

# APPROVED MINUTES

## Indian Gaming Local Community Benefit Committee County of San Diego Special Meeting – September 16, 2010

Supervisor Jacob's El Cajon Office  
250 E Main Street, Suite 169  
El Cajon, CA 92020

County Supervisor Dianne Jacob called the meeting to order.

### I. Roll Call

#### Members Present:

Dianne Jacob, County Supervisor  
Edwin "Thorpe" Romero, Chairman, Barona Band of Mission Indians  
Mark Lewis, Mayor, City of El Cajon  
John Madigan, for County Sheriff William Gore  
Don Steuer, County Chief Financial Officer  
Sheilla Alvarez, Representative, Barona Band of Mission Indians  
Adam Day, Representative, Sycuan Band of The Kumeyaay Nation

#### Members Absent:

All members represented.

#### Legal Advisor:

Mark Mead, for Claudia Anzures (Office of County Counsel)

#### Staff:

Teresa Brownyard (County Chief Administrative Office)

### II. Approval of minutes for the meeting of May 14, 2010

ACTION: The committee approved the minutes by unanimous vote.

### III. Review requests by grantees to extend the deadline for FY08/09 funded Projects

#### 1. Regional Fire and Public Utilities Training Center, \$1,352,553.53

Chief Augie Ghio of the San Miguel Consolidated Fire Protection District asked the Committee for a 16 month extension due to delays in the county planning and permitting process. He stated that staff is working diligently but that environmental, grading and stormwater runoff issues are taking longer than originally anticipated. He noted the importance of the project and that it is slated to go out to bid in November 2010.

ACTION: After response to follow up questions the Committee approved the requested extension through February 2012 by unanimous vote.

**2. Water Tender for County of San Diego "Fleet", \$140,000**

**3. Water Tender for Intermountain Fire Station, \$140,000**

Ken Miller and Ralph Steinhoff of the San Diego County Fire Authority asked the Committee for an extension through this fiscal year for the two water tender projects due to delays in the procurement process. They noted that the County purchased a total of four water tenders and that all were bulked to obtain the most advantageous pricing. However, by adding two additional water tenders using Economic Stimulus funds the procurement process was slowed significantly.

ACTION: After response to follow up questions the Committee approved the requested extension through June 30, 2011 by unanimous vote.

**4. District Attorney's Tribal Liaison, \$116,518**

Liza Prodigalidad on behalf of the County District Attorney's Office asked the Committee for a 3 month extension and the reallocation of the approximately \$17,000 in unspent funds resulting from staff retirements and diminished staff levels. Ms. Prodigalidad requested that the salary savings be reallocated to the Tribal and Casino Liaison position for salary costs to be incurred during the 3 month extension period.

ACTION: The Committee approved the requested extension through December 31, 2010, and the reallocation of the approximately \$17,000 in unspent grant funds to the Tribal and Casino Liaison position for salary costs to be incurred during the 3 month extension period by unanimous vote.

**5. Health and Human Services Agency Adult Protective Services, \$340,356**

Jennifer Bransford-Koons of the County Health and Human Services Agency asked the Committee for an extension through this fiscal year and the rollover of \$116,218.92 of remaining funds to continue to employ temporary expert professional staff to continue to provide services including providing important "Protect Yourself and Wallet Events".

ACTION: The Committee approved the requested extension through June 30, 2011 and the rollover of \$116,218.92 for use by unanimous vote.

**IV. Discuss procedures to address future requests**

Committee members discussed the option to increase efficiency by approving a revision to the Bylaws to allow administrative items to be conducted by staff only if no vote is required. Member Romero expressed his preference that the committee continues to meet to address all actions regardless of the number of meetings necessary to do so. After discussion, all members agreed of the importance of meeting to discuss all committee related matters.

ACTION: The committee agreed that they will continue to meet for all action by unanimous vote.

## **V. Approval of revised bylaws**

Teresa Brownyard, committee staff, noted that the Committee may waive its own requirement to require distribution of amendments to Bylaws 5 days before the meeting. She confirmed that this meeting met the requirements of the Brown Act. Teresa noted that even through the Bylaws were distributed on 9/14/10, two days prior to the meeting; the Agenda packet was distributed within the required 72 hours in advance of the meeting which indicated that the Bylaws would be amended at the meeting. She confirmed that the Agenda packet was filed with the County Clerk of the Board for public notification posting on 9/10/10.

Mark Mead, legal advisor, confirmed that the Committee may take action on this item today.

ACTION: The Committee agreed to waive its own requirement to distribute amended Bylaws 5 days before a meeting by unanimous vote.

Teresa Brownyard provided a brief description of the proposed amendments and pointed out each by page number as the Committee reviewed the draft Bylaws, as follows:

- 1) under Article I, Section 4. Duration (page 1) to revise the effective date of committee to January 1, 2021 as specified in SB357;
- 2) under Article III. Section I. Regular Meetings (page 4) to clarify requirements for meetings so that the committee is not required to meet twice a year unless the State allocates funds for grants; and
- 3) under Article IV. Section 2. Additional Duties and Responsibilities (page 6) to allow staff the ability to perform administrative functions on behalf of the committee if no vote is required (for example – to approve requests for extensions).

Committee member Romero pointed out that member Alvarez worked diligently with a local team and our Sacramento delegates to get SB357 approved. Member Jacob thanked the Barona Band and the Sycuan Band for their efforts.

ACTION: The Committee unanimously approved proposed revisions 1) the date and 2) meeting requirements. The Committee unanimously agreed to strike the draft language and to deny proposed revision 3) to allow administrative functions for committee, so it will not be allowed.

## **VI. Financial report of Indian Gaming SDF Trust**

Teresa Brownyard, committee staff, presented a financial report of the Indian Gaming Special Distribution Fund (SDF) Trust and the status of all grants currently underway. She noted that the balance of the Countywide Trust is \$23,458.07 and that the total interest earned is \$13,065.70, which includes interest earned on all FY08-09 grant

accounts. She reported the total funds available are \$36,523.77. She confirmed that this will be the total funds available for the next round of competitive grants in FY10-11 unless the state allocates SDF's in the pending State budget. Member Alvarez said that she is hopeful that Indian Gaming funds will be allocated.

Teresa provided a historical overview. She reported that a total of \$23,646,293.14 in SDF allocations has come to the County since FY03-04, and that of the total \$23,598,367.82 has been distributed for grants and \$47,925.32 used for County administrative costs. She pointed out that grantees have done well implementing projects with only a total of \$2,409,299.74 or 10% remaining unspent for projects still underway.

## **VII. Adjournment**

With no further matters to consider, the meeting was adjourned at 3:45 pm.