



BUTTE COUNTY ADMINISTRATION

25 COUNTY CENTER DRIVE, SUITE 200
OROVILLE, CALIFORNIA 95965-3380
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C. BRIAN HADDIX
Chief Administrative Officer

GRANT APPLICATION PACKET

Grant Applicant:

Enclosed you will find a blank Indian Gaming Special Distribution Fund Grant Application form, the Application Provisions and Guidelines handout and a copy of the grant program timeline.

Please read the enclosed materials carefully. Amendments to program have been made this year and there are new requirements for applicants.

Please complete the application and required attachments and return the original and (8) copies to the Butte County Administrative Office, 25 County Center Drive, Oroville, by 5:00 p.m. on Friday, February 20, 2009.

If you have any questions, please contact me. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marion Reeves".

Marion Reeves
County Compliance Officer and
Staff to the Butte County Indian Gaming
Local Community Benefit Committee

COUNTY OF BUTTE INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE INDIAN GAMING SPECIAL DISTRIBUTION FUND GRANT APPLICATION

UPON COMPLETION RETURN TO: COUNTY OF BUTTE ADMINISTRATIVE OFFICE 25 County Center Drive Oroville, CA 95965 (530) 538-7631	Office Use Only Date Stamp
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APPLICANT INFORMATION

Applicants may be required to appear before the committee regarding this application. Advance written notice of the date and time of the meeting at which you shall appear will be forwarded to the contact person as outlined below.

NAME OF JURISDICTION:		CONTACT PERSON:	
LEGAL ADDRESS OF JURISDICTION:		CITY:	ZIP CODE:
PHONE:	FAX:	E-MAIL:	FEDERAL TAX ID NUMBER:

Impacts for which funding is sought are associated with which casino(s)? _____

TYPE OF GRANT FOR WHICH YOU ARE APPLYING:

<input type="checkbox"/> NEXUS GRANT: <i>Must meet at least two of the Nexus Criteria. These grants are available to <u>Cities and Counties only.</u></i>
Circle all the letters that apply: A. City or County borders the tribal land on all sides. B. City or County partially borders tribal land. C. City or County maintains a highway or road that is the predominant access route to a casino located within 4 miles. D. All or part of the City or County is located within 4 miles of the casino.
<input type="checkbox"/> NON-NEXUS GRANT: <i>Must still address impact of Indian Gaming. These grants are available to <u>Cities, Counties and Special Districts</u></i>
A. Local Government Jurisdiction impacted by tribal casinos paying into the Special Distribution Fund.

AMOUNT OF GRANT FUNDING REQUESTED THROUGH THIS APPLICATION: \$ _____

GRANT REQUEST IS:

- Reimbursement Grant (Fiscal Year 2007-2008) _____
- Single Year Grant (Fiscal Year 2008-009) _____
- Multi-Year Grant (Fiscal Year 2008-2009 and Beyond) _____

GRANT PROJECT IS FOR:

- | | | |
|---|--|---|
| <input type="checkbox"/> Law Enforcement | <input type="checkbox"/> Environmental Impacts | <input type="checkbox"/> Waste Disposal |
| <input type="checkbox"/> Fire Services | <input type="checkbox"/> Emergency Medical Services | <input type="checkbox"/> Water Supplies |
| <input type="checkbox"/> Behavioral Health | <input type="checkbox"/> Recreation & Youth Programs | <input type="checkbox"/> Public Health |
| <input type="checkbox"/> Child Care Programs | <input type="checkbox"/> Planning & Adjacent Land Uses | <input type="checkbox"/> Roads |
| <input type="checkbox"/> Other (briefly describe) | | |

FURTHER INSTRUCTIONS:

1. Complete and include with this application Attachment A – Project Description.
2. Complete and include with this application Attachment B – Indian Gaming Impacts.
3. Complete and include with this application Attachment C – Mitigation Objectives.
4. Complete and include with this application Attachment D – Proportional Funding Worksheet (if needed)
5. Complete and include with this application Attachment E – Public Notice Requirements
6. Complete and include with this application Attachment F – Acknowledgment of Terms of Grant

WHAT IS THE TOTAL COST OF THE PROJECT: \$ _____

Will project expenditures include expenditures that mitigate impacts from a casino and also provide other benefits to the local jurisdiction? Yes _____ No _____

If Yes, what percentage of the expenditures will mitigate impacts from a casino? _____

Does your grant request exceed the proportional share of the expenditures that will mitigate impacts from a casino? Yes _____ No _____

Name other sources of funding, if any, that will be contributed to the project and the amount provided by each source:

Will the project be competitively bid? Yes No

What is the project time frame? _____

SIGNATURES:

_____	_____	_____
Department or Agency Head	Specific Title	Date
_____	_____	_____
Department or Agency Head	Specific Title	Date

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TRIBAL SPONSORSHIP: Yes No NAME OF TRIBE: _____

SIGNATURE OF TRIBAL CHAIRMAN _____

DATE _____

APPROVED BY COMMITTEE: Yes No

AMOUNT APPROVED: \$ _____

SIGNATURE OF COMMITTEE CHAIRMAN _____

DATE _____

**INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE
Special Distribution Fund Grant Application**

Attachment A – Project Description

Provide a complete description of the project --

**INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE
Special Distribution Fund Grant Application**

Attachment B – Indian Gaming Impacts

Provide a description of the impacts on your jurisdiction associated with the particular casino(s) from which account(s) the project would be funded. (Please include historical data, if available.)

**INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE
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Attachment C – Mitigation Objectives

Provide an explanation of how the proposed project will mitigate impacts of the casino(s).

**INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE
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Attachment D – Proportional Funding Worksheet

If the project expenditures will require proportional funding (i.e. the expenditure mitigates an impact and also provides a benefit to the local jurisdiction), please describe the method used to determine the proportional funding, and include any historical data used to determine percentages.

**INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE
Special Distribution Fund Grant Application**

Attachment E – Public Notice Requirement

Provide an explanation of how you intend to meet the requirement that grant recipients must provide notice to the public, either through a slogan, signage or other mechanism, which states that the project has received funding from the Indian Gaming Special Distribution Fund and further identifies the particular Individual Tribal Casino Account from which the grant derives.

**INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE
Special Distribution Fund Grant Application**

Attachment F –Acknowledgement of Terms of Grant

Grant recipients must adhere to the following requirements of the program:

1. If a local jurisdiction uses grant funds for any unrelated purpose, the grant shall terminate immediately and any moneys not yet spent will revert to the Indian Gaming Special Distribution Fund.
2. If a local jurisdiction approves an expenditure that mitigates an impact from a casino on a local jurisdiction and that also provides other benefits to the local jurisdiction, the grant funds shall be used to finance only the proportionate share of the expenditure that mitigates the impact from the casino.
3. A grant may not be made for any purpose that would support or fund, directly or indirectly, any effort related to the opposition or challenge to Indian gaming in the state, and, to the extent any awarded grant is utilized for any prohibited purpose by any local government, upon notice given to the county by any tribe from whose Individual Tribal Casino Account the awarded grant went toward that prohibited use, the grant shall terminate immediately and any moneys not yet used shall again be made available for qualified nexus grants.
4. A local government jurisdiction that is a recipient of a grant from an Individual County Tribal Casino Account or a County Tribal Casino Account shall provide notice to the public, either through signage, or other mechanism, stating that the local government project has received funding from the Indian Gaming Special Distribution Fund and further identifying the particular Individual Tribal Account from which the grant derives.
5. A local government jurisdiction that receives a grant from an Individual Tribal Casino Account shall deposit all funds received in an interest bearing account and use the interest from those funds only for the purpose of mitigating an impact from a casino. If any portion of the funds in the account are used for any other purpose, the remaining portion shall revert to the Indian Gaming Special Distribution Fund. As a condition of receiving further funds, a local government jurisdiction, upon request of the County, shall demonstrate to the County that all expenditures made from the account have been in compliance with the requirements of this section.
6. At the request of the County, I agree to submit an annual report that will include the following information: 1) the amount of grant funds received; 2) a description of the project funded; 3) a description of how the project mitigates the impact of tribal gaming; 4) the total expenditures for the project; 5) all administrative costs related to the project; 6) the funds remaining at the end of the fiscal year; 7) an explanation regarding how any remaining funds will be spent, including the estimated time for expenditure; and 8) a description of whether each project is funded once or on a continuing basis.

I agree to adhere to the grant program requirements:

Signature

Date

Application Provisions and Guidelines

*****PLEASE REVIEW CAREFULLY, THERE HAVE BEEN CHANGES IN THE GRANT PROGRAM FOR THIS YEAR*****

1. The Indian Gaming Local Community Benefit Community Benefit Committee (Committee) will formally release grant applications on January 23, 2009. Local government agencies impacted by tribal gaming will be allowed to submit applications until 5:00 p.m. on February 20, 2009. No faxes or other electronically submitted applications will be accepted. Applications may be obtained in person at the Butte County Administrative Office at 25 County Center Drive, Oroville, California 95965, from the Indian Gaming section of Butte County's website at <http://www.buttecounty.net>, or by calling (530) 538-7631.
2. Local government agencies shall submit eight (8) copies of completed applications, with authorized signature, to the address listed on the Application Form, no latter than 5:00 p.m. on **February 20, 2009**. Copies will be kept on file, submitted to the Butte County Indian Gaming Local Community Benefit Committee, and submitted to each of the Tribes that pay into the Special Distribution Fund. Facsimile copies will not be accepted.
3. Information and forms can be obtained online at <http://www.buttecounty.net> or at the Butte County Administrative Office, 25 County Center Drive, Oroville, California 95965, Monday through Friday, 8:00 a.m. to 5:00 p.m.
4. On or about March 11, 2009, the Butte County Indian Gaming Local Community Benefit Committee will meet to review each application to ensure it meets the priorities and requirements established by State law. Each approved application will then be submitted to the sponsoring tribe. Each Tribe that pays into the Special Distribution Fund will review the applications and determine their reasonable relationship to casino impacts. They are also responsible for certifying that an application satisfies at least one of the priorities identified in California Government Code § 12715(i). The Tribes will forward a list of the applications they will sponsor to the Committee by March 27, 2009.
5. On or about April 16, 2009, the Committee will review the applications the Tribes have agreed to sponsor and select projects for funding.
6. Upon approval by the Committee, the list of projects approved for funding will transmitted to the State Controller not later than May 15, 2009.
7. The State Controller will disburse funds directly to the local government jurisdictions whose grant applications were selected by the Committee.

8. The Indian Gaming Special Distribution Fund Grant Program has been created for local government agencies impacted by tribal gaming. Please note, also, that the Tribal government from whose account the grant would be funded must confirm that the proposed project has a reasonable relationship to casino impacts.
9. In selecting grants the Indian Gaming Local Community Benefit Committee shall select only grant applications that mitigate impacts from casinos on local jurisdictions.
10. If a local jurisdiction uses a grant for any unrelated purpose, the grant shall terminate immediately and any moneys not yet spent shall revert to the Indian Gaming Special Distribution Fund.
11. If a local jurisdiction approves an expenditure that mitigates an impact from a casino on a local jurisdiction and that also provides other benefits to the local jurisdiction, the grant shall be used to finance only the proportionate share of the expenditure that mitigates the impact from the casino.
12. The contact person listed on the Grant Application should be the individual most knowledgeable about the project and authorized to discuss all aspects of the project.
13. The applicants will determine the type of grant for which they are eligible (Nexus or Non-Nexus) and indicate accordingly on the Grant Application. An applicant can apply for both Nexus and Non-Nexus funds, if eligible.
14. Only cities and the county impacted by tribes that are paying into the Indian Gaming Special Distribution Fund are eligible to apply for the 60% Nexus grant. The applicant must indicate the nexus criteria the jurisdiction meets. Note that a minimum of two nexus criteria is required to be eligible for a Nexus Grant.
15. The amount of grant funding requested for the project through the application must be listed.
16. Applications shall be signed, on page 2, by both the department or agency head and the Chief Executive officer. As an example, applications submitted by County departments shall be signed by the department director and the County's Chief Administrative Officer.
17. The total cost of the project should include costs funded by other sources and the total funding requested through this application. If a project expenditure will mitigate an impact from a casino and provides other benefits to the local agency, the grant application must indicate the proportionate share of that expenditure that is attributed to mitigation of the impact. Grant applicants should explain the method used to determine the proportionate share funding requested.
18. Grants shall be subject to the sole sponsorship of the tribe that pays into the Indian Gaming Special Distribution Fund to which the applicant applies, and the recommendations of the Indian Gaming Local Community Benefit Committee . Grants not sponsored by a tribe will not be eligible for funding.
19. A grant may not be made for any purpose that would support or fund, either directly or indirectly, any effort related to opposition or challenge of Indian gaming in the State, and, to the extent any awarded grant funds are used for any prohibited purpose by any local government, upon notice given to the County by any Tribe from whose Individual Tribal Casino Account the awarded grant went toward that prohibited use, the grant shall terminate immediately and any funds unspent shall be made available for qualified nexus grants.

20. A local government jurisdiction that is a recipient of a grant from the Individual County Tribal Casino Account or a County Tribal Casino Account shall provide notice to the public, either through a slogan, signage, or other mechanism, stating that the local government project has received funding from the Indian Gaming Special Distribution Fund and further identifies the particular individual Tribal Casino Account from which the grant was derived.
21. Upon receipt of an approved listed of grant recipients from the Indian Gaming Local Community Benefit Committee, the State Controller shall release funds directly to the local government entities.
22. A local government jurisdiction that receives a grant from an Individual Tribal Casino Account shall deposit all funds received in an interest-bearing account and use the interest from those funds only for the purpose of mitigating an impact from a casino. If any portion of the funds in the account are used for any other purpose, the remaining portion shall revert to the Indian Gaming Special Distribution Fund.
23. As a condition of receiving further funds under the grant program, a local government jurisdiction, upon request of the County, shall demonstrate to the County that all expenditures made from the account have been in compliance with the requirements of this section.
24. Grant applications for funds expended in Fiscal Year 2007-2008 will follow the same procedure and requirements as grant applications for funds for Fiscal Year 2008-2009. An applicant may combine the grant applications for both fiscal years if the grant programs are the same for both years; however, each fiscal year's grant request amount must be clearly indicated, and documentation of expenditures made in Fiscal Year 2007-2008 must be included.

Reference Material

Definitions

County Tribal Casino Account – An account consisting of all moneys paid by tribes of that county into the Indian Gaming Distribution Fund, after deduction of the amounts appropriated to the priorities specified in Government Code Section 12012.85.

Individual Tribal Casino Accounts – An account for each individual tribe that has paid money into Indian Gaming Special Distribution Fund. The individual tribal casino accounts shall be funded in proportion to the amount that the individual tribe has paid into the Indian Gaming Special Distribution Fund.

Local Government Jurisdiction or Local Jurisdiction – Any city, county, or special district.

Special District – any agency of the state that performs governmental or proprietary functions within limited boundaries. Special district includes a county service area, a maintenance district or area, an improvement district or improvement zone, or any other zone, district, or area that meets the requirements of this subdivision. Special district does not include a city, county, school district, or community college district.

Nexus Grants

A. Sixty percent (60%) of each Individual Tribal Casino Account is available for nexus grants to cities and counties impacted by tribes that are paying into the Special Distribution Fund (SDF), based on a four-part nexus test. Butte County Tribes currently paying into the SDF include the Tyme-Maidu Berry Creek Rancheria and the Concow-Maidu Mooretown Rancheria. The nexus test is based on the geographical proximity of the city or county to an individual Indian land upon which a Tribal casino is located, and is used to determine priority for grants, pursuant to the following criteria:

- a. City or County borders the Indian lands on all sides;
- b. City or County partially borders Indian lands;
- c. City or County maintains a highway, road, or other thoroughfare that is the predominant access route to a casino that is located within 4 miles;
- d. All or part of the City or County is located within 4 miles of the casino.

- ✓ Fifty percent (50%) of the Nexus funds shall be awarded in equal proportions to Cities and Counties meeting all four of the nexus test criteria;
- ✓ Thirty percent (30%) of the Nexus funds shall be awarded in equal proportions to Cities and Counties that meet three of the nexus test criteria;
- ✓ Twenty percent (20%) of the Nexus funds shall be awarded in equal proportions to Cities and Counties that meet two of the nexus test criteria.

✓

Non-Nexus Grants

B. Forty percent (40%) of each Individual Tribal Casino Account is available for discretionary grants to local jurisdictions impacted by tribes that are paying into the SDF (tribes noted above). These discretionary grants will be made available to all local jurisdictions in the County, irrespective of any geographical nexus.

County of Butte
Indian Gaming Local Community Benefit Committee
2008-2009 Special Distribution Fund Grant Program

GRANT CYCLE TIMELINE

<u>MEETING*</u> to Begin 2008-2009 Grant Cycle	<u>1/22/09</u>
Application Period Opens	<u>1/23/09</u>
Application Advertisement to Appear in Papers	<u>1/28-29/09</u>
Grant Application Period Closes	<u>2/20/09</u>
<u>MEETING*</u> for Initial Grant Application Review	<u>3/11/09</u>
Approved Grant Applications Submitted to Tribes	<u>3/13/09</u>
Tribes Sponsored Applications Due to Administration	<u>3/27/09</u>
<u>MEETING*</u> to Consider Funding of Sponsored Applications	<u>4/16/09</u>
Deadline for List of Funded Applications to State Controller	<u>5/15/09</u>
State Controller to Release Funds to Recipients	<u>Upon Receipt</u>
Deadline for Applicants to submit Annual Report Information to Administration.	<u>8/21/09</u>
<u>MEETING*</u> to Adopt Annual Report	<u>9/17/09</u>
Deadline for Annual Report to be Submitted to State	<u>10/1/09</u>

*Meeting dates are subject to minor date changes based on scheduling limitations. Each meeting will be noticed prior to commencement.