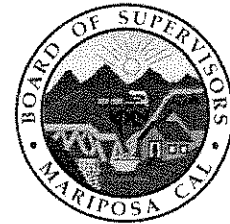




MARIPOSA COUNTY

Public Works · (209) 966-5356



RESOLUTION - ACTION REQUESTED 2013-146

MEETING: April 16, 2013

TO: The Board of Supervisors

MINUTE ORDER ATTACHED

FROM: Peter Rei, Public Works Director

RE: Approve Transfer of Funds Within the Water Agency

RECOMMENDATION AND JUSTIFICATION:

Approve Budget Action Transferring Funds Within the Water Agency Fund to Fund Legal Services through the Remainder of the Fiscal Year (\$40,000). The requested transfer will resolve the negative balance in the Professional Services line item and provide funding for legal services through the end of the Fiscal Year.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board routinely authorizes allocated funds to be transferred within a budget.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Not authorizing this transfer would leave the Professional Services line item with a negative balance; however, there would be no impact to the category level of this fund.

FINANCIAL IMPACT:

Transfer to account 312-0901-851-0418 (Professional Services) in the amount of \$40,000.00; and Transfer from account 312-0901-851-0436 (Non-Dedicated Funds) in the amount of \$40,000.00

04/16/13 312-0901-851-0418 · Professional Services \$40,000.00

04/16/13 312-0901-851-0436 · Non-Dedicated Funds (\$40,000.00)

Total: \$0.00

ATTACHMENTS:

Budget Action - Water Agency Legal Fees (PDF)

CAO RECOMMENDATION

Requested Action Recommended


Rick Benson, County Administrator/Office

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Bibby, Cann, Carrier, Jones



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
JANET BIBBY
MERLIN JONES
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT III
DISTRICT II
DISTRICT V



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: PETE REI, Public Works Director

FROM: RENE' LaROCHE, Clerk of the Board *RL*

SUBJECT: **Approve Budget Action Transferring Funds Within the Water Agency Fund to Fund Legal Services through the Remainder of the Fiscal Year (\$40,000)**

RES. 13-146

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on April 16, 2013

ACTION AND VOTE:

5. Public Works RES-2013-146

Approve Budget Action Transferring Funds Within the Water Agency Fund to Fund Legal Services through the Remainder of the Fiscal Year (\$40,000)

Peter Rei gave the staff presentation.

Board comment:

Supervisor Carrier inquired if the Water Agency Board has to approve this item. Rick Benson responded that they do not, as the Board of Supervisors controls the budget for the Water Agency, while the Advisory Board reports to the Board regarding grants and loans. Supervisor Cann requested clarification on the point. CAO responded.

Supervisor Bibby noted that, in the past, the Board has heard from the Water Advisory Agency that there is no point in having them make determinations if the Board circumvents them. She further noted that what the Board has done in the past is to either get their approval first, or make sure to notify them afterwards. CAO clarified his understanding of past actions. Supervisor Bibby inquired if the Water Advisory Agency knows that this \$40,000 is being encumbered.

County Counsel noted that this item is implementing, from a budgetary standpoint, a contract that was already recommended by the Water Agency Advisory Board; that this is an ongoing obligation previously recommended by the Water Agency Advisory Board.

Supervisor Bibby commented that it may be beneficial, as an informational item, to let the Water Agency Advisory Board know of this action at their next

meeting; and that the \$40,000 appropriated today is consistent with their recommendation for the contract.

Supervisor Cann clarified that he understands that this is a continuation of a previous action, but that his concern is whether this Board needs to be convened as the Water Agency. CAO responded that Staff carefully considered the matter but felt that this is the correct procedure since this is merely a budgetary action.

Supervisor Cann noted that, if this was not a continuing issue that was previously approved and with a cap on it, he would ask for a meeting of the Water Agency; that he is relying on assurances that it is legal; but, in the future, he would like to convene as the Water Agency Board before taking Water Agency actions.

Public Comment: None.

Supervisor Jones moved that the item be approved as presented.

Supervisor Bibby seconded the motion, with the understanding that this meets all legal requirements, that the Water Agency Advisory Board will be informed of the action, and will be further informed that the Board of Supervisors is relying on advice that, because this item is for continued funding which is within the budget, they do not have to convene as the Water Agency.

Supervisor Jones, as the motion maker, noted his agreement with that change.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Bibby, Cann, Carrier, Jones

Cc: Bill Davis, Auditor
File