



BUTTE COUNTY ADMINISTRATION

25 COUNTY CENTER DRIVE, SUITE 200
OROVILLE, CALIFORNIA 95965-3380
Telephone: (530) 538-7631 Fax: (530) 538-7120

MEMBERS OF THE BOARD

BILL CONNELLY
LARRY WAHL
MAUREEN KIRK
STEVE LAMBERT
KIM K. YAMAGUCHI

PAUL HAHN
Chief Administrative Officer

January 20, 2010

Indian Gaming Local Community Benefit
Committee Members

RE: Agenda Material for Meeting of February 1, 2011

Honorable Committee Members:

Enclosed you will find an agenda and supporting material for the first meeting of the Indian Gaming Local Community Benefit Committee for the funding cycle of Fiscal Year 2010-2011.

In this first meeting the Committee will be asked to approve the various documents needed to begin this year's grant cycle, along with the proposed timeline.

If you have any questions while you are reviewing this information, please contact me directly at 538-7052. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy Pickett", with a long horizontal flourish extending to the right.

Andy Pickett
Deputy Chief Administrative Officer and
Staff to the Indian Gaming
Local Community Benefit Committee

/vc
Enclosure

County of Butte
Indian Gaming Local Community Benefit Committee
Butte County Board of Supervisors Chambers
25 County Center Drive, Oroville, Ca.
February 1, 2011
10:00 a.m.

Agenda

1. Call to Order
2. Election of Committee Chair and Vice Chair Action by Committee
3. Adoption of Minutes – Adoption of Minutes of September 15, 2010. Action by Committee
4. Consideration of Fiscal Year 2010-2011 Special Distribution Fund Grant Cycle Application Process and Procedures – consideration of the adoption of policies, procedures, forms and other administrative actions necessary to begin the FY 2010-2011 Grant Cycle. Staff Presentation and Action by Committee
5. Public Comment
Comments to the Committee on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Committee is prohibited from taking action on any item not listed on the agenda.
6. Adjournment

County of Butte
Indian Gaming Local Community Benefit Committee
Butte County Board of Supervisors Chambers
25 County Center Drive, Oroville, Ca.
September 15, 2010
3:00 p.m.

Minutes

Call to Order

The Indian Gaming Local Community Benefit Committee was called to order by Chair Connelly at 3:00 p.m.

Committee Members Present: Supervisor Connelly, Supervisor Lambert, City Councilman Pittman, and Tribal Chairman Archuleta.

Absent: Tribal Chairman Edwards

Administration Staff Present: Deputy Administrative Officer Andy Pickett.

Adoption of Minutes – September 17, 2009

Motion by Tribal Chairman Archuleta and second by Supervisor Connelly to adopt the September 17, 2009 minutes. Motion carried 3-0. (Supervisor Lambert was attending to other business at that moment and did not vote)

Review of Oroville Police Department Request

Motion by Tribal Chairman Archuleta and second by City Councilman Pittman. Motion carried 3-0. (Supervisor Lambert was attending to other business at that moment and did not vote)

Review and Adoption of Annual Report for Fiscal Year 2009/2010

Motion by Supervisor Connelly and second by City Councilman Pittman. Motion carried 3-0. (Supervisor Lambert was attending to other business at that moment and did not vote)

Update on Grant Program and Funding

Staff presented update on Grant Program and Funding. Discussion resulted in a request for staff to draft a letter to the State protesting holding of local funds.

Public Comment

No one appeared to make public comment on any items that were not listed on the agenda.

Meeting Adjourned at 3:11 p.m.

**BYLAWS OF
THE COUNTY OF BUTTE
INDIAN GAMING LOCAL COMMUNITY
BENEFIT COMMITTEE**

**ARTICLE I
AUTHORIZATION**

SECTION 1: Jurisdiction

The County of Butte Indian Gaming Local Community Benefit Committee (“Committee”) serves the geographic and political entity known as the County of Butte (“County”).

SECTION 2: Purpose

The Committee is established pursuant to Paragraph (1) of subsection (b) of Section 12715 of the California Government Code. It is the responsibility of the Committee to facilitate the distribution of appropriations from the Indian Gaming Distribution Fund by selecting those grants from each Individual Tribal Account or County Tribal Casino Account that will be applied toward the support of local government agencies within the County impacted by tribal government gaming.

SECTION 3: Authority

Chapter 7.5 (commencing with Section 12710) of Part 2 of Division 3 of Title 2 of the California Government Code).

SECTION 4: Duration

California Government Code Section 12718 provides that the authority for this Committee (and the Committee’s existence) shall remain in effect only until January 1, 2021, and as of that date, the Committee and its authority are dissolved, unless a later enacted state statute that is enacted before January 1, 2021, deletes or extends that date.

ARTICLE II MEMBERSHIP

SECTION 1: Appointment and Representation

The Committee shall be composed of five (5) or seven (7) members consisting of the following, or as may be otherwise required by law:

- a. Two (2) representatives from the County, appointed by the County Board of Supervisors;

- b. Three (3) elected representatives from cities located within four (4) miles of a tribal casino in the County, appointed by the County Board of Supervisors based upon nominations from the City Council(s). In the event that there are no cities within four (4) miles of a tribal casino in the County, other local representatives may be selected upon mutual agreement by the County Board of Supervisors and a majority of the tribes in the County paying into the Indian Gaming Fund. However, if only one city is within four (4) miles of a tribal casino and that same casino is located entirely within the unincorporated area of that particular county, only one (1) elected representative from that city shall be included on the Indian Gaming Local Community Benefit Committee.

- c. Two (2) representatives selected upon the recommendation of a majority of the tribes paying into the Indian Gaming Special Distribution Fund in the County. If there are no tribes in the County paying into the Indian Gaming Special Distribution Fund, the two representatives may be selected upon the recommendation of the tribes operating casinos in the County.

SECTION 2: Term of Office

Terms of office of the members shall be four (4) years expiring on June 30 of the appropriate year, with subsequent new terms beginning July 1 of that year, or until Government Code Sections 12710 through 12718 are repealed, whichever occurs first. The first term of office shall be deemed to commence on July 1, 2004 only for purposes of subsequent appointment of members. (For all other purposes, the first set of committee members commenced their terms on April 27, 2004.)

Committee members may be removed from the Committee at any time by a majority vote of the County Board of Supervisors.

SECTION 3: Election of Chairperson and Vice-Chairperson

A Chairperson and Vice-Chairperson shall be elected annually from the voting members of the Committee at the first meeting of each calendar year by a simple majority of the committee members present. The Vice-Chairperson shall assume the responsibilities of the Chairperson in his/her absence.

SECTION 4: Committee Vacancies

Upon any vacancy within the Committee, appointment of the representative selected to fill the vacancy shall be in the same manner as that used in the original appointment of the departing committee member. A resigning committee member shall submit his/her original written resignation to the Clerk of the Board of Supervisors. The Chairperson is responsible for immediately notifying the Clerk of the Board of Supervisors of any unscheduled vacancies. The Chairperson will provide the Board of Supervisors with written notification of vacancies and the Board of Supervisors will take the necessary action to declare the position vacant and fill the position.

The absence of a committee member from two (2) consecutive meetings of the committee shall be cause for the Chairman of the Committee to contact the committee member to discuss participation in the meetings. Whenever a committee member fails to attend two (2) consecutive meetings or three (3) total meetings in a calendar year, without good cause entered into the minutes, the Committee Chairman shall correspond with the Chairman of the Board of Supervisors and recommend that the committee member be removed from the Committee.

SECTION 4: Quorum

A quorum shall consist of a minimum of three (3) Committee members. Any action of the Committee shall require affirmative votes of not less than a quorum, except less than a quorum may adjourn a meeting to a specified time and place.

SECTION 5: Voting

Each committee member shall have one (1) vote and shall not have the right to accumulate votes. A majority vote with a quorum in attendance shall be required to take action on a matter before the Committee.

SECTION 6: Committee Staff

Staff from the County of Butte Administrative Office shall serve as administrative staff to the Committee. County staff shall be reimbursed for demonstrated County administrative costs from the aggregate tribal account pursuant to Section 12715(b)(1)(C) of the California Government Code.

ARTICLE III MEETINGS

SECTION 1: Regular Meetings

The Committee shall meet at least twice each year there is a program appropriation to consider grant applications and to award selected grants. The Commission may meet more frequently than twice each year if necessary to conduct its business. Committee meetings shall be held at the Offices of the County of Butte, 25 County Center Drive, Oroville, California. The Committee may choose to meet at a different location provided that proper notices are given as required by law.

SECTION 2: Special Meetings

Special meetings may be called at the discretion of the Chairperson or at the request of a majority of the members. Committee members must be given advance notice of all special meetings pursuant to the requirements of the Ralph M. Brown Act (California

Government Code Section 54950 et seq.)

SECTION 3: Meeting Announcements

Pursuant to the Ralph M. Brown Act, all meetings of the Committee shall be open to the public and notices of the meeting posted in a location fully accessible to the public no later than seventy-two (72) hours before the meeting.

SECTION 4: Meeting Agendas

Meeting agendas, for all scheduled Committee meetings, shall be transmitted in advance, in writing, to all committee members and other interested persons who have submitted a request in writing. Proposed agenda items shall be submitted, in writing, to the County's administrative staff no later than fourteen (14) days prior to a scheduled meeting. Agendas will be prepared by County staff in cooperation with the Chairperson. Where appropriate and feasible, written backup information material should be submitted concurrently with the proposed agenda items for advance distribution to committee members. There shall be a notation on the agenda for public comments. Agendas shall be mailed to committee members at least five (5) days prior to the next scheduled meeting.

SECTION 5: Meeting Commencement

All Committee meetings will begin at the time stated on the agenda. If there is no quorum at the commencement of the meeting, the meeting will not be conducted. A meeting may be held to discuss views, but no decisions can be made.

SECTION 6: Rules of Order

All meetings will be governed by Robert's Rules of Order, unless otherwise agreed to by the majority of the members present. All meetings of the Committee shall be subject to the Ralph M. Brown Act (California Government Code Section 54950 et seq.).

ARTICLE IV SUBCOMMITTEES

SECTION 1: Establishment and Appointment

Subcommittees may be established and appointed by the Chairperson. The Chairperson, with the concurrence of the Committee, shall appoint the members and the chair of the Subcommittees. Regular, ex officio and non-members may be appointed to the Subcommittee. Only appointed members of the Committee can vote on a decision to be presented to the Committee at large.

SECTION 2: Assignments

The Chairperson will define, in precise terms, the assignment to be completed, providing a definitive time frame for reporting to the Committee. The Subcommittee will be dissolved once the assignment is completed and a report is submitted for consideration to the Committee.

ARTICLE V COMMITTEE RESPONSIBILITIES

SECTION 1: Responsibilities

The Committee shall perform the duties as stated in the California Government Code, Sections 12710 through 12718, as follows:

- a. Select all grants for funding from each Individual Tribal Casino Account or County Tribal Casino Account;
- b. Ensure that the following uses shall be the priorities for the receipt of grant money from Individual Tribal Casino Accounts: law enforcement; fire services; emergency medical services; environmental impacts; water supplies; waste disposal; behavioral; health; planning and adjacent land uses; public health; roads, recreation and youth programs, and child care programs.

- c. Select only grant applications that mitigate impacts from casinos on local jurisdictions and ensure that: 1) 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; and 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 shall be used to finance only the proportionate share of the expenditure that mitigates the impact from the casino.
- d. Establish all application policies and procedures for grants from the Individual Casino Account or County Tribal Casino Account.
- e. Assess the eligibility of applications for grants from local jurisdictions impacted by tribal gaming operations.
- f. Determine the appropriate amount for reimbursement, from the aggregate County tribal account, of the demonstrated costs incurred by the County for administering the grant programs.
- g. Submit to the State Controller a list of approved projects for funding from Individual Tribal Casino Accounts.
- h. Prepare and submit an annual report to the County Board of Supervisors each year detailing the specific projects funded by all grants from the Indian Gaming Special Distribution Fund.

SECTION 2: Additional duties and responsibilities

The Committee shall perform additional duties and responsibilities as specified in County Code and/or state laws.

**ARTICLE VI
STANDARDS OF ETHICS AND CONDUCT**

SECTION 1: Responsibilities of Public Office

Individuals appointed to the Committee are agents of the public and serve for the benefit of the public. They shall uphold and act in accordance with the Constitution of the United States of America, the Constitution of the State of California, the Butte County Code, and other rules, regulations and policies of the County as may be applicable.

SECTION 2: Conflict of Interest Forms

All members and alternates of the Committee shall be required to complete the Conflict of Interest forms, entitled "Statement of Economic Interests for Designated Officials and Employees," Form 700 of the Fair Political Practices Commission ("FPPC"), in accordance with the requirements of the FPPC.

**ARTICLE VII
ADOPTION OF BYLAWS**

SECTION 1: Adoption of Bylaws

The proposed Bylaws shall be circulated to the Committee, in writing, at least seven (7) days in advance of the meeting at which a vote may be called.

SECTION 2: Required Vote for Adoption

The Bylaws of the Committee shall be adopted if approved by a majority of the voting committee members and approved by the Board of Supervisors.

**ARTICLE VIII
AMENDMENT OF BYLAWS**

SECTION 1: Proposed Amendments

Proposed Bylaw amendments shall be circulated to the Committee, in writing, at least seven (7) days in advance of the meeting at which a vote may be called.

SECTION 2: Required Vote for Adoption of Amendments

The Bylaws of the Committee may be amended if approved by a majority of the voting committee members.

**ARTICLE IX
SEVERABILITY AND INVALIDITY**

If any provision of these Bylaws, or any Amendment thereto is found to be invalid, void or unenforceable by any court of competent jurisdiction, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way, and shall be in effect only to the extent that it is in contravention of applicable laws without invalidating the remaining provisions.

County of Butte
Indian Gaming Local Community Benefit Committee
2010-20011 Special Distribution Fund Grant Program

GRANT CYCLE TIMELINE

<u>MEETING*</u> to Begin 2010-2011 Grant Cycle	<u>2/01/11</u>
Application Period Opens	<u>2/02/11</u>
Application Advertisement to Appear in Papers, if applicable	<u>2/07-8/11</u>
Grant Application Period Closes	<u>3/2/11</u>
<u>MEETING*</u> for Initial Grant Application Review	<u>3/22/11</u>
Approved Grant Applications Submitted to Tribes	<u>3/24/11</u>
Tribes Sponsored Applications Due to Administration	<u>4/7/11</u>
<u>MEETING*</u> to Consider Funding of Sponsored Applications	<u>4/21/11</u>
Deadline for List of Funded Applications to State Controller	<u>5/31/11</u>
State Controller to Release Funds to Recipients	<u>Upon Receipt</u>
Deadline for Applicants to submit Annual Report Information to Administration.	<u>8/19/11</u>
<u>MEETING*</u> to Adopt Annual Report	<u>9/20/11</u>
Deadline for Annual Report to be Submitted to State	<u>10/1/11</u>

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

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, Suite 200 Oroville, CA 95965 (530) 538-7631	Office Use Only <i>Date Stamp</i>
---	--------------------------------------

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 Cities, Counties and Special Districts</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:

Single Year Grant (Fiscal Year 2010-2011) _____
 Multi-Year Grant (Fiscal Year 2010-2011 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

FOR OFFICE USE ONLY

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
Special Distribution Fund Grant Application**

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
Special Distribution Fund Grant Application**

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*****

1. The Indian Gaming Local Community Benefit Committee (Committee) will formally release grant applications on **February 2, 2011**. Local government agencies impacted by tribal gaming will be allowed to submit applications until 5:00 p.m. on **March 2, 2011**. 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 later than 5:00 p.m. on **March 2, 2011**. 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, Suite 200, Oroville, California 95965, Monday through Friday, 8:00 a.m. to 5:00 p.m.
4. On or about **March 22, 2011**, 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 **April 7, 2011**.
5. On or about **April 21, 2011**, 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 be transmitted to the State Controller not later than **May 31, 2011**.
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 2010-2011 will follow the same procedure and requirements as grant applications for funds for Fiscal Year 2008-2009.

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.



GRANT APPLICATIONS FOR
INDIAN GAMING SPECIAL DISTRIBUTION FUNDS
NOW BEING ACCEPTED

The County of Butte Indian Gaming Local Community Benefit Committee (IGLCBC) is currently accepting grant applications from local government agencies impacted by Tribal gaming for funds from the Indian Gaming Special Distribution Fund (SDF). The IGLCBC began the grant cycle for Fiscal Year 2010-2011 on February 2, 2011. The SDF allocation to Butte County totals \$1,328,145.15. This includes \$460,924.00 from the Tyme Maidu Berry Creek Rancheria for Gold Country Casino and \$867,221.15 from the Concow Maidu Mooretown Rancheria for Feather Falls Casino.

All grant uses must address an impact of Indian Gaming on local government entities.

Application forms, guidelines for applicants, supplemental information and agendas for Committee meetings are available from the County's Administrative Office at 25 County Center Drive, Suite 200, Oroville, or online at www.buttecounty.net. As required by California Government Code Section 12715, priority will be given to projects related to law enforcement, fire services, emergency medical services, environmental impacts, water supplies, waste disposal, behavioral health, planning and adjacent land uses, public health, roads, recreation and youth programs, and child care programs.

To be considered by the IGLCBC, eligible jurisdictions (cities, counties, and special districts) must submit an original application and eight (8) copies to the County's Administrative Office no later than 5:00 p.m. on **March 2, 2011**. No facsimilies or other electronically transmitted copies will be accepted. Questions relating to the grant application process should be directed to Andy Pickett, Deputy Chief Administrative Officer and staff to the IGLCBC, Butte County Administration, 25 County Center Drive, Suite 200, Oroville, 530-538-7052.



JOHN CHIANG
California State Controller
Division of Accounting and Reporting

January 7, 2011

**INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE MEMBERS
COUNTY BOARD OF SUPERVISORS
COUNTY CHIEF ADMINISTRATIVE OFFICER**

Chapter 719, Statutes of 2010 appropriates \$30 million from the Indian Gaming Special Distribution Fund (IGSDF) to restore funding deleted from the Budget Act of 2007 for the purpose of providing grants to local government agencies pursuant to Section 12715 of the Government Code. Attached is a spreadsheet reporting the various amounts that were deposited into the Individual Tribal and County Tribal Casino Accounts, which was prepared pursuant to Government Code (GC) section 12715 and in consultation with the California Gambling Control Commission.

GC section 12715 (b)(1) created the Indian Gaming Local Community Benefit Committee (IGLCBC) to establish application policies and procedures for grants that follow the priorities specified in GC section 12715 (g). The IGLCBC is to assess the eligibility of applications for grants from local jurisdictions impacted by tribal gaming. The IGLCBC shall determine the appropriate amount of reimbursement for county administrative costs, not to exceed 2 percent of the aggregate county tribal account in any given fiscal year.

Each county's IGLCBC shall submit to the State Controller's Office (SCO) Authorization Forms to Release Funds from the Tribal Casino Accounts. Upon receipt of the authorization forms, the SCO shall release the funds directly to the local government entities for which the committee has approved a grant. Funds not allocated by June 30, 2011, shall revert back to the IGSDF. These funds are now available so please submit your authorization forms as soon as possible and no later than May 13, 2011, to allow time for processing. Please submit your approved authorization forms to:

Office of the State Controller
Attention: Linda Brida
Division of Accounting and Reporting
P.O. Box 942850
Sacramento, CA 94250-5872

MAILING ADDRESS P.O. Box 942850, Sacramento, CA 94250
STREET ADDRESS 3301 C Street, Suite 500, Sacramento, CA 95816

INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE MEMBERS
COUNTY BOARD OF SUPERVISORS
COUNTY CHIEF ADMINISTRATIVE OFFICER

January 7, 2011

-2-

If you have any questions, please contact Linda Brida in the Division of Accounting and Reporting at (916) 324-8605.

Sincerely,

MICHAEL J. HAVEY, Chief
Division of Accounting and Reporting

Enclosure(s)

State Controller's Office
 Division of Accounting and Reporting
 Indian Gaming Special Distribution Fund-County and Individual Tribal Casino Accounts
 December 1, 2010

County/Tribe	Grandfathered 01-Sep-99 Exceeding 200	95% Individual Tribal Casino Accounts	5% County Tribal Casino Accounts
Amador * Jackson Rancheria	235 235	\$616,826.30 616,826.30	
Butte Berry Creek Rancheria Mooretown Rancheria	506 206 300	1,328,145.15 460,924.00 867,221.15	
Colusa Colusa Rancheria	323 323	847,808.07 847,808.07	
Del Norte * Resighini Elk Valley Smith River			\$58,195.93
El Dorado Shingle Springs			208,923.38
Fresno Big Sandy Rancheria Table Mountain Rancheria	674 39 635	1,769,110.33 9,970.57 1,759,139.76	
Humboldt Bear River Blue Lake Hoopa Valley Trinidad			145,974.78
Imperial Quechan Torres-Martinez			134,529.58
Inyo Bishop Reservation	73 73	191,609.87 191,609.87	
Kings Santa Rosa Rancheria	272 272	713,943.64 713,943.64	
Lake Big Valley Rancheria Robinson Rancheria	333 153 180	874,055.99 355,243.03 518,812.96	
Lassen Susanville			21,726.48
Madera Picayune			193,986.42
Mendocino * Hopland Rancheria	107 107	280,852.83 280,852.83	
Modoc Alturas			14,258.00

State Controller's Office
Division of Accounting and Reporting
Indian Gaming Special Distribution Fund-County and Individual Tribal Casino Accounts
December 1, 2010

County/Tribe	Grandfathered 01-Sep-99 Exceeding 200	95% Individual Tribal Casino Accounts	5% County Tribal Casino Accounts
Placer* United Auburn			288,069.84
Riverside	5,392	\$14,152,882.66	
Agua Caliente Reservation	953	1,632,086.65	
Cabazon Reservation	541	441,720.33	
Cahuilla Reservation	7	4,933.15	
Morongo Reservation	1,427	4,967,139.40	
Pechanga Reservation	1,133	5,085,082.95	
Soboba Reservation	791	1,608,394.96	
Twenty Nine Palms Rsvtn	540	413,525.22	
San Bernardino	774	2,031,589.61	
San Manuel Reservation	774	2,031,589.61	
San Diego	1,176	3,086,756.31	
Barona Reservation	857	2,586,389.50	
Sycuan Reservation	319	500,366.81	
Santa Barbara	560	1,469,883.96	
Santa Ynez Reservation	560	1,469,883.96	
Shasta	201	527,583.35	
Redding Rancheria	201	527,583.35	
Sonoma			118,816.68
Dry Creek			
Tehama			78,855.48
Paskenta			
Tulare	208	545,956.90	
Tule River Reservation	208	545,956.90	
Tuolumne	24	62,995.03	
Chicken Ranch Rancheria	24	62,995.03	
Yolo			236,663.43
Rumsey Rancheria			
Total	10,858	\$ 28,500,000.00	\$ 1,500,000.00

* Per Government Code section 12716 (b) a county that does not provide an annual report pursuant to section 12716 (a) shall not be eligible for funding from the Indian Gaming Special Distribution Fund for the following year.