

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



Supervisor Tavaglione  
**FROM: Supervisor Ashley**

**SUBMITTAL DATE: August 10, 2004**

**SUBJECT: Adoption of Resolution #2004-409, Requesting the State Governor to Consider Alternative Amendments to the Compact with the Morongo Band of Mission Indians**


**RECOMMENDED MOTION:** That the Board of Supervisors adopt Resolution #2004-409, a joint request by the County of Riverside and the Morongo Band of Mission Indians to have the State Governor consider alternative amendments to the Compact with the Morongo Band of Mission Indians, in support of the Tribe's Position.

**BACKGROUND:** The County of Riverside and the Morongo Band of Mission Indians have worked hard, long and successfully to develop a relationship that is characterized by respectful government-to-government consultation and cooperation. Both the County and the Tribe believe the State Governor's model compact revisions should not be imposed on all the gaming tribes in California because of tribal differences in size, location, land base and socioeconomic circumstances. Resolution #2004-409 is intended to request the State Governor to engage and consult with a delegation of local elected officials on the issues of concern with regard to the compacting process.

FORM APPROVED COUNTY COUNSEL

AUG 18 2004

BY 

  
\_\_\_\_\_  
John Tavaglione  
Second District Supervisor

  
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Marion Ashley  
Fifth District Supervisor

Policy

Policy

Consent

Consent

Department Recommendation:

Per Executive Office:

Prev. Agn.

Dist.

AGENDA NO.

3.6

2 **RESOLUTION NO. 2004-409**

3 **REQUESTING THE STATE GOVERNOR TO CONSIDER**  
4 **ALTERNATIVE AMENDMENTS TO THE COMPACT WITH**  
5 **THE MORONGO BAND OF MISSION INDIANS**

6 Whereas, the Morongo Band of Mission Indians has been a major factor in the prosperity of the  
7 Banning Pass area, through gaming and investments in economic development projects;

8 Whereas, the Morongo Band is a generous contributor to the quality of life in the area, both  
9 through its regular charitable giving and also its readiness to assist in times of crisis. An example of their  
10 generosity was a \$1 million donation made to the American Red Cross during the catastrophic wildfires,  
11 last fall. In addition to a monetary contribution, Tribal Council members personally served meals to  
12 families that were displaced from their homes;

13 Whereas, Riverside County and the Morongo tribal government have worked diligently to develop  
14 a relationship that is characterized by respectful government-to-government cooperation and consultation;

15 Whereas, the Morongo tribal government consistently seeks the advice of community leaders on  
16 issues of public interest;

17 Whereas, the Morongo tribal government and local community leaders work together to resolve  
18 local concerns;

19 Whereas, the Morongo tribal government followed the letter and the spirit of the environmental  
20 review process, required in Section 10.8 of the existing Tribal-State Compact, during the planning and  
21 construction of their new landmark casino/hotel resort complex. Community feedback regarding the  
22 project was overwhelmingly positive. The Morongo tribal government responded to all of the comments  
23 submitted by various County and other agencies, and is currently in the process of reaching agreements  
24 with those affected to mitigate all significant off-Reservation impacts from the project. The Morongo  
25 tribal government has expressed its commitment to continue working in the same cooperative spirit;

26 Whereas, through contributions made to the Individual Tribal Casino Account, established and  
27 funded through the Indian Gaming Special Distribution Fund pursuant to Senate Bill 621, the Morongo  
28 tribal government has approved \$4 million in grants to local government jurisdictions in Riverside County

1 to mitigate impacts caused by tribal gaming. A total of \$10.4 million worth of grant funding was  
2 allocated through the contributions of all paying tribes in Riverside County;

3       Whereas, Riverside County and the other local government jurisdictions would lose this  
4 substantial financial support if the Morongo Band, and the other Riverside County gaming tribes  
5 contributing to the Special Distribution Fund, were to agree to compact amendments which eliminate  
6 payments to the Individual Tribal Casino Accounts, under the Special Distribution Fund;

7       Whereas, the Morongo tribal government has proposed compact revisions which would protect the  
8 long-term financial interests of the County, and the other local government jurisdictions, from legislative  
9 overreaching and delays by providing that the Morongo tribal government would make direct payments  
10 into its Individual Tribal Casino Account, rather than paying into the Indian Gaming Special Distribution  
11 Fund and having the local government jurisdictions depend upon appropriation by the Legislature. In  
12 addition, this will help reduce costs of administering the fund and ensure that more money is available at  
13 the local level to mitigate impacts;

14       Whereas, governmental responsibilities and relations between governments should not be  
15 delegated to private arbitrators; these are the decisions that the constituents of tribal and non-tribal local  
16 governments and agencies elect their respective Council members, Supervisors and Directors to make;

17       Whereas, formation of a delegation of elected local officials who have experience working with  
18 the tribes in their areas is suggested to be available to assist in the negotiating process, if requested;

19  
20       NOW, THEREFORE, be it resolved that the Riverside County Board of Supervisors does hereby  
21 recommend that the Governor enter into good faith negotiations with the Morongo Band of Mission  
22 Indians' tribal government for amendments to their compact which will provide substantial financial  
23 assistance to the State, while respecting the particular needs and circumstances of the tribe, and the  
24 relationships that the tribe has cultivated with Riverside County, the City of Banning and other local  
25 government jurisdictions. There is no single set of compact revisions that should be imposed on all  
26 gaming tribes in California. Tribal differences in size, location, land base, and socioeconomic  
27 circumstances are too great for a one-size-fits-all approach.  
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