

Riverside County
Indian Gaming Local Community Benefit Committee (CBC)

October 25, 2004
3:00 p.m. to 5:00 p.m.
City of Banning Council Chambers
99 East Ramsey Street, Banning

AGENDA

- | | |
|--|-----------------|
| I. Call to Order and Pledge of Allegiance | Chairman Wilson |
| ➤ Roll call | CBC Staff |
| II. Adoption of Minutes –September 27, 2004
(Action item) | Committee |
| III. Special Liability Insurance Program Renewal
(Action item) | County Counsel |
| IV. Proposed Grant Application and Application Schedule
(Action item) | CBC Staff |
| V. Future Meeting Dates
(Action item) | Committee |
| VI. Public Comment | |

The meeting of the CBC is open to the public. A member of the public may address the Committee on any agenda item. Requests to address the Committee must be submitted, in person, to County staff (preferably) prior to the start of the meeting.

Copies of the agenda items can be obtained by accessing the www.Riverside-TribalCBC.org website and selecting Meeting Agendas. Open the agenda for October 25, 2004 and scroll to the bottom. The individual items follow the agenda.

**INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Community Benefit Committee Staff

SUBMITTAL DATE: October 25, 2004

SUBJECT: Adoption of the minutes of the meeting held on September 27, 2004

RECOMMENDED MOTION: That the Community Benefit Committee adopt the attached minutes of the meeting held on September 27, 2004.

BACKGROUND: The minutes are submitted for your adoption, either as presented or as modified by the committee.

Jennifer Sargent
CBC Staff

MINUTES:

Previous References:

**Agenda Date:10/25/04
Agenda Item No. II**

Riverside County
Indian Gaming Local Community Benefit Committee (CBC)

City of Banning Council Chambers
99 East Ramsey Street, Banning

September 27, 2004
3:00 p.m.

MINUTES

Members present: Supervisor Wilson, Chair; Mayor Oden, Vice-Chair; Tribal Alternate, Butch Murphy; Mayor Welch; Supervisor Ashley.

Members absent: Tribal Vice-Chair Lyons; Council Member Roberts; Tribal Council Member Salgado; City Alternate, Council Member Wilson; County Alternate, Supervisor Venable.

Call to Order, roll call, and Welcome

Supervisor Wilson called the meeting to order at 3:15 p.m. and led the Pledge of Allegiance. CBC staff called the committee's roll.

Adoption of Minutes – June 14, 2004

The minutes of the June 14, 2004 meeting were approved as submitted.

SB 621 Updates

A. Template for quarterly reporting of project progress

CBC staff explained that SB 621 requires an annual report to the legislature by April 1st of each year detailing the specific projects funded by all grants. To assist in obtaining this information, a draft template for quarterly reporting of project progress was provided to the committee with a staff recommendation that the template be adopted for use by grantees. If adopted today, the first quarter report could be due in the month of October. The committee voted to adopt the quarterly report template.

(The template is accessible on the Riverside-TribalCBC.org website under the heading **Grant Awards, Quarterly Reporting**. Quarterly reports are due to CBC staff on or before October 29, 2004; on or before January 31, 2005; on or before April 29, 2005; and on or before July 29, 2005.)

B. Projected allocation for the next grant cycle

CBC staff reported that on June 10, 2004, the budget conference committee approved the Senate proposal to provide \$30 million from the Special Distribution Fund (SDF) for the support of local government agencies impacted by tribal gaming. This will be the funding provided for 2004-05. In 2003-04, Riverside County received 42% of the available SDF. Using the same formula, approximately \$12.6 million would be available for allocation in the 2004-05 grant cycle.

C. State determination on 20% Non-Nexus, Non-SDF grants

Minh Tran, Deputy County Counsel, provided the State's determination/clarification of the 20% discretionary grants to local jurisdictions impacted by tribes that are not paying into the SDF. They determined that grants would be subject to the sole sponsorship of the tribes paying into the SDF. With tribal input, staff will develop a procedure to enable the non-paying tribes to recommend those projects they feel are most appropriate/needed and forward all of the applications received to the SDF paying tribes for sponsorship.

D. Other

None.

Suggestions to Improve the Process

Suggestions were made to:

- Give tribes the opportunity to review the application tool to ensure that applications include sufficient information to be evaluated;
- Give tribes the opportunity to review the timeline to ensure that deadlines are achievable.

Proposed Grant Application Schedule

This item was continued to the next CBC meeting to allow staff time to get input from the tribal governments.

Future Meeting Dates

The next meeting of the Community Benefit Committee will be held on Monday, October 25, 2004, in the Banning City Council Chambers. Subsequent meetings may be held quarterly.

Public Comment

Adjournment

The meeting was adjourned at 4 p.m. The next meeting will be held on October 25, 2004, at 3:00 p.m., in the Banning City Council Chambers.

**INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: County Counsel

SUBMITTAL DATE: October 25, 2004

SUBJECT: Special Liability Insurance Program Renewal

RECOMMENDED MOTION: That the Community Benefit Committee:

- 1.) Authorize the Chairman to sign the renewal document with Driver-Alliant Insurance Services; and
- 2.) Direct the County Executive Office to process payment, in the amount of \$3,182.76, through the SB621 administrative fee.

BACKGROUND: On May 24, 2004, the Committee approved the County Risk Manager's recommendation for a \$5 million policy that provided the CBC's required insurance coverage for employment practices, general liability and errors and omissions. A renewal of that coverage is now due and staff is recommending the same coverage inclusions, but at a reduced premium. The policy period is September 29, 2004 to September 29, 2005.

Minh Tran, Deputy County Counsel

MINUTES:

Previous References: May 24, 2004

**Agenda Date:10/25/04
Agenda Item No. III**

NOTICE

POLICY: TBD

POLICY TERM: 9/29/04 to 9/29/05

INSURED: The Riverside County Indian Gaming Local Community Benefit Committee, et al

- 1. THE INSURANCE POLICY THAT YOU ARE APPLYING TO PURCHASE IS BEING ISSUED BY AN INSURANCE COMPANY THAT IS NOT LICENSED BY THE STATE OF CALIFORNIA. THESE COMPANIES ARE CALLED "NON-ADMITTED" OR "SURPLUS LINES" INSURERS.**
- 2. THE INSURER IS NOT SUBJECT TO THE FINANCIAL SOLVENCY REGULATION AND ENFORCEMENT WHICH APPLIES TO CALIFORNIA LICENSED INSURERS.**
- 3. THE INSURER DOES NOT PARTICIPATE IN ANY OF THE INSURANCE GUARANTEE FUNDS CREATED BY CALIFORNIA LAW. THEREFORE, THESE FUNDS WILL NOT PAY YOUR CLAIMS OR PROTECT YOUR ASSETS IF THE INSURER BECOMES INSOLVENT AND IS UNABLE TO MAKE PAYMENTS AS PROMISED.**
- 4. CALIFORNIA MAINTAINS A LIST OF ELIGIBLE SURPLUS LINE INSURERS APPROVED BY THE INSURANCE COMMISSIONER. ASK YOUR AGENT OR BROKER IF THE INSURER IS ON THAT LIST.**
- 5. FOR ADDITIONAL INFORMATION ABOUT THE INSURER YOU SHOULD ASK QUESTIONS OF YOUR INSURANCE AGENT, BROKER, OR "SURPLUS LINES" BROKER OR YOU MAY CONTACT THE CALIFORNIA DEPARTMENT OF INSURANCE AT THE FOLLOWING TOLL-FREE NUMBER: 1-800-927-4357.**

I acknowledge that I, as the Named Insured or an authorized representative of the first Named Insured, have read and understood the statements made above. I understand that the California Insurance Code (1764) now requires that I sign this Notice and that the Non-Admitted Insurer have this notice in their file if they are to provide an insurance premium quotation.

Your Signature

Date

Your Name (Printed)

Your Title or Interest

**INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Community Benefit Committee Staff

SUBMITTAL DATE: October 25, 2004

SUBJECT: Grant Application Form and Time Schedule for FY 2005-06

RECOMMENDED MOTION: That the Community Benefit Committee:

- 1.) Approve the attached substantially finalized Grant Application form and the Time Schedule for FY 2005-06; and
- 2.) Authorize County staff to make minor modifications/clarifications to the Grant Application form and Time Schedule, pursuant to input received from the Tribal governments; and
- 3.) Direct County staff to forward the material to all eligible jurisdictions.

BACKGROUND: On September 27, 2004, County staff presented a proposed Grant Application form and Application Time Schedule for FY2005-06. Staff was directed to present the application and time schedule to the Riverside County Tribal Task Force at its October 18, 2004 meeting. The Tribal governments would like additional time to provide feedback on these items. The material will be modified upon receipt of this input; however, staff recommends approval of these substantially finalized documents.

Jennifer Sargent
CBC Staff

MINUTES:

**Previous References:
September 27, 2004**

**Agenda Date:10/25/04
Agenda Item No. IV**

**Indian Gaming Special Distribution Fund
Local Government Mitigation
Grant Application**

Name of jurisdiction: _____

Mitigation funding is desired for impacts associated with: _____
(casino name)

Type of grant for which you are applying: (mark 60% Nexus or either 20% non-Nexus)

60% Nexus Grant

Please circle the letters that apply: (must meet a minimum of two nexus criteria)

- 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, road, or other thoroughfare that is 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.

- ✓ 50% awarded (on a pro-rata basis) to jurisdictions meeting all 4 nexus test criteria
- ✓ 30% awarded to jurisdictions that meet 3 of the nexus test criteria
- ✓ 20% awarded to jurisdictions that meet 2 of the nexus test criteria

20% Non-Nexus Grant

Local jurisdictions impacted by tribal casinos paying into the Special Distribution Fund

20% Non-Nexus Grant

Local jurisdictions impacted by tribal casinos NOT paying into the Special Distribution Fund and assistance to jurisdictions for one-time large capital projects

Amount of mitigation funding requested through this application: _____

Grant request is: _____ single year grant _____ multi-year grant
(specify number of years) _____

Authorized Signature

Title

Date

Legal address of jurisdiction: _____

Federal Tax ID Number: _____

Contact Person: _____ Phone: _____ Fax: _____ E-mail Address: _____

Grant project is for:

- Law enforcement
- Fire services
- Behavioral Health
- Child care programs
- Other (briefly describe) _____
- Environmental impacts
- Emergency medical services
- Recreation & Youth programs
- Planning & adjacent land uses
- Waste disposal
- Water supplies
- Public Health
- Roads

On a separate sheet(s) of paper, describe the impacts associated with the Tribal casino and/or gaming (please include historical data, if available).

On a separate sheet(s) of paper, provide a complete description of the project, including the effect it will have on the specific impacts described above.

What is the total cost of the project? _____

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

Will the project be competitively bid? Yes No

Is the project subject to Public Works requirements? Yes No

What is the project time frame? _____

=====
For Completion by Tribal Government

To be considered for funding, this application must include a formal letter of sponsorship from the Tribal Chairman, or designated authority, operating the Tribal casino for which mitigation is being requested.

Is a formal Tribal sponsorship letter attached? Yes No

Riverside County
Indian Gaming Local Community Benefit Committee (CBC)
Proposed
SB 621 Application Time Schedule

12/01/2004Applications Formally Released

02/01/2005 Deadline to Submit Application and Project Information to Tribe

03/01/2005 Recommended Deadline for Non-Paying Tribe(s) to forward all Applications Received and a Prioritization of Applications to all Paying Tribes.

04/01/2005..... Recommended deadline for Tribes to Submit Letters of Support and a Prioritized List of Projects to CBC

Tribal sponsorship shall confirm that the grant application has a reasonable relationship to a casino impact and satisfies at least one of the priorities identified.

05/23/2005.....Deadline for CBC to forward their Recommendations to County Executive Office (for compilation and forwarding to the State Controller)

06/01/2005.....Deadline for Executive Office to Summarize CBC Recommended Projects and Submit to State Controller

06/30/2005.....Deadline for Award of Grant Funding

04/01/2006.....Deadline for the County to provide an annual report to the Legislature detailing the specific projects funded by all grants in their jurisdiction

**INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Community Benefit Committee Staff

SUBMITTAL DATE: October 25, 2004

SUBJECT: Community Benefit Committee – Future Meeting Dates

RECOMMENDED MOTION: That the Community Benefit Committee (CBC) direct County staff to return, at the January 2005 CBC meeting, with a recommendation for an amendment of the By-Laws of the Indian Gaming Local Community Benefit Committee regarding the frequency of regular meetings and, if appropriate, make recommendations for any other clarifying amendments.

BACKGROUND: At the September 27, 2004 meeting, staff suggested that the frequency of the CBC regular meetings be reviewed. The Committee directed staff to determine whether they would be able to meet their obligations utilizing a quarterly schedule. A schedule was developed that will allow the Committee to meet on a quarterly basis, with the possibility of the need for an occasional special meeting. The proposed meeting schedule is attached for your consideration.

If the committee agrees to make this a permanent change, an amendment of Article III, Section 1: Regular Meetings, of the By-Laws of the Indian Gaming Local Community Benefit Committee will be required. During this process, it would be prudent for staff to review each section of the By-Laws and identify any other technical changes needed for inclusion with the other recommendation, to enable a single action by the Committee. Staff will return with recommendations for amendments to the CBC By-Laws at the January 2005 meeting.

Jennifer Sargent
CBC Staff

MINUTES:

Previous References:

**Agenda Date:10/25/04
Agenda Item No. V**

Riverside County
Indian Gaming Local Community Benefit Committee (CBC)

City of Banning Council Chambers
99 East Ramsey Street, Banning

PROPOSED MEETING SCHEDULE - 2004/05
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September 27, 2004

October 25, 2004

January 24, 2005

April 25, 2005

May 23, 2005 *

* Special meeting of the CBC to finalize recommendations for grant awards.