

**Resolution No. 10-174**

**Meeting Date: 09/28/2010 (9)**

**RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS  
CONCERNING MITIGATION OF LOCAL GAMING RELATED IMPACTS**

*WHEREAS*, the Indian Gaming Regulatory Act (IGRA) provides a statutory basis for the operation of gaming by Indian Tribes as a means of promoting tribal economic development, self-sufficiency, and strong tribal governments; and

*WHEREAS*, the San Diego County Board of Supervisors support existing law or future federal and state legislation that requires fees collected by the state from tribes in return for gaming, be used for gaming related mitigations; and

*WHEREAS*, San Diego County is home to 18 Indian Reservations and 17 Tribal governments, more than any other county in the nation; and

*WHEREAS*, 14 local Tribal governments have signed Tribal-State Gaming Compacts with the State of California that allow up to two Class III casinos on their tribal lands; and

*WHEREAS*, such Indian gaming and associated resort facilities are located in the unincorporated area of San Diego County; and

*WHEREAS*, access to the tribal lands and Indian gaming and resort facilities is via County and State-maintained roads; and

*WHEREAS*, it is a priority of the San Diego County Board of Supervisors to work with tribal governments to address the environmental, public safety and health related impacts associated with Indian gaming activities; and

*WHEREAS*, the San Diego County Board of Supervisors has a longstanding policy of working with Tribal Governments to reach agreements between local governments and Tribal governments to mitigate fiscal impacts, including mitigation of off-Reservation environmental and public safety impacts caused by gaming-related facilities and the prevention and treatment of gambling addiction; and

*WHEREAS*, the San Diego County Board of Supervisors recognizes the efforts of many San Diego County Tribal governments to mitigate local impacts related to such casinos through government to government agreements between the parties; and

*WHEREAS*, as the planning and regulatory agency of the unincorporated area, the County Board of Supervisors is responsible for providing services; and for assessing competing mitigation needs in its role of serving the public; and

*WHEREAS*, Tribal Governments recognize and support the need to mitigate local impacts; and

**WHEREAS**, recent court decisions may provide an opportunity to work with the State of California and Tribal Governments to ensure that Tribal-State Gaming Compacts provide gaming fees to mitigate local impacts related to gaming casinos.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that the San Diego County Board of Supervisors directs the Chief Administrative Officer to:

1. Urge the Governor of the State of California, as the State's negotiator for Tribal-State Gaming Compacts to provide tribal gaming revenue to local governments to assist in mitigating impacted environmental, public safety, transportation and other local services and infrastructure; and
2. Direct staff to meet with Tribal governments and the State to develop mutually beneficial approaches to fund such mitigation efforts through the use of tribal gaming revenues, and to assist in creating a model for using gaming fees to mitigate local impacts related to casinos.

**ON MOTION** of Supervisor Horn, seconded by Supervisor Jacob, the above Resolution was passed and adopted by the Board of Supervisors, County of San Diego, State of California, on this 28<sup>th</sup> day of September, 2010, by the following vote:

AYES: Cox, Jacob, Slater-Price, Horn  
ABSENT: Roberts

- - -

STATE OF CALIFORNIA)  
County of San Diego)<sup>SS</sup>

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the Board of Supervisors.

THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors

By: *Nancy Vizcarra*  
Nancy Vizcarra, Deputy



No. 10-174  
09/28/2010 (9)