

SANTA BARBARA COUNTY BOARD AGENDA LETTER



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

Agenda Number:
Prepared on: 3/1/04
Department Name: CAO
Department No.: 012
Agenda Date: 3/9/04
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Michael F. Brown
County Administrator

STAFF CONTACT: Jim Laponis, Deputy County Administrator
Lori Norton, Analyst X 3421

SUBJECT: Appointment of City representatives to the Santa Barbara County Indian Gaming Local Community Benefit Committee

Recommendation:

That the Board of Supervisors' appoint the following three (3) elected representatives from the City of Solvang to the Santa Barbara County Indian Gaming Local Community Benefit Committee:

Mr. David Smyser, Mayor
Mr. Edwin Skytt, Mayor Pro Tem
Mr. Brian Baca, Council Member

Alignment with Board Strategic Plan:

The Recommendations are primarily aligned with the Board of Supervisor's Strategic Plan Goal number 1: An Efficient Government Able to Anticipate and Respond Effectively to the Need of the Community.

Executive Summary and Discussion:

SB 621 creates, in each county where Indian gaming is conducted, an Indian Gaming Local Community Benefit Committee ("Committee"), with specified membership. The primary purpose of the Committee is to select local jurisdiction grants to be funded from the Tribal Gaming Casino Account.

The actions before your Board are necessary to appoint members to the Committee. The composition and appointing authority for the membership of the Committee is statutorily prescribed. Pursuant to SB 621, the Committee shall be composed of seven (7) representatives as follows:

1. Two (2) representatives from the County, selected by the County Board of Supervisors
2. Three (3) elected representatives from cities located within four (4) miles of a tribal casino in the county, selected by the County Board of Supervisors
3. Two (2) representatives selected upon the recommendation of a majority of the tribes paying into the Indian Gaming Special Distribution Fund in each county.

On February 10, 2004, the Board of Supervisors made the following appointments to the Committee:

1. Third District Supervisor Gail Marshall as a representative, Fourth District Supervisor Joni Gray as the alternate representative
2. County Administrator Michael F. Brown as a representative, a designee of his choosing as the alternate representative

Further, on February 10, Chairman Vincent Armenta, of the Santa Ynez Band of Chumash Indians notified the Board that he (Chairman Armenta) and Reginald Pagaling would serve as representatives from the tribe.

At the Solvang City Council meeting of February 23, 2004, the City Council selected three elected representatives to serve as the City's representative on the Committee. The recommendation action is for the Board to appoint the three elected representatives from the City of Solvang to the Committee.

The primary purpose of the Indian Gaming Local Community Benefit Committee is to select local jurisdiction grants to be funded from the Tribal Gaming Casino Account. In addition, the Committee has the following responsibilities:

1. Establish all application policies and procedures for grants
2. Assess the eligibility of applications for grants from local jurisdictions impacted by tribal gaming operations
3. Determine the appropriate amount for reimbursement of the demonstrated costs incurred by the County for administering the grant programs. The reimbursement for the county administrative costs may not exceed 2 percent (2%) of the aggregate county tribal account in any given fiscal year.

Implementation Timeline

Although SB 621 does not specify a timeline for implementing the Indian Gaming Local Community Benefit Committee, it does prescribe that funds not allocated by the end of each fiscal year shall revert back to the Indian Gaming Special Distribution Fund (SDF). As such, the approximately \$1.1 million available for distribution by the Santa Barbara County Indian Gaming Local Community Benefit Committee must be allocated by June 30, 2004, or it will revert back to the SDF for statewide distribution.

Mandates and Service Levels:

SB 621 creates an Indian Gaming Local Community Benefit Committee in Santa Barbara County and requires local grants funded by the Committee to be administered by the County. As administrator of local grants, the County is required to provide an annual report to the legislature.

Fiscal and Facilities Impacts:

County staff will support the Indian Gaming Local Community Benefit Committee and will administer the local grants funded by the Committee. SB 621 limits the amount available to the County to administer local grants to 2% of the annual amount allocated to the Tribal Gaming Account. The Indian Gaming Local Community Benefit Committee determines the amount, thus may limit it further. For FY 2003-04, the maximum the County could receive for administering local grants is \$22,000 (2% of the total \$1.1 million allocated to the Tribal Gaming Account).

C: Shane Stark, County Counsel
Jennifer Klein, Deputy County Counsel
Robert Geis, Auditor / Controller
Chairman Vincent Armenta, Santa Ynez Band of Chumash Indians
Marlene Demery, City Manager, City of Solvang