



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

A-5

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: County Executive Office
Department No.: 012
For Agenda Of: 1/16/07
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from: JAN 16 2007
Vote Required: Majority

0116-15
COUNTY CLERK
SANTA BARBARA, CALIFORNIA
JAN 16 2007

TO: Board of Supervisors

FROM: Department Michael F. Brown, County Executive Officer, 568-3400
Director(s)
Contact Info: Terri Maus Nisich, Assistant County Executive Officer, 568.3400

SUBJECT: Approve Indian Gaming Grant Requests

County Counsel Concurrence
As to form: N/A
Other Concurrence: N/A

Auditor-Controller Concurrence
As to form: N/A

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Recommended Actions:

Approve the County Executive Officer's recommended grant requests and authorize the County Executive Office to submit these requests to the Indian Gaming Local Community Benefit Committee for the current grants cycle.

Summary Text:

The Indian Gaming Local Community Benefit Committee (IGLCBC) receives an annual allocation from the Indian Gaming Special Distribution Fund to be used for the awarding of grants to local governmental agencies impacted by tribal gaming. As stipulated by statute, 60% of the funds are considered "nexus grants" that are available to cities and counties in geographic proximity to the casino (Solvang and the County) and 40% are "discretionary grants" available to the County, cities (Solvang or Buellton) or special districts. Nexus grants are based on a four-part nexus test. The nexus test is based on the geographical proximity of a local government jurisdiction to individual Indian lands upon which a Tribal casino is located, and is to determine priority for grants, using the following criteria: (a) Local government jurisdiction borders the Indian lands on all sides; (b) Local government jurisdiction partially borders Indian lands; (c) Local government jurisdiction maintains a highway, road, or other thoroughfare that is predominant access route to a casino that is located within 4 miles and (d) All or part of the local government jurisdiction is located within 4 miles of the casino. Discretionary grants are available to all local jurisdictions (City, County, and Special Districts) in the County, irrespective of any nexus to impacts from any particular Tribal casino.

The service priorities for the receipt of grants, as stipulated in Government Code, are 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.

The 2006-07 State Budget Act appropriated \$30 million from the Indian Gaming Special Distribution Fund to local governments, of which Santa Barbara County's portion, as determined by the State Controller, is \$1,469,883.96. The local government agencies awarded grants will receive this funding in fiscal year 2007-2008.

The County Executive Office has received applications from four County Departments for this funding cycle: (1) \$117,800 from the District Attorney for existing staff costs to review case referrals from law enforcement in the Santa Ynez Valley and prosecute violations, (2) \$452,300 from the Fire Department for an existing post firefighter/paramedic position at Station 32, (3) \$100,000 from the Public Defender for a social worker to navigate defendants in the Santa Ynez and Lompoc Valley through various treatment programs and (4a) \$253,677.40 for the net cost of five existing deputy positions assigned to the Santa Ynez Valley, (4b) \$24,097 for connectivity charges for a radio repeater that will connect the casino to the countywide simulcast system and (4c) \$350,000 for the expansion of the existing Solvang sub-station to accommodate the need for additional space given the increased number of deputies. Together, these requests total \$1,297,874.40.

The County Executive Office recommends forwarding the funding requests submitted by the Fire Department and the Sheriff Department to the IGLBC in the following priorities: (1) the net funding for deputy sheriffs; (2) the post firefighter/paramedic position; (3) the cost of the radio repeater and (4) the expansion of the sub-station. These requests do not increase additional staffing levels. Rather, the requests either provide funding for ongoing public safety services to the Santa Ynez Valley or pay for one-time capital expenditures directly related to mitigating tribal gaming.

Background: This item is on the Board's agenda in order to have the Board approve the County Executive Officer's recommended funding requests, thereby enabling the County Executive Office to forward the grant applications to the Santa Ynez Band of Chumash Indians ("Chumash") by the January 25, 2007 deadline. The Chumash will consider all the grant applications it receives and determine which applications to sponsor. Sponsored applications will be forwarded to the IGLCBC for consideration at its meeting on February 28, 2007 and then submitted to the State Controller by no later than May 15, 2007.

The procedures and requirements for funding grants to local governments impacted by tribal gaming are stipulated in Government Code Sections 12710-12718. The Indian Gaming Local Community Benefit Committee consists of representatives from the Chumash, the County Board of Supervisors and Solvang City Council.

Fiscal and Facilities Impacts:

Budgeted: No

The IGLCBC was notified by the State Controller in September 2006 that Santa Barbara County's allocation is \$1,469,883.96. If awarded grants, County Departments will receive funding in the beginning of Fiscal Year 2007-2008. Given this year's timing of the grant cycle, County Departments will receive notification of funding in time to include it as part of their upcoming budgets.

If the Sheriff's Solvang sub-station application is sponsored by the Chumash, it will result in an improved facility by expanding the square footage of the facility.

Fiscal Analysis:

Narrative: The recommended grant requests are to mitigate the impacts of tribal gaming to the community located in close proximity to the casino. This primarily includes the cost of sheriff patrols and fire suppression and medical response, which are the top priorities stated in the relevant statute.

Staffing Impacts:

Legal Positions:

FTEs:

No new staffing proposed by the recommended grant requests.

Authored by:

Sharon Friedrichsen, 568.3107

cc: Vincent Armenta, Chairman, Santa Ynez Band of Chumash Indians
Kevin Ready, Counsel
Bill Brown, Sheriff
John Scherrei, Fire Chief
Christie Stanley, District Attorney
Greg Paraskou, Public Defender

RECOMMENDED COUNTY DEPARTMENT GRANT APPLICATIONS

FIRE DEPARTMENT: POST FIREFIGHTER/PARAMEDIC POSITION

The County Fire Department has received funding for a firefighter/paramedic post position for the past five years. Prior to this contribution, staffing at the Santa Ynez Fire Station #32 was limited to three persons. Since the Chumash have been proactive in addressing impacts to the community, the staffing has increased to four persons. This fourth person has been a firefighter/paramedic. The decision to fund a 24/7 firefighter/paramedic has been very sound. Originally, the fire department and the tribe recognized that the impact of the casino would increase the number of responses by approximately 25%. The statistics bear this out. By increasing the staffing 25% and the inclusion of a paramedic, the community in the Santa Ynez Valley has benefited directly and the increased responses to the casino have been addressed. The firefighter/paramedic at Fire Station 32 has a direct bearing on the safety of the patrons and visitors to the area and the safety of our firefighters. In addition, this staffing augmentation allows the firefighters to more readily confine and extinguish fires in the region and enhances our ability to mitigate all types of emergencies. Hopefully, the benefit committee will continue to support this mutually beneficial position through the grant process and continue this important partnership with public safety. The cost of one firefighter/paramedic post position for FY 07-08 is \$452,300.

SHERIFF DEPARTMENT: DEPUTY SHERIFF POSITIONS

The purpose of the Grant Application to the Indian Gaming Community Benefit Committee is to request the previously approved funding necessary to provide for continued Law Enforcement coverage on a 24 hour a day/7 day a week basis. This is a continuation of the 2006-2007 fiscal year grant previously approved. This will require the continued funding of the five full-time Sheriff's Deputies. The five (5) Sheriff's Deputy positions will continue to enhancement the service levels provided in the geographical area commonly described as the Santa Ynez Valley. Within the area commonly described as the Santa Ynez Valley, there are several communities under the Law Enforcement jurisdiction of the Santa Barbara County Sheriff's Department. These communities include the Santa Ynez Band of Chumash Indians' Reservation and the surrounding unincorporated area of Santa Barbara County, including Santa Ynez, Ballard, and Los Olivos. The resources allotted by this grant will be deployed specifically to the areas of the Santa Ynez Band of Chumash Indians' Reservation and the townships of Santa Ynez, Ballard, and Los Olivos. The Sheriff's Department would deploy the existing and the augmented Law Enforcement resources in a manner that best targets crime trends and enhances public safety. The goal in deploying the additional Law Enforcement resources will be the reduction of crime, increased likelihood of identification and arrest of suspects, and the reduction of fear of crime in the community. The additional five (5) patrol positions will mitigate the impact on the surrounding community by assuring the prior staffing levels are maintained and augmented in the greater Santa Ynez community while still providing increased service to the Tribal Casino and Resort and the immediate surrounding areas. The cost of five deputies for FY 07-08 is \$640,787. However, nearly \$400,000 has already been allocated toward this cost as part of last year's funding cycle so the remaining balance requested for this year is \$253,677.40.

SHERIFF DEPARTMENT: RADIO REPEATER CONNECTIVITY FEES

The Sheriff Department is requesting continued funding of the previously approved radio repeater connectivity charges associated with the soon to be installed multi-function repeater located on Tribal Lands. The most cost effective means of connecting the repeaters to the simulcast system is via a T1 circuit, leased from Verizon. We envision this being a long-term commitment, so a three-year contract with Verizon would result in free installation of the T1 circuit and a monthly recurring charge. One T1 circuit would serve all the channels. The cost of radio connectivity fees for three years is \$24,097.

SHERIFF DEPARTMENT: EXPANSION OF SOLVANG SUB-STATION

The Sheriff Department is requesting \$350,000 to be used toward the cost of expanding the existing sub-station in Solvang. Additional staffing of five deputy sheriffs positions due to mitigating tribal gaming has resulted in the need for additional space for personnel. The funding will be used to add additional locker space, storage and other amenities necessary for housing additional personnel.