

**TULARE COUNTY INDIAN GAMING LOCAL
COMMUNITY BENEFIT COMMITTEE**

**APPLICATION FOR
FISCAL YEAR 2012/13 GRANT FUNDING**

MARCH 1, 2013



Total Indian Gaming Grant Funding Available:..... \$ 268,177.87

60% Nexus Proximity Grant Funding Available (County of Tulare only):..... \$ 160,906.72

40% Discretionary Grant Funding Available (County, Cities, Special Districts):... \$ 107,271.15

Application Due Date:April 5, 2013

Committee Members:

Robin Skiles, Chair
Gilbert Ynigues, Vice-Chair
Nancy McDarment
Kenneth McDarment
Mike Ennis
Joe Garcia
Cameron Hamilton

Alternate Members:

John Crivello
Holly Bella

Committee Staff:

Jed Chernabaeff
John Hess

Contact Information:

Tulare County Administrative Office
2800 W. Burrel Ave
Visalia, CA 93291
(559) 636-5005

**TULARE COUNTY INDIAN GAMING
LOCAL COMMUNITY BENEFIT COMMITTEE**

The Tulare County Indian Gaming Local Community Benefit Committee (Committee) is pleased to announce the availability of \$268,177.87 in grants for eligible local governmental jurisdictions for qualified purposes.

In addition to the Application for Funding, this announcement packet includes the following information:

1. Fiscal Year 2012/13 Funding Matrix Page 2
2. Eligibility Requirements for Nexus Proximity and Discretionary
Grant Funds..... Page 3
3. Tribal Sponsorship Requirements Page 5
4. Submission Directions Page 6
5. Timeline for Fiscal Year 2012/13 Grant Process Page 7
6. FY 2012/13 Grant Application Form Page 8

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1. FY 2012/13 Funding Matrix

Funding Amount	Percentage Allocation	Description	Eligible Recipient(s)
\$ 273,650.89	100%	Total Indian Gaming Funding	
\$ 5,473.02	2%	Administrative Expenses	County of Tulare
\$ 268,177.87	98%	Balance Available for Indian Gaming Grants	
\$ 160,906.72	60%	Nexus Proximity Grants	County of Tulare*
\$ 107,271.15	40%	Discretionary Grants	Cities, County, or Special Districts*

**All Grants issued by the Committee must meet the requirements outlined in this Application Packet.*

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2. Eligibility Requirements for Nexus Proximity and Discretionary Grant Funds:

Indian Gaming funds are divided into two amounts: 1) 60% of funds are awarded through Nexus Proximity Grants, and 2) 40% of funds are awarded through Discretionary Grants.

60% Nexus Proximity Grants

Sixty percent of Indian Gaming funds are available for Nexus Grants to Cities and Counties impacted by the Eagle Mountain Casino. A Nexus Test based on the geographical proximity of a City or County to the Tule River Indian Reservation shall be used by each county's Indian Gaming Local Community Benefit Committee to determine the priority for grants.

A City or County must meet a minimum of two out of four criteria to be eligible to receive funding from the 60% Nexus Proximity Grant amount. These criteria can be found at California Government Code Section 12715(c)(1)(A), (B), (C), and (D); and are as follows:

- (A) Whether the local government jurisdiction borders the Indian lands on all sides.
- (B) Whether the local government jurisdiction partially borders Indian lands.
- (C) Whether the local government jurisdiction maintains a highway, road, or other thoroughfare that is the predominant access route to a casino that is located within four miles.
- (D) Whether all or a portion of the local government jurisdiction is located within four miles of a casino.

Within this 60% Nexus Proximity amount, funds are awarded as follows:

- 50% to Cities or Counties that meet 4 Nexus Criteria
- 30% to Cities or Counties that meet 3 Nexus Criteria
- 20% to Cities or Counties that meet 2 Nexus Criteria

Where a City or County does not meet a given number of criteria, the amount allocated in that criteria is evenly distributed to the other two criteria. For example, if no City or County meets all 4 criteria, 50% of the 60% funds are evenly distributed to those Cities or Counties that meet 2 or 3 criteria, and so on.

The Committee has adopted the preceding Funding Matrix that affirms the County of Tulare as the only City or County that meets any of these four criteria.

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40% Discretionary Grants

The remaining 40% of grant funds are available for Discretionary Grants to local jurisdictions impacted by the Eagle Mountain Casino. These Discretionary Grants are made available to all local jurisdictions in Tulare County irrespective of any nexus to Eagle Mountain Casino.

All local government jurisdictions (County, Cities, and Special Districts) may apply for 40% Discretionary Grants. Pursuant to Government Code Section 12712(c), a local jurisdiction is defined as any City, County, or Special District (excluding School Districts). Non-profit organizations do not qualify as local jurisdictions for the purpose of receiving grants directly from the Committee. However, a non-profit organization may partner with or apply through a local jurisdiction to receive grant funding. The local jurisdiction would be responsible for submitting the grant. The local jurisdiction would also be responsible to the Committee for the non-profit's use of grant funds.

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3. Tribal Sponsorship

Pursuant to Senate Bill (SB) 621 (2003), for a project to be selected for Indian Gaming funding, the Tribe from whose account the project would be funded must sponsor the project. To sponsor a project, the Tule River Indian Tribal Council is required to confirm that the grant application has a reasonable relationship to a casino impact and find that it satisfies at least one of the priorities listed in Section E of the Application Form.

Questions regarding Tribal sponsorship should be directed to:

Charmaine McDarment
Legal Department
Tule River Tribal Council
P.O. Box 589
Porterville, CA 93258
Phone: 559-781-4271
Fax: 559-781-4610
Email: legal2@tulerivertribe-nsn.gov

All applicants are required to make a presentation to the Tule River Tribal Council. Committee staff will contact you April 5, 2013 and May 3, 2013 to set up an appointment.

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4. Submission Directions

It is anticipated that the Committee will make grant awards by May 17, 2013, and the State Controller's Office will allocate the money to grant recipients by June 30, 2013.

Please submit one (1) original and two (2) copies of each grant application by 5:00 P.M. on April 5, 2013, to:

Indian Gaming Application
Tulare County Administrative Office
2800 W. Burrel Ave.
Visalia, CA 93291

Phone (559) 636-5005

Fax: (559) 733-6318

Email: jchernabaeff@co.tulare.ca.us and jhess@co.tulare.ca.us

Each Application Submittal must be received by the time listed above at the address above, and must include all of the required information described in this Application Packet. Each application must be signed by an authorized representative of the local government jurisdiction.

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5. Timeline for Fiscal Year 2012/13 Grant Process

Meeting to begin 2012-13 Grant Cycle.....	2/21/13
Application Period Opens.....	3/1/13
Notice of Application Period Opening.....	3/1/13
Grant Workshop.....	3/20/13
Grant Application Period Closes.....	4/5/13
Grant Applications Submitted to Tule River Tribe.....	4/12/13
Tule River Tribe Sponsored Applications Due to Staff.....	5/3/13
Meeting to Consider Funding of Sponsored Applicants.....	5/16/13
Deadline for List of Funded Applications to State Controller.....	5/31/13
State Controller to Release Funds to Recipients.....	Upon Receipt
Deadline for Applicants to submit Annual Report to Staff.....	8/16/13
Meeting to Adopt Annual Report.....	9/9/13
Deadline for Annual Report to be Submitted to State.....	10/1/13

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- Mitigate Environmental Impacts _____
- Water Supplies _____
- Waste Disposal _____
- Behavioral Health _____
- Planning & Adjacent Land Uses _____
- Public Health _____
- Roads _____
- Recreational & Youth Programs _____
- Child Care Programs _____
- Other (Briefly describe) _____

G. Gaming Impacts: On a separate sheet of paper, please provide the following:

- a. Describe the project thoroughly;
- b. Discuss and provide evidence of the impacts to your jurisdiction from gaming at the Eagle Mountain Casino;
- c. Explain how the project will mitigate impacts to your jurisdiction from gaming at the Eagle Mountain Casino. Show how the proposed project has a reasonable relationship to a casino impact.

H. Project Cost: What will be the total cost of the project? \$ _____

I. Proportionate Share Requirement: If the project provides benefits to the applicant in addition to mitigating impacts to the applicant from gaming at the Eagle Mountain Casino, the Committee shall only finance the proportionate share of the expenditure that mitigates the impact from the Eagle Mountain Casino. Therefore, please provide the proportionate share of the project expenditure that mitigates the impact to your jurisdiction from gaming at the Eagle Mountain Casino. Grant applicants must explain the method used to determine the proportionate share of funding requested. _____ %

J. Funding Request: Amount of funding requested through this application:
\$ _____

K. Funding Sources: Name the other sources of funding, if any, that will be contributed to the project and the amount provided by each source:

- a. Name and Amount: _____
- b. Name and Amount: _____
- c. Name and Amount: _____

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County that all expenditures made from the account have been in compliance with the requirements of this application packet.

- f. At the request of the County, a local government jurisdiction agrees 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.

- g. 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.

I agree to adhere to the grant program requirements

Signature

Date