(b) (g) A traffic trial commissioner, commissioner, or traffic referee shall receive and be entitled in the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be provided for a deputy county counsel IV in the classified service of the County of San Diego. However, a traffic trial commissioner, commissioner, or traffic referee shall be entitled to (a) earn sick leave credit at the rate of 5 percent of each hour of paid service during the pay period; (b) earn vacation credit at the rate of 8.075 percent of each hour of paid service during the pay period.

(e) (h) With the approval of a majority of judges of the court and the board of supervisors, each traffic trial commissioner, commissioner, and traffic referee may be reimbursed for any payment he or she makes for his or her annual State Bar of California membership fee.

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§ 73650. Official reporters; Chief reporter; Reporters pro tempore; Compensation and fees

Official reporters in the Municipal Court of the El Cajon Judicial District appointed pursuant to Section 72194 shall be attachés of the court, and in lieu of any other compensation provided by law for their services in reporting testimony and proceedings in the court shall be paid a biweekly salary equal to that specified for official court reporters for the Superior Court of the County of San Diego. These salaries shall be a charge against the general fund of the county.

Notwithstanding Section 72194, by joint action of the majority of the judges and the board of supervisors in accordance with the county personnel and budgetary procedures, the class of chief reporter may be established. The action of the majority of the judges and the resolution of the board of supervisors shall designate that the class of chief reporter is limited to one position and shall receive a biweekly salary at a rate 15 percent higher than that specified for official reporters. The chief reporter shall be appointed by and serve at the pleasure of the judges and shall receive ~~and be entitled to~~ the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be ~~provided for official reporters~~ received by the chief reporter of the Superior Court of the County of San Diego.

Pursuant to Section 72194, the judges of the court may appoint as many additional reporters as the business of the court may require, who shall be known as official reporters pro tempore, and who shall serve without salary but shall receive the fees provided by Sections 69947 to 69953, inclusive, except that in lieu of the per diem fees provided in those sections for reporting testimony and proceedings, the official reporters pro tempore shall in all cases be compensated at a rate equal to that paid to official reporters pro tempore for the Superior court of the County of San Diego, which shall be a charge against the general fund of the County of San Diego.

Fees for transcription of testimony and proceeding in the court shall be paid by the litigants to official reporters and official reporters pro tempore as otherwise provided by law. In all cases where by law the court may direct the payment of transcription fees out of the county treasury, those fees shall, upon order of the court, be paid from the general fund including fees for transcription or testimony and proceedings in criminal cases as provided in Sections 69947 to 69953, inclusive.

Official reporters of the court shall be members of any retirement system maintained by the county. For the purpose of the retirement system the salary provided in this article for those reporters shall be deemed their entire compensation.

Notwithstanding the provisions of Section 73649, official reporters serve at the pleasure of the judges and shall receive and be entitled to the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be provided for the official reporters of the Superior Court of the County of San Diego.

NORTH COUNTY MUNICIPAL COURT
STAFFING LEGISLATION

(Rev. 2-26-92)

Section 73954. Other court personnel; appointment; compensation

The court administrator may appoint:

(a) One assistant court administrator at the direction of a majority of the judges of the court who shall serve at the pleasure of the majority of the judges. The biweekly salary of the assistant court administrator shall be within the biweekly rate range ES-10 indicated in the Compensation Ordinance of the County of San Diego. The biweekly salary and any advancement or reduction within the range shall be determined in accordance with the provisions set forth under Article 3.5 of the Compensation Ordinance of the County of San Diego and of subdivision (a) of Section 74345, except that any reference to "executive compensation committee" or "chief administrative officer" in Article 3.5 of the Compensation Ordinance of the County of San Diego shall be interpreted as "the court administrator."

(b) Two deputy clerk-division managers III who shall receive a biweekly salary at a rate 24.5 percent higher than that specified for deputy-clerk division managers II.

(c) ~~Five~~Four deputy clerk-division managers I or II, as the case may be. A division manager I shall receive a biweekly salary at a rate 10 percent higher than that specified for deputy clerk V in the San Diego Judicial District. A division manager II shall receive a biweekly salary at a rate 15.5 percent higher than that specified for deputy clerk V of the San Diego Judicial District.

(d) Ten deputy clerks V, who shall receive a salary at a rate equal to that specified for deputy clerk V in the San Diego Municipal Court. The duties of the class of deputy clerk V shall include supervisory responsibilities. ~~Notwithstanding subdivision (b) of Section 74749, persons who hold the position of deputy clerk on January 1, 1991, may be appointed by the court administrator to the position of deputy clerk V without further examination subject to certification by the court administrator that the person possesses the minimum qualifications and the necessary skills to perform the duties of the position.~~

(e) ~~Sixteen~~Twenty-six deputy clerks IV, ~~or senior deputy clerks, as the case may be, who~~ Each deputy clerk IV shall receive a biweekly salary at a rate equal to the greater of that specified for superior court clerk in the superior court service of the County of San Diego or 19.95 percent higher than that specified for deputy clerk III. ~~The class of senior deputy clerk shall not exceed 3 positions. Each of the senior deputy clerks shall receive a biweekly salary at a rate 5% higher than that specified for a deputy clerk IV. The duties of the class of senior deputy clerk shall be those of a courtroom clerk and shall include supervisory responsibilities.~~

(f) ~~Ninety~~One hundred deputy clerks III, II, I, or deputy clerk-intermediate clerk typists as the case may be. Each of the deputy clerks III shall receive a biweekly salary at a rate equal to that specified for legal procedures clerk III in the classified service of the County of San Diego. Each deputy clerk II shall receive a biweekly salary at a rate equal to that specified for legal procedures clerk II in the classified service of the County of San Diego. Each of the deputy clerks I shall receive a biweekly salary at a rate equal to that specified for legal procedures clerk I in the classified service of the County of San Diego.

At the discretion of the court administrator, appointments to the deputy clerk I class may be at any step within the salary range. Up to four of these positions may be filled at the level of deputy clerk-intermediate clerk typist. A deputy clerk-intermediate clerk typist shall receive a biweekly salary at a rate equal to that specified for intermediate clerk typist in the classified service of the County of San Diego.

(g) One deputy clerk-municipal court secretary. A deputy clerk-municipal court secretary shall receive a biweekly salary at a rate equal to that specified for ~~criminal legal secretary III~~confidential legal secretary III in the classified service of the County of San Diego. Appointments to the class of deputy clerk-municipal court secretary may be at any step within the salary range at the discretion of the court administrator. ~~Notwithstanding subdivision (b) of Section 74749, persons who hold the position of deputy clerk-administrative secretary IV on January 1, 1991, may be appointed by the court administrator to the position of deputy clerk-municipal court secretary without further examination subject to certification by the court administrator that the person possesses the minimum qualifications and necessary skills to perform the duties of the position.~~

(h) One deputy clerk-administrative secretary III, II or I as the case may be. A deputy clerk-administrative secretary III shall receive a biweekly salary at a rate equal to that specified for administrative secretary III in the classified service of the County of San Diego. A deputy clerk-administrative secretary II shall receive a biweekly salary at a rate equal to that specified for administrative secretary II in the classified service of the County of San Diego. A deputy clerk-administrative secretary I shall receive a biweekly salary at a rate equal to that specified for administrative secretary I in the classified service of the County of San Diego.

(i) Five deputy clerk-court interpreters who shall receive a biweekly salary at a rate equal to that specified for superior court clerk interpreter in the superior court service of the County of San Diego.

(j) One deputy clerk-interpreter coordinator who shall receive a biweekly salary at a rate equal to that specified for deputy clerk V. Appointments to deputy clerk interpreter-coordinator may be at any step within the salary range at the discretion of the court administrator.

(k) One deputy clerk-administrative assistant I, II, III or deputy clerk-administrative services manager I or II, as the case may be. The deputy clerk-administrative assistant I, II, or III, shall receive a biweekly salary at a rate equal to that specified for administrative assistant I, II, or III, respectively, in the classified service of the County of San Diego. The deputy clerk-administrative services manager I shall receive a biweekly salary at a rate equal to that specified for administrative services manager I in the classified service of the County of San Diego. The deputy clerk-administrative services manager II shall receive a biweekly salary at a rate equal to that specified for administrative services manager II in the classified service of the County of San Diego.

(l) ~~Four~~Five deputy administrative clerks III, II, or I, as the case may be. Each deputy administrative clerk III shall receive a biweekly salary at a rate ~~equal to that specified for a deputy clerk IV~~ 19.95 percent higher than that specified for deputy administrative clerk II. Each deputy administrative clerk II shall receive a biweekly salary at a rate equal to that specified for deputy clerk III. Each deputy administrative clerk I shall receive a biweekly salary at a rate equal to that specified for deputy clerk II.

(m) One deputy clerk-senior, associate, or assistant accountant, as the case may be. A deputy clerk-senior accountant shall receive a biweekly salary at a rate equal to that specified for senior accountant in

the classified service of the County of San Diego. A deputy clerk-associate accountant shall receive a biweekly salary at a rate equal to that specified for associate accountant in the classified service in the County of San Diego. A deputy clerk-assistant accountant shall receive a biweekly salary at a rate equal to that specified for assistant accountant in the classified service of the County of San Diego.

(n) OneTwo deputy clerk-research attorney I or deputy clerk-law clerk, as the case may be. Persons appointed to this either of these positions on or after January 1, 1991, shall serve at the pleasure of the court administrator. A deputy clerk-research attorney I shall receive a biweekly salary at a rate equal to that specified for deputy county counsel I in the classified service of the County of San Diego. A deputy clerk-law clerk shall receive a biweekly salary at a rate equal to that specified for law clerk in the classified service of the County of San Diego.

(o) One deputy clerk-staff development specialist or deputy clerk-staff development coordinator as the case may be. A deputy clerk-staff development specialist shall receive a biweekly salary at a rate equal to that specified for staff development specialist in the classified service of the County of San Diego. A deputy clerk-staff development coordinator shall receive a biweekly salary at a rate 5 percent higher than that specified for staff development specialist in the classified service of the County of San Diego.

(p) One deputy clerk-senior systems analyst, associate systems analyst, assistant systems analyst, or systems analyst trainee as the case may be. A deputy clerk-senior systems analyst shall receive a biweekly salary at a rate equal to that specified for senior systems analyst in the classified service of the County of San Diego. A deputy clerk-associate systems analyst shall receive a biweekly salary at a rate equal to that specified for associate systems analyst in the classified service of the County of San Diego. A deputy clerk-assistant systems analyst shall receive a biweekly salary at a rate equal to that specified for assistant systems analyst in the classified service of the County of San Diego. A deputy clerk-systems analyst trainee shall receive a biweekly salary at a rate equal to that specified for systems analyst trainee in the classified service of the County of San Diego.

(q) One deputy clerk-associate systems analyst. A deputy clerk-associate systems analyst shall receive a biweekly salary at a rate equal to that specified for associate systems analyst in the classified service of the County of San Diego.

(r) One deputy clerk-municipal court computer specialist I, II, or III, as the case may be. A deputy clerk-municipal court computer specialist I, II, or III shall receive a biweekly salary at a rate equal to that specified for departmental computer specialist I, II, or III, respectively, in the classified service of the County of San Diego.

(s) One deputy clerk-data entry supervisor. A deputy clerk- data entry supervisor shall receive a biweekly salary at a rate equal to that specified for data entry supervisor in the classified service of the County of San Diego.

(t) Ten deputy clerk-data entry operators. A deputy clerk-data entry operator shall receive a biweekly salary at a rate equal to that specified for data entry operator in the classified service of the County of San Diego.

(u) Five deputy clerk-revenue and recovery officers II, or III, as the case may be. Each of the deputy clerk-revenue and recovery officer II, shall receive a biweekly salary at a rate equal to that specified for

revenue and recovery officer II in the classified service of the County of San Diego. Each deputy clerk-revenue and recovery officer III, shall receive a biweekly salary at a rate equal to that specified for revenue and recovery officer III in the classified service of the County of San Diego.

(v) Notwithstanding subdivision (b) of Section 73957, up to 10 extra help positions (hourly rate) to be appointed by and serve at the pleasure of the court administrator in the class and salary level deemed appropriate. These appointments shall be temporary for a period not to exceed six months, plus one additional period of up to six months, at the court administrator's option. Notwithstanding any other provisions of this section, the court administrator may fill these positions with persons employed for a period not to exceed 90 120 working days or 720 960 hours, whichever is greater, during a fiscal year on a part-time basis.

(w) Notwithstanding subdivision (b) of Section 73957, up to 10 deputy clerk-court workers may be appointed by and serve at the pleasure of the court administrator. The class of deputy clerk-court worker provides for temporary appointments to positions in classes not listed in Sections 73950 to 73960, inclusive, pending a review and evaluation of the duties of these positions by the court administrator, and the establishment of specific classes as provided in this section. Prior to the establishment of those classes, the county personnel director shall conduct a classification review and make recommendations to the municipal court as to the establishment of such classes. The rate of pay for each individual employed in this class shall be within the range proposed for the class pending establishment at a rate determined by the court administrator following consultation with the county personnel director. The rules regarding appointment and compensation as they relate to appointments to deputy clerk-court worker shall be the same as those applicable to the class that is pending establishment. Appointments shall be temporary and shall not exceed six months. Employee benefits, if applicable, shall be equal to those granted to the class in the service of the County of San Diego to which the pending class will be tied for benefit purposes. When such an appointment is made, the class, compensation (including salary and fringe benefits), and number of such positions may be established by joint action of the majority of the judges and the board of supervisors in accordance with established county personnel and budgetary procedures. In the event that the class pending establishment is tied to a class in the unclassified service of the County of San Diego, the joint action may designate that persons serving in the class pending establishment shall serve at the pleasure of the court administrator. The court administrator may then appoint additional attaches to such classes of positions in the same manner as those for which express provision is made, and they shall receive the compensation so provided. Persons occupying deputy clerk-court worker positions shall have their appointments expire not later than 30 calendar days following promulgation of a list of certified eligibles for the new class. Appointments to the new class shall continue at the stated compensation or as thereafter modified by joint action of the majority of the judges and the board of supervisors.

(x) Notwithstanding subdivision (b) of Section 73957, the court administrator may appoint up to 15 temporary extra help deputy clerk-municipal court trainees I, II, or III, who shall be paid at an hourly rate and shall serve at the pleasure of the court administrator. A deputy clerk-municipal court trainee I shall receive an hourly salary at a rate equal to that specified for student worker I in the unclassified service of the County of San Diego. A deputy clerk-municipal court trainee II shall receive an hourly salary at a rate equal to that specified for student worker II in the unclassified service of the County of San Diego. A deputy clerk-municipal court trainee III shall receive an hourly salary at a rate equal to that specified for student worker III in the unclassified service of the County of San Diego. Persons who graduate and receive a degree in the field which qualified them for appointment to a deputy clerk-municipal court trainee class, may remain in the class and be employed on a full-time basis for up to six months from the first day of the month following their date of graduation.

(f)(y) Except as provided herein, the provisions of Section 74345 shall apply to the attaches appointed pursuant to this section and Section 73953.

(s)(z) Notwithstanding any other provision of law, the number of positions in classifications authorized under subdivisions (b) to (n)(u), inclusive, (p)(w) and (q)(x) of this section and under Section 73959 may be increased by up to 20 additional positions by joint action of the majority of the judges and the board of supervisors in accordance with established county personnel and budgetary procedures. The rules regarding appointment and compensation (including salary and fringe benefits) as they relate to appointments of persons to such positions shall be the same as those applicable to the class of such positions. The action of the majority of the judges and the resolution of the board of supervisors adjusting such positions shall designate the class title or titles and number of positions to be added to each respective class. Any adjustment made pursuant to this subdivision shall be effective on adoption of the resolution by the board of supervisors and shall remain in effect only until January 1 of the second year following the year in which the resolution is adopted, unless earlier ratified by the Legislature.

Section 73957. Compensation; benefits; civil service; appointment to permanent position

(a) In addition to the salary provided in this article, the classes of attaches of the municipal court shall receive, and they shall be entitled to the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be provided for the employees of the County of San Diego in the comparable classes specified in Section 74345. The court administrator shall receive the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be received by the classification of chief probation officer of the County of San Diego. The assistant court administrator shall receive the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be received by the classification of assistant chief probation officer of the County of San Diego. All persons employed as deputy clerk-division managers III, II, and I, shall receive the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be received by an administrative assistant III of the classified service of the County of San Diego. However, all officers, employees, and attaches of the municipal court shall be eligible to enroll in the dental and vision group insurance plans sponsored by the County of San Diego. The purpose and intent of this subdivision is to provide all court attaches, except commissioners, traffic trial commissioners, traffic referees, court reporters, and judicial secretaries, with any and all fringe benefits but no more than those which are available to comparable classes in the classified service of the County of San Diego as specified in this section or in Section 74345. Whenever action or approval by the chief administrative officer or the county personnel director is required for the county benefit, it shall be taken or given, as to comparable municipal court officers and attaches other than those serving at the pleasure of the court, by the court administrator with the approval of the majority of the judges of the municipal court or their designees, or as to the court administrator and others serving at the pleasure of the court, by a majority of the judges or their designees. Changes in fringe benefits shall be effective on the same date as those for employees of the County of San Diego in the specified comparable classes. The majority of all the municipal court judges may adopt rules for the conduct of and personnel privileges to be afforded the attaches of the court, excluding fringe benefits.

(b) All attaches, other than the court administrator, the assistant court administrator, commissioners, court reporters, judicial secretaries, and other persons serving at the pleasure of their appointing authorities, may be appointed, promoted, removed, suspended, laid off, or discharged for cause by the appointing authority subject to such appointment, promotion, removal, suspension, layoff, or discharge to

civil service provisions applicable to the classified personnel of the County of San Diego. Whenever such attaches are appointed or promoted to a position, they shall serve a probationary period of at least six months and not to exceed 18 months, as specified in the job announcement for the class prior to the appointment.

Section 73959. Judicial secretaries or supervising secretaries; appointment; compensation; benefits

By order entered in the minutes of the court, a majority of judges may appoint ~~three~~four judicial secretaries or supervising judicial secretaries, as the case may be, who shall serve at the pleasure of the judges. The classification of supervising judicial secretary shall be limited to one position, and this one position only may be authorized by joint action of a majority of judges and the board of supervisors pursuant to subdivision (s) of section of 73954. The supervising judicial secretary shall receive a biweekly salary at a rate equal to that specified for the classification of ~~criminal~~confidential legal secretary III in the classified service of the County of San Diego commencing at step 4 at initial employment and advancing at step 5 at the end of one year of continuous service. The position of supervising judicial secretary shall be deemed comparable to the position of ~~criminal~~ confidential legal secretary III in the classified service of San Diego County. Whenever the salary of the class of ~~criminal~~ confidential legal secretary III is adjusted by the Board of Supervisors of San Diego County, the salary of the class of supervising judicial secretary shall be adjusted a commensurate percentage in the salary schedule on the same date. Each judicial secretary shall receive a biweekly salary at a rate equal to that specified for administrative secretary IV in the classified service of the County of San Diego ~~commencing at step 4 at initial employment and advancing to step 5 at the end of one year of continuous service.~~ Appointments to the class of judicial secretary may be at any step within the salary range at the discretion of the judges. The position of judicial secretary shall be deemed comparable to the position of administrative secretary IV in the classified service of San Diego County. Whenever the salary of the class of administrative secretary IV is adjusted by the Board of Supervisors of San Diego County, the salary of the class of judicial secretaries shall be adjusted a commensurate percentage in the salary schedule on the same date. Notwithstanding the provisions of subdivision (a) of Section 73957, the classifications of supervising judicial secretary and judicial secretary, respectively, shall receive and be entitled to the same number of holidays, leaves of absence, retirement, and all other fringe benefits as are now or may hereafter be provided for the classifications of ~~criminal~~ confidential legal secretary III or administrative secretary IV, respectively, in the classified service of the County of San Diego. However, the classifications of supervising judicial secretary and judicial secretary shall be entitled to: (a) earn sick leave credit at the rate of 5.385 percent of each hour of paid service during the pay period; (b) earn vacation credit at the rate of 5.769 percent of each hour of paid service during the pay period and accumulate vacation credit not to exceed 25 working days where the employee has less than 10 years of continuous service; and (c) earn vacation credit at the rate of 8.057 percent of each hour of paid service during the pay period and accumulate vacation credit not to exceed 35 working days where the employee has 10 years or more of continuous service. Persons appointed to these positions on or after January 1, 1993, shall be entitled to earn and accrue the same sick leave credit and vacation credit as an administrative secretary IV in the classified service of the County of San Diego.

73960. Commissioners; Traffic referee; compensation, privileges, and benefits

(a) By order entered in the minutes of the court, a majority of judges may appoint ~~one~~up to four commissioners, one traffic trial commissioner and one traffic referee who shall serve at the pleasure of the judges. The two additional commissioner positions authorized by this section effective January 1, 1993

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shall not be filled unless approved by joint action of a majority of the judges and the board of supervisors by resolution.

(b) The commissioners shall receive a biweekly salary equal to 80 percent of the salary of a judge of a municipal court. The commissioners shall receive and be entitled to the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be provided for the class of deputy county counsel IV in the classified service of the County of San Diego. However, the commissioners shall be entitled to: (a) earn sick leave credit at the rate of 5 percent of each hour of paid service during the pay period; and (b) earn vacation credit at the rate of 8.075 percent of each hour of paid service during the pay period.

(c) The traffic trial commissioner shall receive a salary equal to 80 percent of the salary of a judge of a municipal court

(d) The traffic referee shall receive a salary equal to 65 percent of the salary of a judge of the municipal court. He or she may, after each year of service, receive an increase of 5 percent of the salary of a judge of the municipal court but in no event shall he or she receive more than 70 percent of the salary of a judge of the municipal court.

(e) A commissioner, traffic trial commissioner, or traffic referee shall receive and be entitled to the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be provided for a deputy county counsel IV in the classified service of the County of San Diego. However, a commissioner, traffic trial commissioner, or traffic referee shall be entitled to (a) earn sick leave credit at the rate of 5 percent of each hour of paid service during the pay period; and (b) earn vacation credit at the rate of 8.075 percent of each hour of paid service during the pay period.

(f) With approval of a majority of judges of the court and the board of supervisors, each commissioner or, traffic trial commissioner, or traffic referee may be reimbursed for any payment he or she makes for his or her annual State Bar of California membership fee.

73961.1. Traffic trial commissioner; benefits

~~The traffic trial commissioner shall receive and be entitled to the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be provided for the class of deputy county counsel IV in the classified service of the County of San Diego. However, the traffic trial commissioner shall be entitled to: (a) earn sick leave credit at a rate of 5 percent of each hour of paid service during the pay period; and (b) earn vacation credit at the rate of 8.075 percent of each hour of paid service during the pay period. With the approval of a majority of judges of the court and the board of supervisors, the traffic trial commissioner may be reimbursed for any payment he or she makes for his or her annual State Bar of California membership fee.~~

STAFFING LEGISLATION
SAN DIEGO MUNICIPAL COURT

§ 74341. Judges

There are 28 judges.

§ 74342. Insurance benefits

(a) In addition to any other compensation and benefits, each judge of the municipal court shall receive the same life insurance, accidental death and dismemberment insurance, comprehensive annual physical examinations, executive flexible benefits plan (except that if deferred compensation is selected, no adjustment based on retirement tier shall apply), and dental and vision insurance as provided by the County of San Diego for the classification of chief administrative officer. Changes in these benefits shall be effective on the same date as for those for the classification of chief administrative officer.

(b) Subject to approval by the board of supervisors, each judge of the municipal court shall receive one or more of the following benefits: the same long-term disability insurance as provided by the County of San Diego for the classification of chief administrative officer or retiree health benefits whereby each judge of the municipal court serving on or after October 1, 1987, who retires from the municipal court on or after January 1, 1989, shall receive the same amount of insurance premium for retiree health benefits under the Public Employees' Medical and Hospital Care Act (Part 5 (commencing with Section 22751) of Title 2) that the state provides to retired superior court judges under that act.

§ 74343. Court Administrator; Appointment; Compensation

There shall be one court administrator who shall serve as clerk of the court. Notwithstanding the provisions of Section 74348, the court administrator shall be appointed by and serve at the pleasure of the majority of the judges. The biweekly salary of the court administrator shall be within the biweekly rate range ES-15 indicated in the Compensation Ordinance of the County of San Diego. The biweekly salary, and any advancement or reduction within the range, shall be determined in accordance with the provisions set forth under Article 3.5 of the Compensation Ordinance of the County of San Diego and of subdivision (a) of Section 74345, except that any reference to "executive compensation committee" or "chief administrative officer" in Article 3.5 of the Compensation Ordinance of the County of San Diego shall be interpreted as "a majority of the judges."

§ 74344. Assistant Court Administrator; Deputies and Employees; Appointment; Compensation; Increase in Number of Positions

The court administrator may appoint:

- (a) One assistant court administrator, with the consent of a majority of the judges of the court, who shall be empowered to act in the place and stead of the court administrator in the event that the court administrator is absent or unavailable for any reason. Persons appointed to this position on or after January 1, 1991, shall serve at the pleasure of the court administrator. The assistant court administrator shall receive a biweekly salary within the biweekly rate range ES-12 indicated in the Compensation Ordinance of the County of San Diego. The biweekly salary, and any advancement or reduction within the range, shall be determined in accordance with the provisions set forth under Article 3.5 of the Compensation Ordinance of the County of San Diego and of subdivision (a) of Section 74345, except that any reference to "executive compensation committee" or "chief administrative officer" in Article 3.5 of the Compensation Ordinance of the County of San Diego shall be interpreted as "the court administrator."
- (b) ~~One~~ Four deputy court administrators, with the consent of a majority of the judges of the court, ~~who one of whom~~ shall be empowered to act in the place and stead of the assistant court administrator in the event that the assistant court administrator is absent or unavailable for any reason. Persons appointed to ~~this~~ these positions on or after January 1, 1991, shall serve at the pleasure of the court administrator. ~~The A~~ A deputy court administrator shall receive a biweekly salary within the biweekly rate range ES-10 indicated in the Compensation Ordinance of the County of San Diego. The biweekly salary, and any advancement or reduction within the range, shall be determined in accordance with the provisions set forth under Article 3.5 of the Compensation Ordinance of the County of San Diego and of subdivision (a) of Section 74345, except that any reference to "executive compensation committee" or "chief administrative officer" in Article 3.5 of the Compensation Ordinance of the County of San Diego shall be interpreted as "the court administrator."
- (c) Four deputy clerk-division managers III who shall receive a biweekly salary at a rate 24.5 percent higher than that specified for deputy clerk-division manager II. Two of these positions may be designated as branch managers. When a position is designated branch manager, the incumbent shall receive a bonus of 10 percent.
- (d) ~~Five~~ Six deputy clerk-division managers ~~II or deputy clerk-division managers I as the case may be. A deputy clerk-division manager II who~~ shall receive a biweekly salary at a rate 15.5 percent higher than that specified for deputy clerk V. A deputy clerk-manager I shall receive a biweekly salary at a rate 10 percent higher than that specified for deputy clerk V.

- (e) Thirteen deputy clerks V each of whom shall receive a biweekly salary at a rate 32.6 percent higher than that specified for deputy clerk III.
- (f) One deputy clerk V or deputy clerk-division manager I may be designated as calendar coordinator by the court administrator and shall receive a bonus of 15.5 percent or 5.5 percent, respectively.
- (+)(g) Fifty-eight deputy clerks IV, or senior deputy clerks, as the case may be. Each of the deputy clerks IV shall receive a biweekly salary at a rate equal to the greater of that specified for superior court clerks in the superior court service of the County of San Diego or 19.95 percent higher than that specified for deputy clerk III. The class of senior deputy clerk shall not exceed 17 positions. Each of the senior deputy clerks shall receive a biweekly salary at a rate 5 percent higher than that specified for deputy clerk IV. The duties of the class of senior deputy clerk shall include supervisory responsibilities.
- (g)(h) One hundred eighty-nine Two hundred six deputy clerks III, II, I or deputy clerk-intermediate clerk typists as the case may be. Each deputy clerk III shall receive a biweekly salary at a rate equal to that specified for legal procedures clerk III in the classified service of the County of San Diego. Each deputy clerk II shall receive a biweekly salary at a rate equal to that specified for legal procedures clerk II in the classified service of the County of San Diego. Each deputy clerk I shall receive a biweekly salary at a rate equal to that specified for legal procedures clerk I in the classified service of the County of San Diego. Appointments to deputy clerk I may be at any step within the salary range at the discretion of the court administrator. Up to 10 of these positions may be filled at the level of deputy clerk-intermediate clerk typist. A biweekly salary at a rate equal to that specified for intermediate clerk typist in the classified service of the County of San Diego.
- (+)(i) ~~Two~~ Four deputy clerk-assistants, associate or senior accountants, as the case may be. A deputy clerk-assistant accountant shall receive a biweekly salary at a rate equal to that specified for assistant accountant in the classified service of the County of San Diego. A deputy clerk-associate accountant shall receive a biweekly salary at a rate equal to that specified for associate accountant in the classified service of the County of San Diego. A deputy clerk-senior accountant shall receive a biweekly salary at a rate equal to that specified for senior accountant in the classified service of the County of San Diego.
- (+)(j) Twelve deputy clerk-court interpreters, each of whom shall receive a biweekly salary at a rate equal to that specified for superior court clerk interpreter in the superior court service of the County of San Diego.

- (+)(k) One deputy clerk-interpreter coordinator or deputy clerk-chief interpreter, as the case may be. A deputy clerk-interpreter coordinator who shall receive a biweekly salary at a rate equal to that specified for deputy clerk V. A deputy clerk-chief interpreter shall receive a biweekly salary at a rate 8 percent higher than that specified for deputy clerk V. Appointments to deputy clerk-interpreter coordinator or deputy clerk-chief interpreter may be at any step within the salary range at the discretion of the court administrator.
- (+)(l) One deputy clerk-municipal court secretary who shall receive a biweekly salary at a rate equal to that specified for ~~criminal~~ confidential legal secretary III in the classified service of the County of San Diego. At the discretion of the court administrator appointment to the deputy clerk-municipal court secretary may be at any step within the salary range. ~~Notwithstanding subdivision (b) of Section 74358 persons who hold the position of deputy clerk-administrative secretary IV on January 1, 1991, may be appointed by the court administrator to the position of deputy clerk-municipal court secretary without further examination subject to certification by the court administrator that the person possesses the minimum qualifications and the necessary skills to perform the duties of the position.~~
- (+)(m) One deputy clerk-administrative secretary IV, III, II, or I, as the case may be. A deputy clerk-administrative secretary IV shall receive a biweekly salary at a rate equal to that specified for administrative secretary IV in the classified service of the County of San Diego. A deputy clerk-administrative secretary III shall receive a biweekly salary at a rate equal to that specified for administrative secretary III in the classified service of the County of San Diego. A deputy clerk-administrative secretary II shall receive a biweekly salary at a rate equal to that specified for administrative secretary II in the classified service of the County of San Diego. A deputy clerk-administrative secretary I shall receive a biweekly salary at a rate equal to that specified for administrative secretary I in the classified service of the County of San Diego.
- (+)(n) One deputy clerk-administrative service manager I or II as the case may be. A deputy clerk-administrative manager I or II shall receive a biweekly salary at a rate equal to that specified for administrative services manager I or II, respectively, in the classified service of the County of San Diego.
- (+)(o) ~~Two~~ Three deputy clerk-administrative assistants III, II, I, or trainee as the case may be. A deputy clerk-administrative assistant III shall receive a biweekly salary at a rate equal to that specified for administrative assistant III in the classified service of the County of San Diego. A deputy clerk-administrative assistant II shall receive a biweekly salary at a rate equal to that specified for administrative assistant II in the classified service of the County of San Diego. A deputy clerk-administrative assistant I shall receive a biweekly salary at a rate equal to that specified for administrative assistant I in the classified service of the County of

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San Diego. A deputy clerk-administrative assistant trainee shall receive a biweekly salary at a rate equal to that specified for administrative assistant trainee in the classified service of the County of San Diego.

(o)(p) One deputy clerk-principal administrative analyst. A deputy clerk-principal administrative analyst shall receive a biweekly salary at a rate equal to that specified for the class of principal administrative analyst in the classified service of the County of San Diego.

(p)(q) One deputy clerk-DP systems manager who shall receive a biweekly salary at a rate equal to that specified for EDP systems manager in the classified service of the County of San Diego.

(r) ~~One deputy clerk-administrative assistant II, who shall receive a biweekly salary at a rate equal to that specified for administrative assistant III in the classified service of the County of San Diego.~~

(q)(r) ~~Seven~~ Eight deputy clerk-principal systems analysts, senior systems analysts, associate systems analysts, assistant systems analysts, or systems analyst trainees, as the case may be. A deputy clerk-principal systems analyst shall receive a biweekly salary at a rate equal to that specified for principal systems analyst in the classified service of the County of San Diego. A deputy clerk-senior systems analyst shall receive a biweekly salary at a rate equal to that specified for senior systems analyst in the classified service of the County of San Diego. A deputy clerk-associate systems analyst shall receive a biweekly salary at a rate equal to that specified for associate systems analyst in the classified service of the County of San Diego. A deputy clerk-assistant systems analyst shall receive a biweekly salary at a rate equal to that specified for assistant systems analyst in the classified service of the County of San Diego. A deputy clerk-systems analyst trainee shall receive a biweekly salary at a rate equal to that specified for systems analyst trainee in the classified service of the County of San Diego.

(s) Two deputy clerk-LAN Systems Analyst I, II, III, or Supervisor as the case may be. A deputy clerk-LAN systems analyst I shall receive a biweekly salary at a rate equal to that specified for DIS LAN systems analyst I in the classified service of the County of San Diego. A deputy clerk-LAN systems analyst II shall receive a biweekly salary at a rate equal to that specified for DIS LAN systems analyst II in the classified service of the County of San Diego. A deputy clerk-LAN systems analyst III shall receive a biweekly salary at a rate equal to that specified for DIS LAN systems analyst III in the classified service of the County of San Diego. A deputy clerk-LAN systems supervisor shall receive a biweekly salary at a rate equal to that specified for DIS LAN systems supervisor in the classified service of the County of San Diego.

(s)(t) The positions identified in subdivisions ~~(p)(q)~~ and ~~(q)(r)~~ except for ~~one~~ four positions in subdivision ~~(q)~~ (r) shall be administered by the court administrator of the San Diego Judicial District subject to policy direction by the court administrators of the San Diego, North County, El Cajon, and South Bay Judicial Districts. The purpose and intent of this subdivision is to allow all four municipal court judicial districts to determine the work assignments of data-processing personnel.

(t)(u) One deputy clerk-print shop helper, offset equipment operator, or publication supervisor, as the case may be. A deputy clerk-print shop helper shall receive a biweekly salary at a rate equal to that specified for print shop helper in the classified service of the County of San Diego. A deputy clerk-offset equipment operator shall receive a biweekly salary at a rate equal to that specified for offset equipment operator in the classified service of the County of San Diego. A deputy clerk-publication supervisor shall receive a biweekly salary at a rate equal to that specified for publication supervisor in the classified service of the County of San Diego.

(u)(v) One deputy clerk-research attorney III ~~or IV, as the case may be.~~ A deputy clerk-research attorney IV shall receive a biweekly salary at a rate equal to that specified for deputy county counsel IV in the classified service of the County of San Diego. A deputy clerk-research attorney III shall receive a biweekly salary at a rate equal to that specified for deputy county counsel III in the classified service of the County of San Diego. Persons appointed to ~~this these~~ positions after January 1, 1991, shall serve at the pleasure of the court administrator.

(v)(w) ~~Two~~ Four deputy clerk-research attorneys I or research attorneys II, as the case may be. Notwithstanding subdivision (b) of Section 74348, persons appointed to these positions on or after January 1, 1990, shall serve at the pleasure of the court administrator. A deputy clerk-research attorney I shall receive a biweekly salary at a rate equal to that specified for deputy county counsel I in the classified service of the County of San Diego. A deputy clerk-research attorney II shall receive a biweekly salary at a rate equal to that specified for deputy county counsel II in the classified service of the County of San Diego.

(w)(x) One ~~Two~~ deputy clerk-legal assistant I or II, as the case may be. A deputy clerk-legal assistant I shall receive a biweekly salary at a rate equal to that specified for legal assistant I in the classified service of the County of San Diego. A deputy clerk-legal assistant II shall receive a biweekly salary at a rate equal to that specified for legal assistant II in the classified service of the County of San Diego.

(x)(y) Notwithstanding subdivision (b) of Section 74348, up to 10 deputy clerk-court workers may be appointed by and serve at the pleasure of the court administrator. The class of deputy clerk-court worker provides for temporary appointments to

positions in classes not listed in Section 74345 pending a review and evaluation of the duties of these positions by the court administrator, and the establishment of specific classes as provided in the section. Prior to the establishment of those classes, the county personnel director shall conduct a classification review and make recommendations to the municipal court as to the establishment of those classes. The rate of pay for each individual employed in this class shall be within the designated range at a rate determined by the court administrator following consultation with the county personnel director. The rules regarding appointment and compensation as they related to appointments to deputy clerk-court worker shall be the same as those applicable to the class that is pending establishment. Appointments shall be temporary and shall not exceed six months. Employee benefits, if applicable, shall be equal to those granted to the class in the service of the County of San Diego to which the pending class will be tied for benefit purposes. When such an appointment is made, the class, compensation (including salary and fringe benefits), and number of such positions may be established by joint action of the majority of the judges and the board of supervisors in accordance with established county personnel and budgetary procedures. In the event that the class pending establishment is tied to a class in the unclassified service of the County of San Diego, the joint action may designate that person serving in the class pending establishment shall serve at the pleasure of the court administrator. The court administrator may then appoint additional attaches to such classes of positions in the same manner as those for which express provision is made, and they shall receive the compensation so provided. Persons occupying deputy clerk-court worker positions shall have their appointments expire not later than 30 calendar days following promulgation of a list of certified eligibles for the new class. Appointments to the new class shall continue at the stated compensation or as thereafter modified by joint action of the majority of the judges and the board of supervisors.

(y)(z) Notwithstanding subdivision (b) of Section 74348, up to 10 extra help deputy clerk-junior clerk positions (hourly rate) at the junior clerk-typist level, to be appointed by and serve at the pleasure of the court administrator. These appointments shall be temporary for a period not to exceed six months, plus one additional period at the court administrator's option, not to exceed six months.

(z)(aa) Notwithstanding subdivision (b) of Section 74348, up to ~~10~~ 20 extra help positions (hourly rate) to be appointed by and serve at the pleasure of the court administrator in the class and salary level deemed appropriate. These appointments shall be temporary for a period not to exceed six months, plus one additional period of up to six months, at the court administrator's option. Notwithstanding any other provisions of this section, the court administrator may fill these positions with persons employed for a period not to exceed 90 120 working days or 720 960 hours, whichever is greater, during a fiscal year on a part-time basis.

(aa)(bb) Notwithstanding subdivision (b) of Section 74348, the court administrator may appoint up to 30 temporary extra help deputy clerk-municipal court trainees I, II, or III or V, who shall be paid at an hourly rate and shall serve at the pleasure of the court administrator. A deputy clerk-municipal court trainee I shall receive a biweekly salary at a rate equal to that specified for student worker I in the ~~classified service~~ of the County of San Diego. A deputy clerk-municipal court trainee II shall receive a biweekly salary at a rate equal to that specified for student worker II ~~in the classified service~~ of the County of San Diego. A deputy clerk-municipal court trainee III shall receive a biweekly salary at a rate equal to that specified for student worker III ~~in the classified service~~ of the County of San Diego. A deputy clerk-municipal court trainee V shall receive a biweekly salary at a rate equal to that specified for student worker V in the classified service of the County of San Diego. Persons who graduate and receive a degree in the field which qualified them for appointment to a deputy clerk-municipal court trainee class, may remain in the class and be employed on a full-time basis for up to six months from the first day of the month following their date of graduation.

(bb)(cc) ~~Three Seven~~ deputy clerk-administrative clerks III, II, or I, as the case may be. A deputy clerk-administrative clerk III shall receive a biweekly salary at a rate ~~19.95 percent higher than~~ equal to that specified for deputy administrative clerk H IV. A deputy clerk-administrative clerk II shall receive a biweekly salary at a rate equal to that specified for deputy clerk III. A deputy clerk-administrative clerk I shall receive a biweekly salary at a rate equal to that specified for deputy clerk II.

(ee)(dd) One deputy clerk-personnel officer I, ~~or II, or municipal court personnel officer~~ as the case may be. A deputy clerk-personnel officer I or II shall receive a biweekly salary at a rate equal to that specified for departmental personnel officer I or II, respectively, in the classified service of the County of San Diego. A deputy clerk-municipal court personnel officer shall receive a biweekly salary at a rate equal to that specified for departmental personnel officer III in the classified service of the County of San Diego.

(dd)(ee) ~~Two Four~~ deputy clerk-analysts trainee, I, II, or III, as the case may be. A deputy clerk-analyst trainee shall receive a biweekly salary at a rate equal to that specified for analyst trainee in the classified service of the County of San Diego. A deputy clerk-analyst I, II, or III, shall receive a biweekly salary at a rate equal to that specified for analyst I, II, or III, respectively, in the classified service of the County of San Diego.

(ff) One deputy clerk-staff development specialist or deputy clerk-staff development coordinator as the case may be. A deputy clerk-staff development specialist shall receive a biweekly salary at a rate equal to that specified for staff development specialist in the classified service of the County of San Diego. A deputy clerk-

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staff development coordinator shall receive a biweekly salary at a rate 5 percent higher than that specified for staff development specialist in the classified service of the County of San Diego.

- (ee)(gg) Notwithstanding any other provision of law, the number of positions in classifications authorized under (c) to ~~(y)(z)~~, inclusive, and ~~(aa)~~, ~~(bb)~~, ~~(ee)~~, and ~~(dd)~~ (bb) to (ff), inclusive, of this section and under Section 74352 may be increased by up to 136 additional positions by joint action of the majority of the judges and the board of supervisors in accordance with established county personnel and budgetary procedures. The rules regarding appointment and compensation (including salary and fringe benefits) as they relate to appointments of persons to the positions shall be the same as those applicable to the class of those positions. The action of the majority of the judges and the resolution of the board of supervisors adjusting such positions shall designate the class title or titles and number of positions to be added to each respective class. Any adjustment made pursuant to this subdivision shall be effective on adoption of the resolution by the board of supervisors and shall remain in effect only until January 1 of the second year following the year in which the resolution becomes effective, unless earlier ratified by the Legislature.

§ 74345. Salaries; Service Credit

- (a) All matters affecting the employment and compensation (including salary and fringe benefits) of municipal court officers and attaches not specifically provided for in this article or other provisions of state law shall be governed by the then-current ordinances and resolutions of the Board of Supervisors of the County of San Diego in the same manner as those employment and compensation provisions may now or hereafter affect employees of the County of San Diego in the comparable classes specified in this section or in Sections 73649, 73957, 74348, and 74749 if other comparable classes are specified in those sections. Whenever in the ordinances or resolutions action or approval is required to be taken or given by the chief administrative officer or the county personnel director, it shall be taken or given, as to municipal court officers and attaches other than those serving at the pleasure of the court, by the court administrator with the approval of the majority of the judges or their designees, or as to persons serving at the pleasure of the court, by the majority of the judges of the municipal court, or their designees.
- (b) The hereinafter specified court classes are deemed to be comparable in job level to the specified comparable classes in the service of the County of San Diego. Whenever the salaries of such classes in the service of the County of San Diego are adjusted by the board of supervisors, the salaries of the comparable classes in the office of the court administrator shall be adjusted a commensurate amount effective on the same date. In no event shall the salary of the clerk or any deputy

clerk who occupied his or her position on the day prior to the effective date of this section be less than his or her salary on that day. Any person whose title is changed as a result of the enactment of or of any amendments to this article shall receive credit for continued service which he or she would be entitled under his or her previous position and shall receive compensation at the step covering such length of service. Thereafter, any increments earned by additional service in grade shall take effect upon the first day or the pay period following completion of such required service. The comparable classes are as follows:

Municipal Court Class	County Class
Deputy clerk-division manager III	Legal procedures clerk III
Deputy clerk-division manager II	Legal procedures clerk III
Deputy clerk-division manager I	Legal procedures clerk III
Deputy clerk-intermediate clerk typist	Intermediate clerk typist
Deputy clerk I	Legal procedures clerk I
Deputy clerk II	Legal procedures clerk II
Deputy clerk III	Legal procedures clerk III
Deputy clerk IV	Legal procedures clerk III
Deputy clerk V	Legal procedures clerk III
Deputy clerk-administrative clerk I, II, and III	Legal procedures clerk III
<u>Deputy clerk-municipal court personnel officer</u>	<u>Departmental personnel officer III</u>
Deputy clerk-personnel officer II	Departmental personnel officer II
Deputy clerk-personnel officer I	Departmental personnel officer I
Deputy clerk-data entry operator	Data entry operator
<u>Deputy clerk-data entry supervisor</u>	<u>Data entry supervisor</u>
Deputy clerk-court interpreter	Legal procedures clerk III
Deputy clerk-interpreter coordinator	Legal procedures clerk III
<u>Deputy clerk-chief interpreter</u>	<u>Legal procedures clerk III</u>
<u>Deputy clerk-administrative secretary IV</u>	<u>Administrative secretary IV</u>
Deputy clerk-administrative secretary III	Administrative secretary III
Deputy clerk-administrative secretary II	Administrative secretary II
Deputy clerk-administrative secretary I	Administrative secretary I
Deputy clerk-municipal court secretary	<u>Criminal-Confidential</u> legal secretary III

Deputy clerk-administrative assistant III	Administrative assistant III
Deputy clerk-administrative assistant II	Administrative assistant II
Deputy clerk-administrative assistant I	Administrative assistant I
Deputy clerk-administrative assistant trainee	Administrative assistant trainee
Deputy clerk-staff development specialist	Staff development specialist
Deputy clerk-staff development coordinator	Staff development specialist
<u>Deputy clerk-principal systems analyst</u>	<u>Principal systems analyst</u>
Deputy clerk-senior systems analyst	Senior systems analyst
Deputy clerk-associate systems analyst	Associate systems analyst
Deputy clerk-assistant systems analyst	Assistant systems analyst
Deputy clerk-systems analyst trainee	Systems analyst trainee
<u>Deputy clerk-LAN systems analyst I</u>	<u>DIS LAN systems analyst I</u>
<u>Deputy clerk-LAN systems analyst II</u>	<u>DIS LAN systems analyst II</u>
<u>Deputy clerk-LAN systems analyst III</u>	<u>DIS LAN systems analyst III</u>
<u>Deputy clerk-LAN systems supervisor</u>	<u>DIS LAN systems supervisor</u>
Deputy clerk-municipal court computer specialist I	Departmental computer specialist I
Deputy clerk-municipal court computer specialist II	Departmental computer specialist II
Deputy clerk-municipal court computer specialist III	Departmental computer specialist III
Deputy clerk-senior accountant	Senior accountant
Deputy clerk-associate accountant	Associate accountant
Deputy clerk-assistant accountant	Assistant accountant
Deputy clerk-law clerk	Law clerk
Deputy clerk-research attorney I	Deputy county counsel I
Deputy clerk-research attorney II	Deputy county counsel II
Deputy clerk-research attorney III	Deputy county counsel III
<u>Deputy clerk-research attorney IV</u>	<u>Deputy county counsel IV</u>

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Deputy clerk-legal assistant I	Legal assistant I
Deputy clerk-legal assistant II	Legal assistant II
Deputy clerk-print shop helper	Print shop helper
Deputy clerk-publication supervisor	Publication supervisor
Deputy clerk-offset equipment operator	Offset equipment operator
Deputy clerk-DP systems manager	DP systems manager
Deputy clerk-administrative services manager I	Administrative services manager I
Deputy clerk-administrative services manager II	Administrative services manager II
Deputy clerk-administrative services manager III	Administrative services manager III
Senior deputy clerk	Legal procedures clerk III
Deputy clerk-principal administrative analyst	Principal administrative
Deputy clerk-analyst trainee	Analyst trainee
Deputy clerk-analyst I	Analyst I
Deputy clerk-analyst II	Analyst II
Deputy clerk-analyst III	Analyst III
Deputy clerk-substance abuse assessor I	Deputy probation officer
Deputy clerk-substance abuse assessor II	Deputy probation officer
<u>Deputy clerk-revenue and recovery officer II</u>	<u>Revenue and recovery officer II</u>
<u>Deputy clerk-revenue and recovery officer III</u>	<u>Revenue and recovery officer III</u>

Notwithstanding the comparable classes set forth above, if pursuant to subdivision (e) of Section 73644, subdivision (f) (g) of Section 74344, subdivision (d)(e) of Section 73954, and subdivision (h)(f) of Section 74745, the class of deputy clerk IV is entitled to receive a biweekly salary at a rate equal to that specified for superior court clerks in the superior court service of the County of San Diego, the comparable county class for deputy clerk IV and senior deputy clerk shall be the superior court clerk in the superior court service of the County of San Diego, except with respect to benefits in which case the comparable county class shall be legal procedures clerk III. Further, notwithstanding the comparable classes set forth above, the comparable class for the class of deputy clerk-court interpreter for purposes of salary shall be the class of superior court clerk interpreter in the superior court service of the County of San Diego and the comparable class with respect to benefits shall be the class of legal procedures clerk III.

- (c) Persons employed on and after January 1, 1975, in a class eligible for advancement in range shall receive the same step increases applicable to persons so employed in the

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County of San Diego on or after July 1, 1974. Persons employed prior to January 1, 1975, in a class eligible for advancement in range shall receive the same step increases applicable to persons so employed in the County of San Diego prior to July 1, 1975.

- (d) Officers and attaches may be appointed to a class and position in the service of a court in one judicial district from the service of a court in another judicial district within the County of San Diego, from the service of the County of San Diego, from the service of the Superior Court of San Diego County, or from the service of the marshal, in the same manner that employees of the County of San Diego may be appointed in departments of the county. In determining the step of the salary range at which such employee shall be paid, the employee shall be given credit for the immediately preceding continuous prior service to a court, the marshal, or the County of San Diego.
- (e) A promotion is an appointment to a class compensated at a higher base salary, at any like-numbered step, than the class relinquished. Upon promotion an employee shall be placed at the lowest step which provides at least a 5-percent increase over the base salary of the step occupied in the former class, but in no event higher than the top step of the class to which promoted.
- (f) A demotion is an appointment to a class compensated at a lower base salary, at any like-numbered step, than the class relinquished. The demoted employee's step shall be set at the same numbered step for the demoted class as for the former class, except that the step shall not be set lower than the normal entry step. If the demotion is to the class in which the employee served immediately prior to being promoted, the employee's step shall be that held immediately prior to the promotion.

§ 74346. Traffic referee; commissioners; compensation, privileges, and benefits

- (a) The traffic referee shall receive a salary equal to 65 percent of the salary of a judge of the municipal court. He or she shall, after each year of service, receive an increase of 5 percent of the salary of a judge of the municipal court but in no event shall he or she receive more than 70 percent of the salary of a judge of the municipal court.
- (b) There shall be ~~five~~ eight commissioners who shall hold office at the pleasure of the judges. A commissioner shall receive a salary equal to 80 percent of the salary of a judge of the municipal court.
- (c) The traffic trial commissioner shall receive a salary equal to 80 percent of the salary of a judge of the municipal court.
- (d) A commissioner, traffic trial commissioner, or traffic referee shall receive and be entitled to the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be provided for a deputy county counsel IV in the classified service of the County of San Diego. However, a commissioner, traffic trial

commissioner, or traffic referee shall be entitled to (a) earn sick leave credit at the rate of 5 percent of each hour of paid service during the pay period; and (b) earn vacation credit at the rate of 8.075 percent of each hour of paid service during the pay period.

- (e) With the approval of a majority of the judge of the court and the board of supervisors, each traffic referee, commissioner, and traffic trial commissioner may be reimbursed for any payment he or she makes for his or her annual State Bar of California membership fees.

§ 74348. Compensation; benefits; civil service; appointment to permanent position

- (a) In addition to the salary provided in this article, the classes of attaches of the municipal court shall receive, and they shall be entitled to the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be provided for the employees of the County of San Diego in the comparable classes specified in Section 74345. The court administrator shall receive the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be received by the classification of chief probation officer of the County of San Diego. The assistant court administrator and deputy court administrator shall receive the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be received by the classification of assistant chief probation officer of the County of San Diego. All persons employed as deputy clerk-division managers I, II, or III, and deputy clerk-chief interpreter shall receive the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be received by the classification of administrative assistant III of the classified service of the County of San Diego. However, all officers, employees, and attaches of the municipal court shall be eligible to enroll in the dental and vision group insurance plans sponsored by the County of San Diego. The purpose and intent of this subdivision is to provide all court attaches except judicial secretaries, commissioners, traffic trial commissioners, court reporters, and the traffic referee with any and all fringe benefits, but no more than those which are available to their comparable classes in the service of the County of San Diego as specified in this section or in Section 74345. Whenever action or approval by the chief administrative officer or the county personnel director is required for the county benefit, it shall be taken or given, as to comparable municipal court officers and attaches other than those serving at the pleasure of the court, by the court administrator with the approval of the majority of the judges of the municipal court or their designees, or as to the court administrator and others serving at the pleasure of the court, by the majority of the judges or their designees. Changes in fringe benefits shall be effective on the same date as those for employees of the County of San Diego in comparable classes. The majority of all the municipal court judges may adopt rules for the conduct of and personnel privileges to be afforded the attaches of the court, excluding fringe benefits.
- (b) All attaches other than the traffic referee, commissioners, traffic trial commissioners, the

court administrator, court reporters, judicial secretaries, and other persons serving at the pleasure of their appointing authorities, may be appointed, promoted, removed, suspended, laid off, or discharged for cause by the appointing authority subject in such appointment, promotion removal, suspension, layoff, or discharge to civil service provisions applicable to the classified personnel of the County of San Diego. Whenever such attaches are appointed or promoted to a position, they must serve a probationary period of at least six months, and not to exceed 18 months, as specified in the job announcement for the class prior to appointment.

§ 74349. Official reporters; official reporters pro tempore; compensation; fees; retirement; benefits

Official reporters in the Municipal Court of the San Diego Judicial District appointed pursuant to Section 72194 shall be attaches of such court, and in lieu of any other compensation provided by law for their service in reporting testimony and proceedings in such court shall be paid a biweekly salary equal to the paid to regular official reporters for the Superior Court of the County of San Diego. There shall also be one official reporter appointed by the court as chief reporter, such appointment to be entered upon the minutes of the court, who shall receive compensation in the sum of 15 percent per month in addition to any sum otherwise provided by this section. These salaries shall be a charge against the general fund of the county. All persons employed in the class of chief reporter shall receive the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be received by the chief reporter of the Superior Court of the County of San Diego.

Pursuant to Section 72194, the judges of such court may appoint as many additional reporters as the business of the court may require, who shall be known as official reporters pro tempore, and who shall serve without salary but shall receive the fees provided by Sections 69947 to 69953, inclusive, except that in lieu of the per diem fees provided in those sections for reporting testimony and proceedings, the official reporters pro tempore shall in all cases be compensated at a rate equal to that paid to official reporters pro tempore for the Superior Court of the County of San Diego, which shall be a charge against the general fund of the County of San Diego.

Fees for transcription of testimony and proceedings in the court shall be paid by the litigants to official reporters and official reporters pro tempore as otherwise provided by law. In all cases where by law the court may direct the payment of transcription fees out of the county treasury, those fees shall, upon order of the court, be paid from the general fund including fees for transcription of testimony and proceedings in criminal cases as provided in Sections 69947 to 69953, inclusive.

Official reporters of the court shall be members of any retirement system maintained by the county. For the purpose of the retirement system the salary provided in this article for such reporters shall be deemed their entire compensation.

Notwithstanding the provisions of Section 74348, official reporters serve at the pleasure of the judges and shall receive and be entitled to the number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be provided for the official reporters of the Superior Court of the County of San Diego.

§ 74351. San Diego County; administrative assessments

In the County of San Diego, the courts shall establish administrative assessments not to exceed ten dollars (\$10) for clerical and administrative costs incurred for the following activities:

- (a) An assessment for the cost of recording and maintaining a record of the defendant's prior convictions for violations of the Vehicle Code. The assessment shall be payable at the time of payment of a fine or when bail is forfeited for any subsequent violations of the Vehicle Code other than parking, pedestrian, or bicycle violations.
- (b) An assessment for all defendants whose driver's license or automobile registration is attached or restricted pursuant to Section 40509 or 40509.5 of the Vehicle Code, to cover the cost of notifying the Department of Motor Vehicles of the attachment or restriction.

§ 74351.5 "900" telephone numbers

The San Diego Municipal Court may establish a "900" telephone number or numbers for traffic, misdemeanor, and other telephonic arraignment, for court scheduling, and for rendering tentative civil decisions, provided the court provides an alternative method of obtaining the service or information in a timely manner and informs individuals of this alternative in the message, where technically and economically feasible, preceding the "900" information. The proceeds from these "900" telephone numbers shall be continuously and solely appropriated to the use of the San Diego Municipal Court for staff, information, and data processing services for the purposes specified in this section.

§ 74352. Judicial secretaries; chief judicial secretary; compensation; benefits

By order entered upon the minutes of the court, a majority of the judges of the municipal court of the San Diego Judicial District may appoint as many competent judicial secretaries as the business of the court requires, not to exceed eight, who shall serve at the pleasure of the judges of the court. One of these secretaries shall be appointed by the majority of the judges of the court as the chief judicial secretary, who, while serving in that capacity, shall receive a biweekly salary at a rate 25 percent higher than that specified for judicial secretary. Appointment to such position shall be at step 5.

Each judicial secretary other than the chief judicial secretary shall receive a biweekly salary at a rate equal to that specified for administrative secretary IV in the classified service of the County of San Diego, ~~commencing at step 4 at initial employment and advancing to step 5 at the end of one year of continuous service.~~ Appointments to judicial secretary may be at any step within the salary range.

Whenever the salary of administrative secretary IV of the classified service of the County of San Diego is adjusted by the Board of Supervisors of San Diego County, the salaries of the

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chief judicial secretary and judicial secretaries shall be adjusted a commensurate percentage on the same date, such adjustments to take effect on the effective date of any amendments to this article.

Notwithstanding the provisions of Section 74348, the chief judicial secretary and judicial secretaries shall receive and be entitled to the number of holidays, leaves of absence and all other fringe benefits as are now or may hereafter be provided for administrative secretary IV in the classified service of the County of San Diego. However, the class of judicial secretary shall be entitled to: (a) earn sick leave credit at the rate of 5.385 percent of each hour of paid service during the pay period; (b) earn vacation credit at the rate of 5.769 percent of each hour of paid service during the pay period and accumulate vacation credit not to exceed 25 working days where the employee has less than 10 years of continuous service; and (c) earn vacation credit at the rate of 8.075 percent of each hour of paid service during the pay period and accumulate vacation credit not to exceed 35 working days where the employee has 10 years of more of continuous service.

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ARTICLE 30 - SOUTH BAY JUDICIAL DISTRICT

§74742. Insurance benefits

(a) In addition to any other compensation and benefits, each judge of the municipal court shall receive the same life insurance, accidental death and dismemberment insurance, comprehensive annual physical examinations, executive flexible benefits plan (except that if deferred compensation is selected, no adjustment based on retirement tier shall apply), and dental and vision insurance as provided by the County of San Diego for the classification of chief administrative officer. Changes in such benefits shall be effective on the same date as for those for the classification of chief administrative officer.

(b) Subject to approval by the Board of Supervisors, each judge of the municipal court shall receive one or more of the following benefits: the same long-term disability insurance as provided by the County of San Diego for the classification of chief administrative officer or retiree health benefits whereby each judge of the municipal court serving on or after October 1, 1987, who retires from the municipal court on or after January 1, 1989, shall receive the same amount of insurance premium for retiree health benefits under the Public Employee's Medical and Hospital Care Act (Part 5 (commencing with Section 22751) of Title 2) that the state provides to retired superior court judges under that act.

§74743. Commissioner; Traffic Referee; appointment; salary; benefits

(a) By order entered in the minutes of the court, a majority of judges may appoint a commissioner who shall serve at the pleasure of the judges and shall receive a salary equal to 80 percent of the salary of a judge of the municipal court.

(b) By order entered in the minutes of the court, a majority of judges may appoint a traffic referee who shall serve at the pleasure of the judges and shall receive a salary equal to 65 percent of the salary of a judge of the municipal court. After each year, the traffic referee shall receive an increase of 5 percent of the salary of a judge of the municipal court but in no event shall he or she receive more than 70 percent of the salary of the judge of the municipal court.

(b) (c) A commissioner or traffic referee shall receive and be entitled to the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be provided for a deputy county counsel IV in the classified service of the County of San Diego. However, a commissioner or traffic referee shall be entitled to (a) earn sick leave credit at the rate of 5 percent of each hour of paid service during the pay period; and (b) earn vacation credit at the rate of 8.075 percent of each hour of paid service during the pay period.

(e) (d) With the approval of a majority of the judges of the court and the board of supervisors, the commissioner and traffic referee may be reimbursed for any payment he or she makes for his or her annual State Bar of California membership fee.

§ 74744. Court Administrator; salary

There shall be one court administrator who shall serve as clerk of the court and who shall be appointed by a majority of the judges of the court. The salary of the court administrator shall be within biweekly rate range ES-13 indicated in the Compensation Ordinance of the County of San Diego. The biweekly salary, and any advancement or reduction within the range, shall be determined in accordance with the provisions set forth under Article 3.5 of the Compensation Ordinance of the County of San Diego and of subdivision (a) of Section 74345, except that any reference to "executive compensation committee" or "chief administrative officer" in Article 3.5 of the Compensation Ordinance of the County of San Diego shall be interpreted as "a majority of the judges."

§ 74745. Court Administrator, assistant, deputies and other employees; appointment and compensation; increase in number of positions

The court administrator may appoint with approval of the judges:

(a) ~~One assistant court administrator. The assistant court administrator shall serve as the assistant clerk of the court and shall receive a biweekly salary within the biweekly range ES-10 indicated in the Compensation Ordinance of the County of San Diego. The biweekly salary, and any advancement or reduction within the range, shall be determined in accordance with the provisions set forth under Article 3.5 of the Compensation Ordinance of the County of San Diego and of subdivision (a) of Section 74345, except that any referee to "executive compensation committee" or "chief administrative officer" in Article 3.5 of the Compensation Ordinance of the County of San Diego shall be interpreted as "the court administrator."~~

(b) ~~One deputy clerk administrative services manager I, II, III, as the case may be. A deputy clerk administrative services manager I shall receive a biweekly salary at a rate equal to that specified for administrative services manager I in the classified service of the County of San Diego. A deputy clerk administrative services manager II shall receive a biweekly salary at a rate equal to that specified for the administrative services manager II in the classified service of the County of San Diego. A deputy clerk administrative services manager III shall receive a biweekly salary at a rate equal to that specified for administrative services manager III in the classified service of the County of San Diego.~~

(b)(a) Three deputy court administrators. Persons appointed to this position on or after January 1, 1993, shall serve at the pleasure of the court administrator. The deputy court administrators shall receive a salary within the biweekly rate range ES-6 indicated in the Compensation Ordinance of the County of San Diego. The biweekly salary, and any

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advancement or reduction within the range, shall be determined in accordance with the provisions set forth under Article 3.5 of the Compensation Ordinance of the County of San Diego and of subdivision (a) of Section 74345, except that any reference to "executive compensation committee" or "the chief administrative officer" in Article 3.5 of the Compensation Ordinance of the County of San Diego shall be interpreted as "the court administrator." Notwithstanding subdivision (b) of Section 74749, persons who hold the position of deputy clerk-administrative services manager III, deputy clerk division manager III and II on January 1, 1993, may be appointed by the court administrator to the position of deputy clerk-deputy court administrator without further examination subject to certification by the court administrator that the person possesses the minimum qualifications and necessary skills to perform the duties of the position.

(e) (b) One deputy clerk-administrative assistant trainee, I, II, or III as the case may be. A deputy clerk-administrative assistant trainee shall receive a biweekly salary at a rate equal to that specified for administrative trainee in the classified service of the County of San Diego. A deputy clerk-administrative assistant I shall receive a biweekly salary at a rate equal to that specified for administrative assistant I in the classified service of the County of San Diego. A deputy clerk-administrative assistant II shall receive a biweekly salary at a rate equal to that specified for administrative assistant II in the classified service of the County of San Diego. A deputy clerk-administrative assistant III shall receive a biweekly salary at a rate equal to that specified for administrative assistant III in the classified service of the County of San Diego.

(d) ~~One deputy clerk division manager III who shall receive a biweekly salary at a rate 24.5 percent higher than that specified for deputy clerk division manager II in the South Bay Judicial District.~~

(e) (c) ~~Two~~ One deputy clerk-division managers I or II, as the case may be. A division manager I shall receive a biweekly salary at a rate 10 percent higher than that specified for deputy clerk V in the San Diego Judicial District. A division manager II shall receive a biweekly salary at a rate 15.5 percent higher than that specified for deputy clerk V in the San Diego Judicial District.

(f)(d) One deputy clerk-assistant, associate or senior accountant as the case may be. A deputy clerk-assistant accountant shall receive a biweekly salary at a rate equal to that specified for assistant accountant in the classified service of the County of San Diego. A deputy clerk-associate accountant shall receive a biweekly salary at a rate equal to that specified for associate accountant in the classified service of the County of San Diego. A deputy clerk-senior accountant shall receive a biweekly salary at a rate equal to that specified for senior accountant in the classified service of the County of San Diego.

(g)(e) One deputy clerk-staff development specialist or a deputy clerk- staff development coordinator, as the case may be. A deputy clerk - staff development specialist shall receive a biweekly salary at a rate equal to that specified for staff development specialist in the classified service of the County of San Diego. A deputy clerk - staff development coordinator shall receive a biweekly salary at a rate 5 percent higher than that

specified for staff development specialist in the classified service of the County of San Diego.

(h)(f) Nine deputy clerks IV. Each of the deputy clerks IV shall receive a biweekly salary at a rate equal to the greater of that specified for superior court clerk in the superior court service of the County of San Diego or 19.95 percent higher than that specified for deputy clerk III.

(i) (g) ~~Fifty-three~~ Fifty-two deputy clerks III, II, or I, or deputy clerk-intermediate clerk typist, as the case may be. Each of the deputy clerks III shall receive a biweekly salary at a rate equal to that specified for legal procedures clerk III in the classified service of the County of San Diego. Each of the deputy clerks II shall receive a biweekly salary at a rate equal to that specified for legal procedures clerk II in the classified service of the County of San Diego. Each of the deputy clerks I shall receive a biweekly salary at a rate equal to that specified for legal procedures clerk I in the classified service of the County of San Diego. At the discretion of the court administrator, appointments to the deputy clerk I classification may be at any step within the salary range. Up to three of these positions may be filled at the level of deputy clerk-intermediate clerk typist. A deputy clerk-intermediate clerk typist shall receive a biweekly salary at a rate equal to that specified for intermediate clerk typist in the classified service of the County of San Diego.

(j)(h) Three deputy clerk-data entry operators, each of whom shall receive a biweekly salary at a rate equal to that specified for data entry operator in the classified service of the County of San Diego.

(k)(i) One deputy clerk-administrative secretary III, II, or I, as the case may be. A deputy clerk-administrative secretary III shall receive a biweekly salary at a rate equal to that specified for administrative secretary III in the classified service of the County of San Diego. A deputy clerk-administrative secretary II shall receive a biweekly salary at rate equal to that specified for administrative secretary II in the classified service of the County of San Diego. A deputy clerk-administrative secretary I shall receive a biweekly salary at a rate equal to that specified for administrative secretary I in the classified service of the County of San Diego.

(l)(j) Four deputy clerk-court interpreters who shall receive a biweekly salary at a rate equal to that specified for superior court clerk-interpreter in the superior court service of the County of San Diego.

(m)(k) Notwithstanding subdivision (b) of Section 74749, up to 10 deputy clerk-court workers may be appointed by and serve at the pleasure of the court administrator. The class of deputy clerk-court worker provides for temporary appointments to positions in classes not listed in Sections 74740 to 74750, inclusive, pending a review and evaluation of the duties of these positions by the court administrator, and the establishment of specific classes as provided in this section. Prior to the establishment of those classes, the county personnel director shall conduct a classification review and make recommendations to the municipal court as to the establishment of those classes. The rate of pay for each individual

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employed in this class shall be within the range proposed for the class pending establishment, at a rate determined by the court administrator following consultation with the county personnel director. The rules regarding appointment and compensation as they relate to appointments to deputy clerk-court worker shall be the same as those applicable to the class that is pending establishment. Appointments shall be temporary and shall not exceed six months. Employee benefits, if applicable, shall be equal to those granted to the class in the classified service of the County of San Diego to which the pending class shall be tied for benefit purposes. When such an appointment is made, the class, compensation (including salary and fringe benefits), and number of such positions may be established by joint action of the majority of the judges and the Board of Supervisors in accordance with established county personnel and budgetary procedures. In the event that the class pending establishment is tied to a class in the unclassified service of the County of San Diego, the joint action may designate that persons serving in the class pending establishment shall serve at the pleasure of the court administrator. The court administrator may then appoint additional attaches to such classes of positions in the same manner as those for which express provision is made, and they shall receive the compensation so provided. Persons occupying deputy clerk-court worker positions shall have their appointments expire not later than 30 calendar days following promulgation of a list of certified eligibles for the new class. Appointments to the new class shall continue at the stated compensation or as thereafter modified by joint action of the majority of the judges and the Board of Supervisors.

(n)(l) Notwithstanding subdivision (b) of Section 74749, up to 10 extra help positions (hourly rate) to be appointed by and serve at the pleasure of the court administrator in the class and salary level deemed appropriate. These appointments shall be temporary for a period not to exceed six months, plus one additional period of up to six months, at the court administrator's option. Notwithstanding any other provisions of this section, the court administrator may fill these positions with personnel employed for a period not to exceed 90 120 working days or 720 960 hours, whichever is greater, during a fiscal year on a part-time basis.

(o)(m) Notwithstanding subdivision (c) of Section 74749, the court administrator may appoint up to 15 temporary extra help deputy clerk-municipal court trainees, I, II, III, or V, who shall be paid at an hourly rate and shall serve at the pleasure of the court administrator. A deputy clerk-municipal court trainee I shall receive an hourly salary at a rate equal to that specified for student worker I in the unclassified service of the County of San Diego. A deputy clerk-municipal court trainee II shall receive an hourly salary at a rate equal to that specified for student worker II in the unclassified service of the County of San Diego. A deputy clerk-municipal court trainee III shall receive an hourly salary at a rate equal to that specified for student worker III in the unclassified service of the County of San Diego. A deputy clerk - municipal court trainee V shall receive a biweekly salary at a rate equal to that specified for student worker V in the classified service of the County of San Diego. Persons who graduate and receive a degree in the field which qualified them for appointment to a deputy clerk-municipal court trainee class, may remain in the class and be employed on a full-time basis for up to six months from the first day of the month following their date of graduation.

(p)(n) Except as provided herein, the provisions of Section 74345 shall apply to the attaches appointed pursuant to this section and Section 74744.

(q)(o) ~~Four~~ Three deputy administrative clerks III, II, or I, as the case may be. A deputy clerk administrative clerk III shall receive a biweekly salary at a rate ~~19.95 percent higher than that specified for deputy administrative clerk II~~ equal to that specified for deputy clerk IV. A deputy administrative clerk II shall receive a biweekly salary at a rate equal to that specified for deputy clerk III. A deputy clerk administrative clerk I shall receive a biweekly salary at a rate equal to that specified for deputy clerk II.

(r)(p) ~~Four~~ Six deputy clerks V, each of whom shall receive a biweekly salary equal to that specified for deputy clerk V in the San Diego Municipal Court. The duties of the class of deputy clerk V shall include supervisory responsibilities. ~~Notwithstanding subdivision (b) of Section 74749, persons who hold the position of senior deputy clerk on January 1, 1991, may be appointed by the court administrator to the position of deputy clerk V without further examination subject to certification by the court administrator that the person possesses the minimum qualifications and necessary skills to perform the duties of the position.~~

(s)(q) One deputy clerk-municipal court secretary, who shall receive a salary at a rate equal to that specified for ~~criminal~~ confidential legal secretary III in the classified service of the County of San Diego. At the discretion of the court administrator appointment to the deputy clerk-municipal court secretary may be at any step within the salary range. ~~Notwithstanding subdivision (b) of Section 74749, persons who hold the position of deputy clerk administrative secretary IV on January 1, 1991, may be appointed by the court administrator to the position of deputy clerk-municipal court secretary without further examination subject to certification by the court administrator that the person possesses the minimum qualifications and necessary skills to perform the duties of the position.~~

(t)(r) One deputy clerk - senior systems analyst, associate system analyst, assistant systems analyst, or systems analyst trainee, as the case may be. A deputy clerk-senior systems analyst shall receive a biweekly salary at a rate equal to that specified for senior systems analyst in the classified service of the County of San Diego. A deputy clerk-associate systems analyst shall receive a biweekly salary at a rate equal to that specified for associate systems analyst in the classified service of the County of San Diego. A deputy clerk-assistant systems analyst shall receive a biweekly salary at a rate equal to that specified for assistant systems analyst in the classified service of the County of San Diego. A deputy clerk-systems analyst trainee shall receive a biweekly salary at a rate equal to that specified for systems analyst trainee in the classified service of the County of San Diego.

(u)(s) One deputy clerk - LAN systems analyst I, II, or III, as the case may be. A deputy clerk - LAN systems analyst I shall receive a biweekly salary at a rate equal to that specified for DIS LAN systems analyst I in the classified service of the County of San Diego. A deputy clerk-LAN systems analyst II shall receive a biweekly salary at a rate equal to that specified for DIS LAN systems analyst II in the classified service of the County of San Diego. A deputy clerk-LAN systems analyst III shall receive a biweekly salary at a rate

equal to that specified for DIS LAN systems analyst III in the classified service of the County of San Diego.

(t) Notwithstanding any other provision of law, the number of positions in classifications authorized under subdivisions (b)(a) to (m)(k), inclusive, (e)(m), and (q)(o) (r), and to (s), inclusive, of this section may be increased by up to 20 additional positions by joint action of the majority of the judges and the board of supervisors in accordance with established county personnel and budgetary procedures. The rules regarding appointments of persons to such positions shall be the same as those applicable to the class of such positions. The action of the majority of the judges and the resolution of the board of supervisors adjusting those positions shall designate the class title or titles and number of positions to be added to each respective class. Any adjustment made pursuant to this subdivision shall be effective on the adoption of the resolution by the board of supervisors and shall remain in effect only until January 1 of the second year following the year which the resolution is adopted, unless earlier ratified by the Legislature.

§ 74746. Appointment of additional deputy clerks; compensation

In the event that there shall be an increase in the number of judges as provided in Section 74743, the court administrator may appoint one deputy clerk IV, one deputy clerk III, and one deputy clerk II, for each respective additional judge so appointed. Such additional deputy clerks shall receive the biweekly salaries specified for their respective classes by Section 74745.

§ 74749. Officers and employees; benefits

(a) In addition to the salary provided in this article, the attaches of the municipal court shall receive, and they shall be entitled to the same number of holidays, leaves of absence, and all other fringe benefits as now or may hereafter be provided for the employees of the County of San Diego in the comparable classes specified in Section 74345.

The court administrator shall receive the same number of holidays, leaves of absence, and all other fringe benefits as are now or may be hereafter received by the classification of chief probation officer of the County of San Diego. The ~~assistant court administrator~~ deputy court administrators shall receive the same number of holidays, leaves of absence, and all other fringe benefits as are now or may be hereafter received by the classification of assistant chief probation officer of the County of San Diego. All persons employed as deputy clerk-division manager III, deputy clerk-division manager II, or deputy clerk division manager I, shall receive the same number of holidays, leaves of absence, and all other fringe benefits as are now or may hereafter be received by the class of administrative assistant III in the classified service of the County of San Diego. However, all officers, employees and attaches of the municipal court shall be eligible to enroll in the dental and vision group insurance plans sponsored by the County of San Diego.

The purpose and intent of this subdivision is to provide all court attaches except the commissioner, traffic referee and court reporters with any and all fringe benefits but no more than those which are available to their comparable classes in the service of the County of San Diego as specified herein or in Section 74345. Whenever action or approval by the chief administrative officer or county personnel director is required for the county benefit, it shall be taken or given, as to comparable municipal court officers and attaches other than those serving at the pleasure of the court, by the court administrator with the approval of the majority of the judges of the municipal court or their designees, or as to those serving at the pleasure of the court, by the majority of the judges and their designees. Changes in benefits shall be effective on the same date as those employees of the County of San Diego in the specified comparable classes. The majority of all municipal court judges may adopt rules for the conduct of the personnel privileges to be afforded the attaches of the court excluding fringe benefits.

(b) All attaches other than the commissioner, traffic referee and the court reporters, and other persons serving at the pleasure of their appointing authorities, may be appointed, promoted, removed, suspended, laid off, or discharged for cause by the appointing authority subject in such appointment, promotion, removal, suspension, lay off, or discharge to civil service provisions applicable to the classified position, they must serve a probationary period of at least six months and not to exceed 18 months, as specified in the job announcement for the class prior to appointment.

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DEPARTMENT OF THE MARSHAL
COUNTY OF SAN DIEGO

STAFFING LEGISLATION

74361. Appointment of marshal upon vacancy; Policies, rules, and regulations

Whenever any vacancy occurs in the position of Marshal of San Diego County, after the effective date of this section, the judges of the superior court and all of the municipal courts in San Diego County by a majority vote of their aggregate number, shall select, and appoint, and discharge the marshal, who shall serve at their pleasure, under such rules and procedures as they adopt. The judges may prescribe and regulate, by a majority vote, the organization, policies, rules, and regulations for the conduct of the marshal and his offices, and it shall be their duty and that of the personnel of his offices to be governed thereby. For the purpose of voting to select, appoint or discharge a marshal, or to prescribe and regulate the organization, policies, rules and regulations pertaining to the position of marshal, upon five days' written notice, the judges of the superior court and the municipal courts in judicial districts located in San Diego County shall meet at a time and place designated by the presiding judges of the superior court and the municipal court of the judicial district in which is included the county seat. If and when, under any provision of law, the superior court judges and the municipal court judges in the judicial districts of the county have formally organized to administer all matters jointly affecting their courts, the conduct of such meetings and the voting thereat shall be pursuant to the rules or bylaws adopted by the judges for that purpose.

74362. Appointment of marshal; Compensation

There shall be one marshal for the superior and all municipal courts established in judicial districts in San Diego County who shall be appointed pursuant to this article. In no event shall the compensation of the marshal be less than 20 percent higher than that specified for the class of assistant marshal.

74363. Designation

The marshal shall be designated as Marshal of San Diego County.

74364. Branch office

A branch office of the Marshal of San Diego County, shall be maintained in each superior and municipal court district facility.

Staffing Legislation (page two)

74365. Rights, powers, and duties

The marshal shall possess the rights and powers and perform the duties imposed upon marshals of municipal courts generally, and within San Diego County the marshal shall exercise all powers and perform all duties imposed upon sheriffs with respect to proceedings in the superior court.

74366. Application of provisions of law consistent with this article; Authority of judges to adopt rules

Within San Diego County, all provisions of law relating to duties imposed upon sheriffs with respect to court-related services and all provisions of law relating to marshals of municipal courts, or a marshal of a municipal court and the deputies and attaches thereof, not inconsistent with the provisions of this article, apply to the Marshal of San Diego County, and to the officers, deputies, and attaches of the marshal. The judges of the superior and municipal courts of the judicial districts in San Diego County acting jointly by a vote of a majority of those judges may adopt rules not inconsistent with the provisions of this article to make effective the provisions thereof.

74367. "Appointing authority"

For the purpose of this article, the appointing authority means the person having the power in the first instance to select the employee from an eligible list provided for that purpose.

74368. Appointments by marshal; Salaries

The marshal may make the following appointments:

- (a) One assistant marshal.
- (b) Four captains.
- (c) Four Five Lieutenants.
- (d) Nineteen Twenty Sergeants.
- (e) One hundred eighty-seven deputy marshals.

Any deputy marshal who may be assigned by the marshal to one of ~~seven ten~~ positions designated as lead deputy shall receive, while serving in that capacity, biweekly compensation at a rate 5 percent higher than that received by the deputy. The marshal may, at his or her discretion, fill a deputy marshal or court service officer position by accepting a lateral transfer from another California peace officer agency. The transferee shall have completed a California P.O.S.T. certified basic academy and been employed for at least one year in a position enumerated in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code within the past three years.

- (f) One administrative secretary I, II, or III.
- (g) One administrative services manager I, II, or III or administrative assistant III.
- (h) ~~Twenty intermediate typists.~~ One accounting technician.
- (i) ~~Six Three~~ Three senior typists.

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Staffing Legislation (page three)

(j) Thirty-five field service officers.

Notwithstanding any other provisions of this article, in no event shall a field service officer's salary be less than 65 percent of the salary of a deputy marshal at the corresponding pay step. The field service officer is a peace officer trainee position which requires appointees to be at least 18 years of age and meet the qualifications and standards prescribed for deputy marshals. At the time an incumbent in the class of field service officer attains the age of 21, he or she may be appointed by the marshal to a position in the class of deputy marshal or court service officer, provided such position is open, without further qualification or examination.

A field service officer shall receive 65 percent of the uniform allowance prescribed for deputy marshals. In the event that a field service officer is appointed to the class of deputy marshal or court service officer, he or she shall receive the amount of reimbursement of the cost of required uniforms and equipment prescribed for a newly hired deputy marshal or court service officer, less any reimbursement received by him or her for the cost of required field service officer uniforms and equipment.

(k) ~~One junior typist. Each vacancy occurring in this class shall cause a corresponding reduction in the number of junior typists hereby authorized, provided, however, that such vacancy shall increase by one, a position in the class intermediate typist under subdivision (h).~~ One departmental computer specialist I, II or III.

(l) Nine legal procedures clerks III.

(m) ~~Thirty~~ Forty-two legal procedures clerks II or I.

(n) Ninety-six court services officers. In no event shall a court service officer's salary be less than 80 percent of a deputy marshal at the corresponding pay step. A court service officer shall receive the same uniform allowance prescribed for a deputy marshal, under the same conditions prescribed for deputy marshals. The marshal may appoint a court service officer to a vacant position of deputy marshal without further qualification or examination. In the event that a court service officer is appointed to the class of deputy marshal, he or she shall receive the amount of reimbursement prescribed for a newly hired deputy marshal, less any reimbursement received by him or her for the cost of required court service officer uniforms and equipment. Court service officers shall be peace officers pursuant to Section 830.36 of the Penal Code. Notwithstanding any other provision of law, court service officers shall be general members of the county employees retirement system.

Any court service officer who meets length of service, educational and performance requirements established by the marshal and approved by the county personnel director may receive a biweekly compensation at a rate 7 1/2 percent higher than that otherwise received by a court service officer. ~~The number of court service officer positions so compensated shall not exceed one-half the total number of court service officers then employed by the marshal.~~

Staffing Legislation (page four)

(o) Any person specified in subdivisions (f), ~~(h)~~, and or (i), who may be assigned by the marshal to one of the positions designated as executive secretary or administrative-personnel secretary shall receive, while serving in that capacity, biweekly compensation at a rate 10 percent higher than that specified for such person's class and step.

(p) Two supervising legal services clerks.

(q) Three communications dispatchers I or II.

(r) Two administrative assistants III, II, I, or trainee.

(s) ~~One EDP coordinator, or~~ Two senior systems analysts.

(t) Notwithstanding Section 74369, up to 15 extra help positions (hourly rate) to be appointed at a level as determined by and serve at the pleasure of the marshal. Such appointments shall be temporary for a period not to exceed six months, plus one additional period at the marshal's option, not to exceed six months. Notwithstanding any other provisions of this section, the marshal may fill these positions with persons employed for less than ~~91~~ 121 working days during a fiscal year on a part-time basis.

(u) Notwithstanding Section 74369, the marshal may appoint up to six temporary extra help marshal student workers I, II, or III who shall be paid at an hourly rate and shall serve at the pleasure of the marshal. A marshal student worker I, II, or III shall receive an hourly salary at the rate equal to that specified for the class of student worker I, II, or III respectively in the unclassified service of the County of San Diego. Persons who graduate and receive a degree in the field which qualified them for appointment to a marshal student worker class may remain in the class and be employed on a full-time basis for up to six months from the first day of the month following their date of graduation.

(v) Two associate systems analysts or assistant systems analysts.

(w) Notwithstanding Section 74369, up to five provisional workers may be appointed by and serve at the pleasure of the marshal. The class of provisional worker provides for temporary appointments to positions in classes not listed in Section 74370 pending a review and evaluation of the duties of these positions by the marshal, and the establishment of specific classes as provided in this subdivision. Prior to the establishment of those classes, the county personnel director shall conduct a classification review and make recommendations to the marshal as to the establishment of such classes. The rate of pay for each individual employed in this class shall be within the range proposed for the class pending establishment, at a rate determined by the marshal following consultation with the county personnel director. The rules regarding appointment and compensation as they relate to appointments to provisional workers shall be the same as those applicable to the class that is pending establishment. Appointments shall be temporary and shall not exceed six months. Employee benefits, if applicable, shall be equal to those granted to the class in the service of the County of San Diego to which the pending class will be tied for benefit purposes.

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Staffing Legislation (page five)

(w) continued.

When such an appointment is made, the class, compensation (including salary and fringe benefits), and number of such positions may be established by joint action of the marshal and the board of supervisors in accordance with established county personnel and budgetary procedures. The marshal may then appoint additional attaches to such classes of positions in the same manner as those for which express provision is made, and they shall receive the compensation so provided. Persons occupying provisional worker positions shall have their appointments expire not later than 30 calendar days following promulgation of a list of certified eligibles for the new class. Appointments to the new class shall continue at the stated compensation or as thereafter modified by joint action of the marshal and the board of supervisors.

(x) Notwithstanding any other provision of law, the number of positions in classifications authorized under subdivisions (b) to (s), inclusive, (u), (v) and (w) of this section may be increased by up to 100 additional positions by joint action of the majority of the judges and the board of supervisors in accordance with established county personnel and budgetary procedures. The rules regarding appointment and compensation (including salary and fringe benefits) as they relate to appointments of persons to such positions shall be the same as those applicable to the class of such positions. The action of the majority of the judges and the resolution of the board of supervisors adjusting those positions shall designate the class title or titles and number of positions to be added to each respective class. Any adjustment made pursuant to this subdivision shall be effective on adoption of the resolution by the board of supervisors and shall remain in effect only until January 1 of the second year following the year in which this subdivision becomes effective, unless earlier ratified by the Legislature.

74369. Effect of other provisions of law as to court offices and positions

Except where this article or other provisions of state law specifically otherwise provides, the provisions of then current ordinances and resolutions of the board of supervisors and the rules for the classified service of the County of San Diego shall govern the appointment and assignment of officers, deputies, and attaches to the offices and positions enumerated in this article, and shall define their compensation (including salary and fringe benefits), rights, and privileges. All assistants, deputies, and other employees of the Marshal of San Diego County, other than those specified as serving at the pleasure of the marshal, may be appointed, promoted, removed, suspended, laid off, or discharged for cause by the said marshal, subject in such appointment, promotion, removal, suspension, lay off, or discharge to all civil service provisions applicable to the classified personnel of the office of Sheriff, County of San Diego.

Staffing Legislation (page six)

74370. Salary schedule for positions in marshal's office; Additional benefits and privileges

(a) The hereinafter enumerated classes of positions in the marshal's office of San Diego County are deemed to be equivalent in job, salary level, and fringe benefit level to certain classes in the service of the County of San Diego and whenever the salary and fringe benefit level of a class in the service of the County of San Diego is adjusted by the board of supervisors, the salary and fringe benefit level of the equivalent class in the marshal's office shall be adjusted in the same amount, effective on the same date.

The equivalent classes are as follows:

Marshal class	County class
Assistant marshal	Assistant sheriff
Captain	Deputy sheriff-captain
Lieutenant	Deputy sheriff-lieutenant
Sergeant	Deputy sheriff-sergeant
Deputy marshal	Deputy sheriff
Court service officer	Revenue and recovery officer II
Field service officer	Revenue and recovery officer trainee
Legal procedures clerk III	Legal procedures clerk III
Legal procedures clerk II	Legal procedures clerk II
Legal procedures clerk I	Legal procedures clerk I
Senior typist	Senior clerk-typist
Intermediate typist	Intermediate clerk-typist
Junior typist	Junior clerk-typist
Administrative assistant III	Administrative assistant III
Administrative assistant II	Administrative assistant II
Administrative assistant I	Administrative assistant I
Administrative trainee	Administrative trainee
EDP-coordinator	EDP-coordinator
Accounting technician	Accounting technician
Senior systems analyst	Senior systems analyst
Associate systems analyst	Associate systems analyst
Assistant systems analyst	Assistant systems analyst
Department computer specialist III	Department computer specialist III
Department computer specialist II	Department computer specialist II
Department computer specialist I	Department computer specialist I
Administrative secretary III	Administrative secretary III
Administrative secretary II	Administrative secretary II
Administrative secretary I	Administrative secretary I
Administrative services manager I	Administrative services manager I

Staffing Legislation (page seven)

Administrative services manager II	Administrative services manager II
Administrative services manager III	Administrative services manager III
Supervising legal services clerk	Supervising legal services clerk
Communications Dispatcher I	Communications Dispatcher I
Communications Dispatcher II	Communications Dispatcher II

(b) In addition to the salary provided in this article, officers, deputies, and other attaches of the marshal's office shall receive, and they shall be entitled to, the same number of holidays, leaves of absence, retirement benefits, deferred compensation benefits, and all other fringe benefits as are now or may hereafter be provided for the specified comparable employees of the County of San Diego.

For purposes of providing the fringe benefits specified in this section, each class in the marshal's office shall receive benefits equal to those of the comparable class in the service of the County of San Diego as specified in this section. The marshal shall receive the same fringe benefits received by the classification of Chief Probation Officer of the County of San Diego. However, all officers, deputies, and other attaches of the marshal's office shall be eligible to enroll in the dental and vision group insurance plans sponsored by the County of San Diego.

The purpose and intent of this subdivision is to provide all marshal's personnel with any and all fringe benefits, but no more than those, which are available to their comparable classes in the service of the County of San Diego, as specified in this section. Whenever action or approval by the chief administrative officer or the county personnel director is required for a county benefit, it shall be taken or given as to comparable marshal's employees, by the marshal, or as to the marshal by the majority of the judges or their designees. Changes in fringe benefits shall be effective on the same date as those for employees of the County of San Diego in the specified comparable classes. The marshal may adopt rules for the conduct of, and personnel privileges to be afforded to, marshal employees, excluding fringe benefits.

74371. Appointment of additional court personnel

In the event that the number of judges, commissioners, or referees provided for the superior court or any existing municipal court judicial district in the County of San Diego is increased, or that additional municipal court judicial districts are provided in the County of San Diego, thereby causing an increase in the number of judges, commissioners, or referees, the marshal at his discretion may appoint one deputy marshal or court service officer and one intermediate typist, legal procedures clerk, or field service officer each of whom shall receive compensation as specified for their respective classifications, for each additional judge, commissioner, or referee appointed or elected.

Staffing Legislation (page eight)

74372. Probationary period; Authority to dismiss or demote without cause

The first 18 months served by a deputy marshal appointee or the first 12 months served by any other appointee shall be considered probationary, except for appointments to classes of positions serving at the pleasure of the appointing authority, and the appointing power shall have the authority to dismiss without cause in the case of a new employee, or demote without cause in the case of a promoted employee during said probationary period.