



# INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE

## Guidelines For FY 2005-2006 Grants Pursuant to SB 288

Contact: Ms Chantal Saipe, (619) 685-2542, [chantal.saipe@sdcounty.ca.gov](mailto:chantal.saipe@sdcounty.ca.gov)

### A. PROCESS

- a. The grant applications pursuant to SB 288 must be filed during the following Application Period: March 31 – 5:00PM on April 17, 2006. Applications may also be obtained through the Committee's website, <http://www.sdcounty.ca.gov/lueg> or by calling Ms. Chantal Saipe, Chief Administrative Office, at (619) 685-2542.
- b. Eligible jurisdictions shall submit four (4) copies of completed applications, with authorized signature, to the address listed on the Application Form, by 5:00PM on April 17, 2006. One copy will be kept on file and one copy will be delivered to Barona, Sycuan and Viejas Bands (Tribes).
- c. The Tribes will review the applications and prepare a list of projects they wish to sponsor. As part of their review, they will determine the projects' reasonable relationship to casino impacts and certify that each of the selected projects satisfies at least one of the priorities identified in SB 621 (Government Code § 12715 (g), as shown in Section E of the Application Form. The Tribes will then forward a list of the applications they want to sponsor to the County by May 1, 2006.

- d. County will distribute the Tribes' list to the Subcommittee of the Committee, which will review the projects selected by the Tribes. If the Subcommittee agrees with the Tribes' selection, the Committee will transmit its recommendation for approval to the Committee. If the Subcommittee disagrees with the Tribes' selection, a revised list will be transmitted to the Tribes for their consideration.
- e. The Committee will review the applications the Tribes have agreed to sponsor and the recommendations of the Subcommittee; assess the eligibility of each jurisdiction applying for grant funds; determine the appropriate amount for reimbursement of the costs incurred by the County to administer the grant program; and adopt a resolution approving a list of projects for funding.
- f. Upon final selection of projects by the Committee, County will transmit the list of projects approved for funding to the State Controller.
- g. The State Controller will then disburse funds directly to the local government jurisdictions whose grant applications were selected by the Committee.

## **B. PROCEDURES**

- a. The Indian Gaming Special Distribution Fund Grant Program has been created for local government agencies impacted by tribal gaming. When describing the impacts associated with tribal casinos, it is important to note that this question does not pertain to impacts of Tribal uses not related to 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.
- b. Applicants may be eligible to apply for more than one type of grants, except that **only the County of San Diego's Offices and Departments are eligible to apply for Nexus grants.**
- c. The signature at the bottom of the application should be that of the individual who has been authorized by the local jurisdictions' governing body to represent the agency.
- d. The contact person listed should be the individual most knowledgeable about the project and who is authorized to discuss all aspects of the project.
- e. The total cost of the project should include any costs funded by other sources and the total funding requested through this application.
- f. Please send or deliver four (4) copies of the Application to the following address:

County of San Diego, Attn. Chantal Saipe  
1600 Pacific Highway, Room 212, MS A6  
San Diego, CA 92101

## C. REFERENCE MATERIALS

### I. Definition of Terms

#### **County Costs**

Section 12715 (b) (1) (C) of SB 621 provides for the reimbursement from the County Tribal Account of the demonstrated costs incurred by the county for administering the grant programs. It also specifies that the reimbursement for county administrative costs may not exceed 2 percent of the County Tribal Account in any given fiscal year. Reimbursement of County costs will be approved before projects are selected for funding.

#### **County Tribal Casino Account**

An account consisting of all monies paid into the Indian Gaming Special Distribution Fund by Tribes of that county, after deduction of the amounts appropriated to the priorities specified in Section 12012.85 of SB 621.

#### **Individual Tribal Casino Accounts**

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

#### **Local Jurisdiction** - A city, county, or special district

Government Code Section 56036 (a) (4) includes a County Service Area (CSA) but excludes a school district or a community college district from the definition of "Special District."

#### **Local Government Jurisdiction** - Any city or county

#### **Nexus Grants**

Sixty percent (60%) of each Individual Tribal Casino Account, minus county administrative costs, is available for nexus grants to local government jurisdictions that meet at least two criteria listed in Section 12715 (c) of SB 621. The County of San Diego is the only local government jurisdiction that meets the nexus test as no city meets the minimum of two of the nexus criteria.

### **Non-Nexus Grants**

“Non-Nexus Grants” are grants that are not dependent upon the geographical proximity of local jurisdictions to a casino that has been determined to impact that jurisdiction. There are two types of Non-Nexus Grants, as shown below:

1. Twenty percent (20%) of each Individual Tribal Casino Account, minus county administrative costs, is available for discretionary grants to local jurisdictions impacted by Tribes that are paying into the SDF (Barona, Sycuan and Viejas). These discretionary grants will be made available to all local jurisdictions in the County that can demonstrate they are impacted by Barona, Sycuan and/or Viejas’ gaming facilities.
2. Twenty percent (20%) of each Individual Tribal Casino Account, minus county administrative costs, is available for discretionary grants to local jurisdictions impacted by Tribes that are not paying into the SDF. In San Diego County, these Tribes are: Campo, La Jolla, Pala, Pauma, Rincon and San Pasqual. These grants will be made available to local jurisdictions in the County. Grants awarded are limited to addressing service-oriented impacts and providing assistance with one-time large capital projects related to Indian gaming impacts.

## **II. Special Notes**

- a. 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.
- b. 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 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.