

**SANTA BARBARA COUNTY
INDIAN GAMING LOCAL COMMUNITY
BENEFIT COMMITTEE
BYLAWS**

April 15, 2004

ARTICLE 1: Name

The Committee shall be known as the Santa Barbara County Indian Gaming Local Community Benefit Committee ("Community Benefit Committee").

ARTICLE 2: Geographic Area

The Community Benefit Committee shall represent the same geographic area as is served by the political entity known as the County of Santa Barbara. This includes both incorporated and unincorporated areas.

ARTICLE 3: History and Legal Authority

The Community Benefit Committee was formed pursuant to State legislation, in the form of Senate Bill SB 621, an act to amend Section 12012.85 of, and to add Chapter 7.5 (commencing with Section 12710) of Part 2 of Division 3 of Title 2 of the California Government Code). SB 621 was Chaptered into law on October 12, 2003, by the Secretary of State (Chapter 858, Statutes of 2003).

ARTICLE 4: Purpose

The purpose of the Community Benefit Committee is to select all grants to be made from the County Tribal Casino Account. (Government Code Section 12715(b)(1))

ARTICLE 5: Committee Responsibilities

The Committee shall have the following responsibilities as specified in Government Code, Section 12710 et. seq.:

- A. Select all grants for funding from each Individual Tribal Casino Account or County Tribal Casino Account (Section 12715 (b)(1))
- B. Ensure that the following uses shall be the priorities for the receipt of grant money from Individual Tribal Casino Accounts: law enforcement;

- fire services; emergency medical services; environmental impacts; water supplies; waste disposal; behavioral; health; planning and adjacent land uses; public health; roads, recreation and youth programs, and child care programs (Section 12715 (g))
- C. Establish all application policies and procedures for grants from the Individual Casino Account or County Tribal Casino Account (Section 12715 (b)(1)(A))
 - D. Assess the eligibility of applications for grants from local jurisdictions, within Santa Barbara County, impacted by tribal gaming operations (Section 12715 (b)(1)(B))
 - E. Determine the appropriate amount for reimbursement, from the aggregate County tribal account, of the demonstrated costs incurred by the County for administering the grant programs. The reimbursement for county administrative costs may not exceed 2 percent of the aggregate county tribal account in any given fiscal year. (Section 12715 (b)(1)(C))
 - F. Submit to the State Controller a list of approved projects for funding from Individual Tribal Casino Accounts. (Section 12715 (j)(1))

ARTICLE 6: Membership – Appointment and Representation

1. Regular Members

The Committee shall be composed of seven (7) regular members consisting of the following:

- A. Two (2) representatives (County members) from the County of Santa Barbara, appointed by the County Board of Supervisors;
- B. Three (3) elected representatives from the City of Solvang (City members), which is the only city located within four (4) miles of a tribal casino in the County, appointed by the County Board of Supervisors; and
- C. Two (2) representatives from the Santa Ynez Band of Chumash Indians (Tribe members), which is the only tribe paying into the Indian Gaming Special Distribution Fund in Santa Barbara County.

2. Alternate Members

The Committee may include 3 alternate members as follows:

- A. One (1) representative from the County (County alternate member), appointed by the County Board of Supervisors;
- B. One (1) elected representative from the City of Solvang (City alternate member), which is the only city located within four (4) miles of a tribal casino in the County, appointed by the County Board of Supervisors; and
- C. One (1) representative (Tribe alternate member) selected by the Santa Ynez Band of Chumash Indians.

Alternate members may attend meetings and may participate in discussions of Committee business but may not vote, unless a regular member for the same membership category is absent from the meeting.

Article 7: Term of Office

- A. Regular and alternate County and City Members' terms of office shall be determined by the County and City respectively.
- B. Regular and alternate Tribe Member's terms of office shall be determined by the Santa Ynez Band of Chumash Indians.

ARTICLE 8: Committee Meetings, Quorum and Voting

1. Regular Meetings

The Committee shall meet periodically at a time and location to be determined by the Committee.

2. Quorum and Voting

- A. Four (4) voting members, to include at least one member from each membership category (County, City, Tribe) of the Committee shall constitute a quorum. A quorum is required for the transation of any business of the Community Benefit Committee. No act of the Committee shall be valid without the votes of the greater of the following: A majority of all voting members present; or
- B. Three members of a quorum.

2. Special Meetings

Special meetings may be called by the Chairperson or at the request of a majority of the members. Committee members shall be given at least 72 hours advance notice, in writing, of all special meetings.

3. Meeting Announcements

Pursuant to the Brown Act, all meetings of the Committee shall be noticed and shall be open to the public. Public notice of each meeting shall state the date, time, location and the agenda for the meeting, and shall be posted in locations determined by the Committee, not less than seventy-two hours (72) before the time of the meeting.

4. Meeting Agendas

Meeting agendas, for all Committee meetings, shall be transmitted in advance, in writing, to all committee members and other interested persons who have submitted a request in writing. There shall be a notation on the agenda for public comments.

- A. Agendas should be mailed to committee members 72 hours in advance of each scheduled meeting.

Proposed agenda items shall be submitted, in writing, to the administrative staff no later than seven (7) days prior to a scheduled meeting.

County staff will prepare meeting agendas in cooperation with the Committee Chairperson. Where appropriate and feasible, written backup information material should be submitted concurrently with the proposed agenda items for advance distribution to committee members.

ARTICLE 9: Attendance

Members of the Committee are expected to attend all meetings of the Committee. Committee members shall notify Committee staff, in advance, if they are unable to attend a meeting of the Committee.

ARTICLE 10: Election of Officers

- A. The Committee shall elect the following officers: a Chairperson and a Vice Chairperson.

- B. Annually, at the first meeting of each calendar year, the Committee shall elect a Chairperson and Vice-Chairperson by a majority vote of all voting members present.
- C. The Chairperson of the Committee shall call and shall manage meetings of the Committee. In the absence of the Chairperson, the Vice-Chairperson shall call and manage meetings of the Committee.
- D. A special election may be called in the event an officer is not able to complete his/her term of office. The newly elected person will assume office immediately upon election.

ARTICLE 11: Committee Vacancies

Upon any vacancy within the Committee, appointment of the representative selected to fill the vacancy shall be in the same manner as that used in the original appointment of the departing committee member.

A resigning committee member shall submit his/her written resignation to the appointing entity and to the Committee Chairperson. The Committee Chairperson is responsible for notifying Committee staff of any unscheduled vacancies.

The absence of a committee member from two (2) consecutive meetings of the committee shall be cause for the Chairman of the Committee to contact the committee member to discuss participation in the meetings. Whenever a committee member fails to attend two (2) consecutive meetings or three (3) total meetings in a calendar year, without good cause entered into the minutes, the Committee Chairman may recommend that the committee member be removed from the Committee.

ARTICLE 12: Removal of Committee Members

Committee members may be removed from the Committee at any time by a majority vote of the appointing authority.

- A. The County Board of Supervisors may at any time, by a majority vote, remove a County member or County alternate member.
- B. The City Council of the City of Solvang may at any time, by a majority vote, recommend that the Board of Supervisors remove a City member or City alternate member. The recommendation to remove a City member shall be transmitted, in writing, to the Board of Supervisors.

- C. The Santa Ynez Band of Chumash Indians may at any time remove a Tribe member or Tribe alternate member. Upon removal of a member, the Tribe shall notify the Board of Supervisors in writing.

ARTICLE 13: Conflict of Interest

All members of the Committee, unless otherwise exempt, shall be covered by a Single Comprehensive Conflict of Interest Code.

ARTICLE 14: AD HOC Committees

1. Establishment and Appointment

Ad hoc Committees may be established and appointed by the Chairperson. The Chairperson, with the concurrence of the Committee, shall appoint the members and the chair of the Ad Hoc Committee(s) Regular, Special, or Interim. A member may be appointed to the Ad Hoc Committee(s). Only a majority of the members of the Committee can vote on a decision to be presented to the Committee at large.

Assignments

The Chairperson will define, in precise terms, the assignment to be completed, providing a definitive time frame for reporting to the Committee. The Ad hoc Committee will be dissolved once the assignment is completed and a report is submitted for consideration to the Committee.

ARTICLE 15: Bylaws

The Committee shall develop bylaws and may amend them as necessary. Bylaws shall be reviewed every three (3) years.

1. Adoption of Bylaws

Proposed Bylaws shall be circulated to the Committee, in writing, at least 72 hours in advance of the meeting at which a vote to adopt the Bylaws may be called.

2. Required Vote for Adoption

The Bylaws of the Committee shall be adopted if approved by a majority vote of the quorum.

3. Proposed Amendments

Proposed Bylaw amendments shall be circulated to the Committee, in writing, at least 72 hours in advance of the meeting at which a vote may be called.

4. Required Vote for Adoption of Amendments

The Bylaws of the Committee may be amended if approved by a majority vote of the quorum.

ARTICLE 16: General Provisions

- A. Where applicable, all Committee members shall operate in compliance with all applicable County, State, Federal, and Tribal laws and regulations, unless otherwise exempt.
- B. All points of order, not otherwise covered in these bylaws, may be decided by established rules of parliamentary procedure.