

# POSY

STORY SLUG: ..... **GAMING EXPANSION**

PRODUCER: ..... **JON BOWEN**

INTERVIEWER: ..... **UNKNOWN**

## **INTERVIEWEES:**

**GEORGE ALVAREZ, JOE ARMANDERAS, MR. ARMENTA, JOHN BOWEN, KATHERINE BOWEN, MR. BROWN, SAM BURKE, ANDY CALDWELL, MR. CARBAJAL, MR. CLERK, NANCY ECKLAND, TRACE EUBANKS, CHAIRMAN FIRESTONE, SUPERVISOR GRAY, MICHELLE GRIFFOW, JOHN HARMON, TERI HARMON, SHELLEY HATCH, CAROL HERRERA, DOUG HERTHELL, C.J. JACKSON, DR. JOHNS, LINDA KASNER, JAMES MARINO, SUPERVISOR GAYLE MARSHALL, JIM NICHOLS, FEMALE ONE, MALE ONE, STEVE PAPPAS, JIM RICHARDSON, MARK RICK, MR. SANTANA, MR. STARK, CORINNE SURNERY, FEMALE THREE, FEMALE TWO, ROB WALTER**

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**INTERVIEWEES: ANDY CALDWELL, C.J. JACKSON, CAROL HERRERA, CHAIRMAN FIRESTONE, CORINNE SUNEY, DOUG HERTHELL, DR. JOHNS, FEMALE ONE, GEORGE ALVAREZ, JAMES MARINO, JIM NICHOLS, JIM RICHARDSON, JOE ARMANDERAS, JOHN BOWEN, JOHN HARMON, KATHERINE BOWEN, LINDA KASNER, MALE ONE, MICHELLE GRIFFOW, MR. ARMENTA, MR. BROWN, MR. CARBAJAL, MR. STARK, NANCY ECKLAND, ROB WALTER, SAM BURKE, SHELLEY HATCH, STEVE PAPPAS, SUPERVISOR GAYLE MARSHALL, SUPERVISOR GRAY, TERI HARMON, TRACE EUBANKS**

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**TIMECODE: 01:00:09 - 01:31:52 ..... INTERVIEW DATE: FEBRUARY 13, 2007**

**INTERVIEWEES: CHAIRMAN FIRESTONE, FEMALE ONE, FEMALE THREE, FEMALE TWO, JOHN BOWEN, MARK RICK, MR. BROWN, MR. CARBAJAL, MR. CLERK, MR. SANTANA, MR. STARK, SUPERVISOR GRAY**

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**TAPE NUMBER : 1**

[1]01:00:11

**CHAIRMAN FIRESTONE**

Thank you, Dr. Johns. Mr. Pappas, you just arrived, Steve Pappas, (sp?) did you want to speak at public comment, or...

[1]01:00:16

**STEVE PAPPAS**

Yes, public comment.

[1]01:00:18

**CHAIRMAN FIRESTONE**

Yes, please. You're next. Followed by Parker Montgomery.

[1]01:00:33

**STEVE PAPPAS**

Good morning. I just want to address the board this morning, regarding the Brown Act. And there's kind of a rumor around this morning that one of the agenda items, for today, there's a possible Brown Act violation regarding it. And so what I've done is, I simply have pulled the Brown Act Regulation regarding agendas. And for the public, I would like to read it, so that we are clear as to what we're looking at today.

[1]01:01:12

**STEVE PAPPAS (CONTINUED)**

And basically from the Brown Act, this is from the Brown Act actual book, and it says agendas of regular meetings, and it simply states that agendas of regular meetings must be posted at least 72 hours in advance. In a place freely accessible to the public. The agenda must state the time and location of the meeting.

[1]01:01:33

**STEVE PAPPAS (CONTINUED)**

And it goes on to say the agenda must contain a brief, general description of each item of business to be transacted or discussed in open and closed sessions, sufficient to inform an interested member of the public about the subject matter under consideration, so that he or she can determine whether to monitor or participate in the meeting. A brief, general description of a matter generally may not exceed 20 words.  
(TECHNICAL)

[1]01:02:06

**STEVE PAPPAS (CONTINUED)**

Okay, the bottom line to this is, that's all it says. Okay. So the rumor about the agenda item today, which has to do with the expansion of, of Indian gaming or tribal gaming in the Santa Barbara County, I would content is completely legal and that the board has every legal right to take action on this item today, according to this Brown Act language. And if county council disagrees, then maybe he could tell us as to why. But, I just want to make that clear in case that comes up later today. Okay?

[1]01:02:45

**CHAIRMAN FIRESTONE**

Thank you very much. Mr. Stark, would you care to comment now or do you want to wait until D1 comes up?

[1]01:02:50

**MR. STARK**

At your pleasure.

[1]01:02:51

**CHAIRMAN FIRESTONE**

Perhaps as it was brought up, it would be good to approach now.

[1]01:02:54

**MR. STARK**

Sure. Might as well do it now. The item's properly noticed for board consideration. Whether or not there's a violation of a Brown Act depends on whether the action might be taken by the Board exceeds the scope of the notice. The notice for the agenda indicates give direction. So I would say that your Board could give any direction to the staff that it wishes, at the meeting, but if what the Board is considering is adopting some sort of formal statement or resolution as the Board's statement, it should return for another meeting, because that's not in the agenda.

[1]01:03:30

**MR. STARK (CONTINUED)**

That's really your balance. You can hear it, you can discuss it, you can give direction to staff to execute things, but you can't actually take formal Board action on a finite resolution or item. It's not before your Board.

[1]01:03:45

**CHAIRMAN FIRESTONE**

So you're advising that if we take action, that it be done at a subsequent meeting?

[1]01:03:48

**MR. STARK**

Well, there's action and there's action. You can direct your staff to go out and talk to people, you can do that. But if what you're doing is a formal action of the Board Of Supervisors, such as a resolution, or an ordinance, you're not asked to do an ordinance, that should return for a future meeting, with the text of the resolution presented for public review before the Board acts on it.

[1]01:04:11

**CHAIRMAN FIRESTONE**

Thank you very much. Is that clear enough? Very well. I think perhaps it would be more appropriate at D1, if it's necessary, but I think we have our direction.

[1]01:04:24

**STEVE PAPPAS**

(OVERLAPPING) Okay, just for the record, I don't concur with that at all.

[1]01:04:25

**CHAIRMAN FIRESTONE**

Mr. Montgomery, please. Parker Montgomery? (TECHNICAL)

[1]01:04:32

**CHAIRMAN FIRESTONE (CONTINUED)**

This is a departmental agenda, the first item is, number one, is to consider the impacts of the Chumash Casino and the potential additional impacts that any expansion of gaming might generate. We have heard from county council that it would not be appropriate to take action on this today. And this will be a board decision. And I think perhaps that's the most appropriate course.

[1]01:05:01

**CHAIRMAN FIRESTONE (CONTINUED)**

It may behoove us to have a second hearing on this. First hearing, to consider the matter. And then the second, as to what communication if we should have, with the State and the Federal governments. I think the issue before us is the impact of this enterprise on our community. The effect that it has, and the lack of ability of the county to initially affect that impact.

[1]01:05:34

**CHAIRMAN FIRESTONE (CONTINUED)**

And I think it's very appropriate that we examine this and this hearing is a response to an overwhelming desire on the part of the community to hear this issue. And that the county should realize the impacts and act appropriately. Any other comments? With that, we will go to public comment. We have quite a few speakers.

**[1]01:06:04** **CHAIRMAN FIRESTONE (CONTINUED)**

And I would hope that those who have heard what they have said previously that perhaps they would not take their entire three minutes. There are many points to be made. But first, Mr. Stark, would you like to say anything about the situation we find ourselves in?

**[1]01:06:24** **MR. STARK**

I'm not sure what situation we do find ourselves in. I probably should say that. There are rumors and reports. We have no information that it's confirmed. I note that Chairman Armenta (sp?) from the tribe is in the room and can possibly explain that. We contacted the governor in response to the information rumors we have. They basically said their policy was officially to tell us nothing.

**[1]01:06:53** **MR. STARK (CONTINUED)**

They did point out the existence of the modern compact that the governor has negotiated, all have mitigation clauses in them. But we don't have any confirmed information as to what is going on at the moment. I should point out to clarify my advice that I gave to the board earlier, you can certainly hear the public testimony and give directions to staff as to what to come back with, so you can consider the policy issue.

**[1]01:07:20** **CHAIRMAN FIRESTONE**

Thank you very much.

**[1]01:07:24** **SUPERVISOR GRAY**

My question is a procedural question. Attached to the agenda there's a, well, there's board letter and then there is a document that says Impacts To The County Services And Mitigation Efforts. And I'm not clear who the author of that document is, or where it came from. Because...

**[1]01:07:43** **CHAIRMAN FIRESTONE**

Supervisor, that was the report that was requested of our chief executive, who will make the report.

**[1]01:07:46** **SUPERVISOR GRAY**

(OVERLAPPING) So this is from Mr. Brown's office?

**[1]01:07:48** **CHAIRMAN FIRESTONE**

To try and bring a factual basis in terms of the impact. And so perhaps it would be appropriate to hear that now. Mr. Brown?

**[1]01:08:00** **MR. BROWN**

Thank you Mr. Chair and Supervisors. I'll give a summary of this, and it was an attachment to item D1. It was circulated, I think, Friday, is that correct, after we had gotten the request. So we're gonna talk a little bit about the impact on the economics, the benefits of the Indian gaming special distribution fund, the impact on public safety. Especially medical calls, sheriff and fire.

**[1]01:08:41** **MR. BROWN (CONTINUED)**

And then some of the other aspects of this. So let me go through these. While there's no quantifiable data at this time, the casino does generate jobs for the area. Employment by individuals of purchase and supplies and services leverages other jobs in the community. It thus has a multiplier effect. It's also a driver of tourism and generates, of course, sales tax and hotel tax in the surrounding community, from other venues.

[1]01:09:22

**MR. BROWN (CONTINUED)**

A second aspect is that the state has created the Indian Gaming Special Distribution Fund. Each year, the county's Indian gaming local community benefit committee, which has representatives of the county, the tribe, and the city of Solvang, receives an allocation from the State Controller for the Indian Gaming Special Distribution Fund, due to the passage of Senate Bill 621.

[1]01:09:55

**MR. BROWN (CONTINUED)**

And per those, that law, the fund can give grants to cities, counties and special districts which are in geographic proximity to the casino. And, for the recent years, the amount was 1.1 million in 2004-5. 1.3 million in fiscal year six. And 2.2 million in 2006-7. And could be 1.5 million in 2007-8. And with these funds, certain public safety functions are, are funded.

[1]01:10:41

**MR. BROWN (CONTINUED)**

So, for example, the County fire department has received funding for a fire fighter paramedic post position at Station 32, at the Santa Ynez Airport, for the past five years. And I should note, of those five years, two years were through a voluntary contract between the county and the tribe, prior to the establishment of the state fund.

[1]01:11:10

**MR. BROWN (CONTINUED)**

And the most recent three years were, of course, through the fund. And it provides the salaries and benefits for three shifts or three full time equivalents to provide 24 hour, seven day per week coverage. Prior to this contribution, Fire Station 32 was limited to three persons. And the tribe and the department recognized that there could be an impact from the casino, which would increase responses.

[1]01:11:41

**MR. BROWN (CONTINUED)**

So for this reason, the tribe and the fire department established this position. And augmented the ability of the department to jointly respond to both fire and medical emergencies. And for those who aren't familiar with it, medical emergencies now constitute most of the work of the fire department. So, and those, I'm not gonna go through all the statistics, but the number of calls in the area have increased.

[1]01:12:15

**MR. BROWN (CONTINUED)**

In the year 2000 there were 117, and in 2006, there were 256. And they vary from year to year. So there has been some increase. Now not all of those are necessarily to the casino or the property, but are in the area. In terms of emergency medical calls, in Santa Barbara County, ambulance service is provided by American Medical Response, a private sector ambulance company.

[1]01:12:56

**MR. BROWN (CONTINUED)**

And it reports that calls that it's received are as follows, and again, I won't read all the years, but give you the trends for advance life support, or true life threatening emergency calls, there were 106 in 2003, and there were 216 in 2006.

[1]01:13:28

**CHAIRMAN FIRESTONE**

Mr. Brown, I believe both the fire and the emergency are to the casino, are they not?

[1]01:13:30

**MR. BROWN**

Are they?

[1]01:13:31

**CHAIRMAN FIRESTONE**

Yes.

[1]01:13:34

**MR. BROWN**

I guess these are to the property here. Code Two, basic life support, which is less serious kind of call, it's varied from 12 to 30 to eight, over those same years. In terms of the sheriff's department, as part of the Indian Gaming Fund Distribution, sheriff's department has received funding for five deputy sheriff positions working out of the Solvang station. And they patrol the Solvang and Santa Ynez Valley area.

[1]01:14:07

**MR. BROWN (CONTINUED)**

And have been doing this for the past three years, through the use of these funds. The funding pays for the salaries and benefits of five full time deputies who again provide 24 hour, seven day per week coverage. And the deputies are employed in the area of the casino and the Reservation, and in Santa Ynez, Ballard and Los Olivos.

[1]01:14:34

**MR. BROWN (CONTINUED)**

The impact has been a reduction in crime, an increase in the likelihood of identification and arrest of suspect, and a reduction in fear, order, maintenance. In terms of the call volumes for serious power one crimes, since 2000, there has been one case of rape, zero robberies, three assaults, one burglary, and 108 cases of larceny at the casino. Valley wide, there have been no homicide, 13 cases of rapes, seven robberies, 50 assaults, 210 burglaries, and 510 cases of larceny.

[1]01:15:26

**CHAIRMAN FIRESTONE**

And I see some people listening. This information is available at the back of the room, I believe?

[1]01:15:31

**MALE ONE**

No, it's not. I had to go get a copy.

[1]01:15:35

**CHAIRMAN FIRESTONE**

It's online, and perhaps we might be able to reproduce this, to make copies and have this available.

[1]01:15:48

**SUPERVISOR GRAY**

Mr. Brown, I have a question, Mr. Chair, I just scrolled down to the emergency calls, and I don't know how to make a comparison, because it says in '03 there were 141 calls, '04, 264, '05, 199, and '06, 256. That just seems like kind of the normal amount of increase that you'd have based on a population. So I don't know how to compare that to the, to the rest of the county.

[1]01:16:16

**MR. BROWN**

Yeah, I think you're absolutely right, that those look appropriate. This is an area with about 20,000 people living in it, over all.

[1]01:16:28

**CHAIRMAN FIRESTONE**

I think, to clarify, this specifically are calls to the casino.

[1]01:16:35

**MR. BROWN**

Those numbers are call to the casino.

[1]01:16:40

**MR. CARBAJAL**

Mr. Chair, I also would be curious to compare call volumes to other types of enterprises that I think would be helpful to draw comparisons, liquor establishments, other businesses.

[1]01:16:52

**MR. BROWN**

Generally speaking, any time you have a commercial establishment of any kind, or a major institution, you have, with more people, you're gonna have more. And we could certainly provide that to you if you request, for the university, or the big box area, or any other comparable.

[1]01:17:14

**SUPERVISOR GRAY**

Yeah, it's difficult to make the comparison. It doesn't mean anything.

[1]01:17:19

**MR. BROWN**

So we could do that, if you'd like. In terms of the sheriff's department, so far, since the establishment of the Special Distribution Fund, and if the request for '07-08 is ultimately approved by the Commission and the Board, we will have received about 2.4 million for that service.

[1]01:17:51

**MR. BROWN (CONTINUED)**

What about other safety agencies. The question was raised, we talked to the District Attorney's office, and there's no hard data, although as the number of arrests go up, there is a parallel in this work load.

[1]01:18:14

**MR. CARBAJAL**

Mr. Chairman? Mr. Brown, I guess I'm just trying to make sure I understand the figures. I try to add up all the dollars that were provided by the Gaming Special Distribution Fund, and am I correct in understanding that's about six million dollars in the past four or five years?

[1]01:18:30

**MR. BROWN**

Yeah. I think if you go to that second paragraph, at the top, and add all the years, it should be whatever...

[1]01:18:38

**MR. CARBAJAL**

So besides the six million dollars from that fund, how much above and beyond that has also been provided by the casino, the Chumash? If we were to merge all the mitigation money that we received in the past five years, how much would that be, including the Special Distribution Fund?

[1]01:18:55

**MR. BROWN**

I'll have to go from memory. In addition to the Special Distribution Fund, there were a number of things that the county requested that the tribe do as part of a construction at the project. That is, the new casino.

[1]01:19:10

**MR. CARBAJAL**

(OVERLAPPING) I would appreciate that at some point we could get those figures. Because we're just trying to understand the cumulative mitigation.

[1]01:19:16

**MR. BROWN**

Yeah. The biggest parts of that were related to roads and transportation and involved road construction, reconfiguration of internal roads, bridges and so forth, to make sure that the circulation worked well within the project, didn't impact external roads, and provided access for fire apparatus, trailer trucks and other things.

[1]01:19:47

**MR. CARBAJAL**

(OVERLAPPING) And if I read this correctly, there was a number of public safety staffing that were also funded, is my initial, is that correct?

[1]01:19:54

**MR. BROWN**

(OVERLAPPING) From the ones that I've read. The ones that are from the...

[1]01:20:02

**CHAIRMAN FIRESTONE**

I think perhaps to clarify this, that was not in addition to the fund, that was the way the fund was used.

[1]01:20:08

**MR. BROWN**

Yeah. That is the way the fund was used.

[1]01:20:11

**MR. CARBAJAL**

Okay. Let me just make sure I'm getting clarification here. The Gaming Special Distribution Fund is one category, and that comes out to about six million dollars, in the past four or five years.

[1]01:20:25

**MR. BROWN**

That's right, yeah.

[1]01:20:25

**MR. CARBAJAL**

Above and beyond that, the Chumash has also provided a certain amount of funding, whether it's for construction of projects or public safety services, to the county and surrounding communities. Is that correct?

[1]01:20:39

**MR. BROWN**

Part one is right, of your statement. They have provided and paid for a number of construction things, okay. So far as I know, in terms of the public safety things, the public safety things are the things listed on this page. And they're not other things.

[1]01:21:01

**CHAIRMAN FIRESTONE**

I think that for the county to look at this accurately, we would need to add up all those funds paid into the county and then calculate what the normal tax would be of an enterprise of this nature. If it were taxed in the normal rate of property taxes, sales taxes, transfer, parking, TOT's, and so forth. Do we have a figure for that, or could you have an estimate?

[1]01:21:29

**MR. BROWN**

We have an estimate for the, what if this were a private facility on normal land? That is, it was subject to normal state and local taxation and regulation. And we think that the Transient Occupancy Tax, sometimes called the Hotel Tax, could be about 677,000 a year, in a typical year. And that assumes a certain amount of bed days filled every night and so forth.

[1]01:22:12

**MR. BROWN (CONTINUED)**

That would be at a 70 percent occupancy rate. And we think that the sales tax could be in the neighborhood of about 15,000 a week for three restaurants, or \$45,000 a week. If this were somewhere else.

[1]01:22:38

**CHAIRMAN FIRESTONE**

For an annual total of?

[1]01:22:39

**MR. BROWN**

So 52 times 45,000 is about 2.3 million.

[1]01:22:50

**CHAIRMAN FIRESTONE**

And then property?



[1]01:22:51

**MR. BROWN**

And then property tax, we haven't looked at for awhile, but perhaps up to three million dollars a year, gross, most of which would go to the schools.

[1]01:23:07

**MR. CARBAJAL**

Mr. Chair? But that's assuming they were a regular enterprise.

[1]01:23:12

**MR. BROWN**

That's right.

[1]01:23:13

**MR. CARBAJAL**

They are a sovereign nation, which is like the University Of California has special designation. So it's in a different context then we would treat a different enterprise.

[1]01:23:22

**MR. BROWN**

That's right. We receive no taxes, property taxes, from the University Of California.

[1]01:23:35

**MR. STARK**

Mr. Chair, if I might? There's a couple of concepts that's useful for you to bear in mind of the relationship between the existing compact, the renegotiated compact that the governor's currently proposing, the special distribution fund, so that the basic, the structure of the new compacts replaces the special, the tribal contributions to the Special Distribution Fund with a requirement that the tribe enter into an agreement with the local government, to off set specific impacts. That's the mechanism. You don't get both the mitigation and the special distribution fund, you get one or the other.

[1]01:24:20

**MR. BROWN**

I think perhaps this is the purpose of this discussion, to try to begin to understand the costs versus the revenue, and what we should request of the governor to reiterate that policy and firm that policy. That's the reason for this hearing.

[1]01:24:36

**MR. STARK**

Yes, that's quite correct. The second concept is the distinction between land that is in trust, which is the property of the United States government, and is not subject to either local jurisdiction, and property that the tribe holds in fee, which my understanding is treated like other property. My understanding from the governor, and he hasn't put this in writing, but he said so orally, is that his intention is only to renegotiate compact where the land is already held in trust.

[1]01:25:12

**MR. STARK (CONTINUED)**

He has taken the position, essentially, opposing feature feeded trust applications without a strong showing of necessity under the requirements of the Indian Gaming Regulatory Act.

[1]01:25:25

**CHAIRMAN FIRESTONE**

Very good. Mr. Brown?

[1]01:25:26

**MR. BROWN**

A couple of other things we were asked about, what about the impact on probation? And there seems to be no data at this point in time, capturing any particular effect of this on probation, and no study of that's been done. I think you could say the same thing about the public defender. The public defender's caseload is a subset of the District Attorney's workload. Obviously a number of the people prosecuted by the District Attorney have enough money to pay for their own lawyers, so they would not go to the public

defender, but there doesn't appear to be any data that we could find that suggested any particular big impact there.

[1]01:26:19

**MR. BROWN (CONTINUED)**

We were also asked about the Alcohol, Drug And Mental Health Services, and they do not have any data. The department's structure is functional, not geographic, for the most part, so they didn't have any data that indicated that there was any particular issue here. And apparently gambling addiction is not considered a mental health issue. So, now this is official, California typology of this stuff in the state.

[1]01:27:01

**MR. BROWN (CONTINUED)**

We asked Social Services what they were seeing, and I think Social Services feels that it's a net benefit to the community. It may be that the complex there is the biggest private sector employer in the county now, with, I don't know this officially, but 1500 or so, I don't know, something like that. And that may have passed some of the declining aerospace things that were the biggest employer.

[1]01:27:39

**MR. BROWN (CONTINUED)**

And Social Services does report that the tribe participates actively in job fairs and so forth. For example, in October, the tribe received 100 applications for employment from people that were in our job program. So, it's probably a positive on that score. Child Support Services did not have any data to indicate any relationship between their program and the casino.

[1]01:28:17

**MR. BROWN (CONTINUED)**

Terms of traffic and road, I'm informed that, well, we tried, the two main highways that serve the casino of course, primarily 246 that goes past the casino and tangentially related is the 154. And we attempted to contact Cal Trans to see if they had any recent data, and the individual who possesses that data was on vacation for two weeks. So we were not able to obtain the data. So I'm sorry I can't report that.

[1]01:28:55

**MR. BROWN (CONTINUED)**

But I do understand, if I don't understand, it's what I tell all our departments. Answer the phone. A day off is not an excuse, so it's good to always have your data. Finally, there is to be a study about the traffic impact, and that's something that was preplanned in a condition that was established back at the time the casino was going through various approvals, and it was to be done after it had been built, and that's to be coming in the spring.

[1]01:29:36

**MR. BROWN (CONTINUED)**

So, and I think that's jointly with our Public Works Department. So that is all the data we have at the moment. We can get those comparables for other commercial intense developments for you, and I know that Sharon's in the audience, and maybe she and Teri can grab that.

[1]01:30:01

**CHAIRMAN FIRESTONE**

I have approximately 20 speakers. And remind everyone that they need a speaker slip. Supervisor Gray?

[1]01:30:06

**SUPERVISOR GRAY**

Thank you. Mr. Brown, I tried to do the math that Supervisor Carbajal (SP?) was, so if TOT sales tax and property tax would be \$5,977,000.00 I didn't do it in my head. And then it was 6.1 that the county has received, 6.1 million the county has received through all the, what did you call it, Indian Gaming...

[1]01:30:36

**MR. STARK**

(OVERLAPPING) Over a number of years.

**[1]01:30:38 MR. BROWN**

The numbers, if this were a private development, yearly.

**[1]01:30:42 SUPERVISOR GRAY**

(OVERLAPPING) That would be a year, okay.

**[1]01:30:44 MR. BROWN**

The other number is the accumulative number.

**[1]01:30:48 SUPERVISOR GRAY**

Okay, thanks.

**[1]01:30:50 SUPERVISOR WOLF**

I have one quick question, to Mr. Stark. You mentioned the 2006 gaming, the new rules for new compacts.

**[1]01:31:00 MR. STARK**

They're not rules. They're the terms of compacts that the governor negotiated with other tribes.

**[1]01:31:05 SUPERVISOR WOLF**

Okay. Is not part of that negotiation also include language that state regulators can inspect casino facilities and machines, and if that's the case, do they not now do that?

**[1]01:31:19 MR. STARK**

There is a provision, I don't have the terms of either compact before me. My understanding is that there is a provision in the 1990 compact for inspection of casinos. I'm quite sure that there's a provision in the 2006 compacts for inspection of casinos. Whether and what the difference is, I'm not real sure.

**[1]01:31:41 SUPERVISOR WOLF**

Okay, thanks.

**[1]01:31:43 CHAIRMAN FIRESTONE**

Very well, we have the speaker slips normally in appeal, there's a time given for the application and the appellate. Specifically, this is not a hearing, this is informational. The question is, is there a representative of the tribe here, and would they wish to perhaps clarify the issue that is before us, that is based largely on some rumors about whether or not there is going to be an expansion? Mr. Armenta, (SP?) yes, please. Mr. Armenta, please. Welcome.

**[1]01:32:31 MR. ARMENTA**

Thank you very much, Chairman Firestone and members of the Board. First of all, I believe this whole, I don't think it's a hearing, although sometimes it feels as if it is, but this whole meeting could have been avoided with a simple phone call. One phone call. That phone call was never received.

**[1]01:32:56 MR. ARMENTA (CONTINUED)**

On August 3rd of 2006, I sent a letter to Supervisor Firestone's office, along with that letter was attached a resolution. Asking for the county's support in informing the county we were gonna start informal conversations with the governor. We never received a response. I am not too sure why, and I'm not too sure if the rest of the supervisors are aware of this.

[1]01:33:25

**MR. ARMENTA (CONTINUED)**

That was before we went to speak to the Governor's office. We had one meeting with the Governor's office. We belong to a consortium with tribes who were meeting with the Governor's office in regards to renegotiations. All those tribes asked for similar things, to see what the Governor's office would say. Every tribe asked for 5000 or more machines, as did ours.

[1]01:33:51

**MR. ARMENTA (CONTINUED)**

Although all those machines were not able to be put into one facility, and as the new compacts are ratified, I believe county council will be able to look them up on the internet, and verify that. The negotiations between the tribe and the state of California, and few people in here have acknowledged it today, are between the tribal sovereign government, and the government of the state of California.

[1]01:34:20

**MR. ARMENTA (CONTINUED)**

When we went in to those negotiations, I made it very clear to the staff of the governor's office, and this could have been cleared up in a phone call, that we wanted written participation from the county in our new compact. And the Governor's office will not release the conversations to the public, what we have, but I have no fear of doing so. I have said it year and year and year again. It's time we work together and not apart.

[1]01:34:56

**MR. ARMENTA (CONTINUED)**

I thought those days were coming. Several days ago I sent a letter to Supervisor Firestone and Mr. Brown acknowledged receiving a letter. Well before the, well, well before I found out about the meeting. I actually found out about this meeting from Polo. Not the county, from Polo. On a web blast, that they sent to their membership. Should there not be mutual respect? I believe there should be.

[1]01:35:33

**MR. ARMENTA (CONTINUED)**

Although we have had those conversations with the Governor's office, our conversations have halted. We had one formal meeting with his staff, no meetings with the Governor. We are no longer part of that group, and it wasn't five tribes, it was actually seven tribes. We are no longer negotiating with those tribes. Although I did make it very clear that we would support the other six tribes in their efforts to negotiate, and we'll continue to do so.

[1]01:36:05

**MR. ARMENTA (CONTINUED)**

But as we, in the future, go into our negotiations, we will notify the county. We will have the opportunity to meet with the county in regards to the document itself. Once an agreement has come upon the state and our tribe. There's a tremendous amount of rumors going out there, based on taking just sections of the document, if you would. And individuals are screaming the sky is falling, yet they don't know the facts behind the meetings.

[1]01:36:46

**MR. ARMENTA (CONTINUED)**

They don't know the facts behind the document. Not will they have the privilege to have those facts. As I said, the conversations are with the tribe and the governor. And the tribe will include the county when that time comes. We'll continue to talk about negotiations, it's in the best interest of our tribe to talk about negotiations.

[1]01:37:10

**MR. ARMENTA (CONTINUED)**

We will through time and time again, have conversations about expansion. And we're gonna continue to do it, as a tribal government, because that's our right. And we're gonna do it. Tribes throughout the United States are doing it and having these conversations with their elected officials from their state, on a daily basis. They're having it with their membership on a daily basis. We'll continue to have those.

[1]01:37:36

**MR. ARMENTA (CONTINUED)**

And if something fruitful comes out of those conversations, I will contact the county. Not through somebody's web blast, but I will do it personally. I don't have an issue with that. I thought that's the relationship we were actually working towards. I don't know if the county, the Board members have any questions for me, but I would certainly be happy to answer questions. But, as I said, a simple phone call would have made this so easy. And quite honestly, we're here wasting the time of the supervisors or staff.

[1]01:38:18

**CHAIRMAN FIRESTONE**

Well, if I may, we're trying to find that first letter. Because I do not remember receiving it. It would have been something that I think I would have noted, regarding your negotiations. The second letter we talked about it, we had not actually received it. There was a discrepancy between when you wrote it and when it was actually sent, but we now have it, and I think we've acknowledged it.

[1]01:38:41

**CHAIRMAN FIRESTONE (CONTINUED)**

And thirdly, regarding this hearing, I don't know what or when you heard from Polo, they don't know. As soon as it was determined, definitively, that we were going to talk about this today, your office was immediately notified. I talked to Mr. Cohen (sp?) and I believe Mr. Stark did, also. So that was the first time we were absolutely certain. What Polo said, I can't be responsible for. So I just want to clear that up.

[1]01:39:13

**SUPERVISOR WOLF**

I have a question. You talked about us receiving the second letter. I don't have a copy of that. So...

[1]01:39:20

**CHAIRMAN FIRESTONE**

I don't believe it was to the Board generally. It was regarding the annexation, if I remember...

[1]01:39:28

**MR. ARMENTA**

(OVERLAPPING) Yes. The applications.

[1]01:39:30

**CHAIRMAN FIRESTONE**

And wanting to talk with the county about that. And I don't think it was copied.

[1]01:39:35

**SUPERVISOR WOLF**

Well, you know, I think in the future if we get letters, especially when we have this kind of hearing, it would be important for all the Board members to get the letters.

[1]01:39:43

**MR. ARMENTA**

And I'll be certain to direct our staff to copy every supervisor on every letter, from this point on.

[1]01:39:49

**SUPERVISOR WOLF**

Thank you.

[1]01:39:52

**MR. CARBAJAL**

Mr. Chair? You know, this does raise an interesting question, and I think hearings are always helpful to engage the public, the public sometimes wants hearings. But I think Mr. Armenta raises a good point. I think we need to look at how we can also continue to have conversations, instead of having a hearing, which I think is also a good avenue to discuss these issues.

[1]01:40:23

**MR. CARBAJAL (CONTINUED)**

But I'm not sure that we've exhausted our ability to continue to have the type of dialogue, continue to raise these issues with the tribe in a way that could be more constructive and productive. And I guess I

just want to echo what Mr. Armenta is saying, that a phone call, a meeting, could have at least gotten better communication and an understanding, even if we had this hearing. But a better pre-emptive dialogue to have the conversation ahead of time would have been constructive.

**[1]01:41:02** **SUPERVISOR WOLF**

I'd like to also say that it's shocking to me that Mr. Armenta found out about this hearing via the internet. And that he was not notified. And I don't know what or policy is, but it seems that...

**[1]01:41:22** **CHAIRMAN FIRESTONE**

(OVERLAPPING) Supervisor, I should be clear about it. I don't know what he found out about the internet, or what the internet thought, but as soon as it was determined that we were going to have a hearing, we immediately notified the tribe.

**[1]01:41:33** **SUPERVISOR WOLF**

Okay, thank you. Thanks for clearing that up.

**[1]01:41:37** **CHAIRMAN FIRESTONE**

(OVERLAPPING) And I think what he heard on the internet was anticipating something which may or may not occur.

**[1]01:41:44** **MR. CARBAJAL**

Mr. Firestone, I'm gonna just say how I think it feels. It feels that based on some concern by the public we have paraded the tribe in front of us, to tell us what are you doing? And it just seems so counter productive to me. It just doesn't feel right. You know, it just doesn't feel right.

**[1]01:42:12** **CHAIRMAN FIRESTONE**

You know, Supervisor, if I may answer that in as much as it's a third district, this entity is the largest employer in the county. It has a huge impact on the third district and the Santa Ynez Valley. I would submit to you that if this were in the first district, or the second district, that you would feel the same urgency.

[APPLAUSE]

**[1]01:42:41** **CHAIRMAN FIRESTONE**

Let's get something clear here. We're going to have a hearing, and it's going to be a very reasonable, informational hearing. And we will not have any expressions in this hearing. We cannot. That's not appropriate. Could I have that understanding? And if you feel like demonstrating, perhaps leave the room and do it outside somewhere, and we will insist on that.

**[1]01:43:02** **MR. CARBAJAL**

Mr. Firestone, I guess just to respond to what you said, I've never said I'm not concerned about the impacts, and I've never said I'm not concerned about working with the tribe to try to get to a point where we could have these mutual issues of interest to all of us addressed. So, it's just the procedure of what is occurring that I'm concerned about. So that's what I meant by that. So it's not an issue of whether it's in my district or your district or somebody else's district. It's just a matter of my own personal sentiment of how this proceeding feels.

**[1]01:43:44** **CHAIRMAN FIRESTONE**

Very well. Mr. Armenta, any more questions for the chairman? Do you have anything that you wish to add? I think you've had, thank you very much for coming here and being part of this.

[1]01:43:56

**MR. ARMENTA**

Thank you very much.

[1]01:43:58

**CHAIRMAN FIRESTONE**

Thank you.

[1]01:44:01

**SUPERVISOR GRAY**

Mr. Chairman, I have a question as far as agenda. Not for you, Chairman, thank you.

[1]01:44:03

**MR. ARMENTA**

Oh, the other chairman.

[1]01:44:06

**SUPERVISOR GRAY**

The other chairman. I got two chairmen here, I'm surrounded by chairman's. The agenda procedure, because I see folks coming in that are here for other items, what's your kind of guesstimate of how long this will be?

[1]01:44:18

**CHAIRMAN FIRESTONE**

We have now some 24, 26 speakers. I have pleaded with everyone not to use your full time. I think things will be repeated, but the points will be made.

[1]01:44:33

**SUPERVISOR GRAY**

So 72 minutes, roughly?

[1]01:44:36

**CHAIRMAN FIRESTONE**

I hope not. But we can try and see how it goes. We have no choice.

[1]01:44:39

**SUPERVISOR GRAY**

(OVERLAPPING) Just so those that are here for other issues know.

[1]01:44:43

**CHAIRMAN FIRESTONE**

Yeah, it could be as much as an hour, yes.

[1]01:44:45

**SUPERVISOR GRAY**

Thank you.

[1]01:44:45

**CHAIRMAN FIRESTONE**

The first speaker I have, and this is in the order they're given to me, Michelle Gifon, (SP?) please, followed by Katherine Bowen. (SP?) Riffon, sorry. I know you, Michelle. (LAUGH)

[1]01:44:59

**MICHELLE GRIFFOUL**

Hi, my name is Michelle Griffow (SP?) and I've lived in Los Olivos for 24 years and I'm the board of Polo. Thank you very much for giving us this opportunity to explain what I feel is the need for additional studies prior to any gaming expansion. I've heard the supervisors and other people's comments today on the benefits of jobs and entertainment, but what about the social costs?

[1]01:45:19

**MICHELLE GRIFFOUL (CONTINUED)**

This is something I think is very, very important, that we address. Aren't they important? Have they been forgotten? Can they possibly be ignored to the social costs that are happening to the Santa Ynez Valley right now? Here are some staggering state wide statistics. A recent state commission study identified 1.2 million California adults who have developed a significant, lifetime problems related to gambling.

**[1]01:45:44 MICHELLE GRIFFOUL (CONTINUED)**

The Office Of Problem Gambling reports that one in 30 adults in California face serious gambling problems. The rate is even higher among our youth. We have four schools in less than one-half of a mile from that casino. The California Research Bureau estimates the problem of pathological gambling costs California about one billion dollars a year, from crime, bankruptcy, public services and health costs. Mr. Brown, I would like to address this. Something you said earlier was that there were no homicides in your report. Mr. Brown?

**[1]01:46:16 CHAIRMAN FIRESTONE**

Mr. Brown?

**[1]01:46:16 MR. BROWN**

That's right.

**[1]01:46:17 MICHELLE GRIFFOUL**

Okay. Well Wayne Shaw was brutally murdered in the parking lot of Albertson's, and I think that it's really unfair to suggest that there were no homicides. And it was by a casino employee. That was in Buellton. In reviewing the impacts, oh, excuse me. Gambling problems are particularly high in California among the unemployed.

**[1]01:46:38 MICHELLE GRIFFOUL (CONTINUED)**

Mr. Armenta publicly assured you that he would give 90 days notice if they're allowed 5000 more slot machines. That is not reassuring to me. Jobs to some and entertainment to some, because an addiction to others. Bankruptcy, family breakdowns, crime and traffic to others. I also want to talk to you that I have spoken with several pastors in different churches and they will report completely opposite reports of what Mr. Brown said, as far as the impact of families.

**[1]01:47:06 MICHELLE GRIFFOUL (CONTINUED)**

People are losing their homes, children are not able to eat. And we've gone and talked to Reverend Stacy and to some of the other pastors in the area, and they find the gambling problem a huge social impact in our area. It might not be documented in a state study, but it is definitely there. And if you want the information, I will personally get it for you.

**[1]01:47:21 MICHELLE GRIFFOUL (CONTINUED)**

We ask that the county be proactive in notifying Governor Schwarzenegger that we must have more information before any expansion of gambling is considered in our county. Your support to this resolution is your acknowledgement that the social costs cannot be forgotten, and that the expansion should not be accepted blindly. Thank you.

**[1]01:47:42 CHAIRMAN FIRESTONE**

Thank you very much. Katherine Bowen, to be followed by Rob Walter. Once again, don't have any demonstrations.

**[1]01:47:55 KATHRYN BOWEN**

I'm not gonna actually, before I start, just, with this report, it actually raises more questions than it answers, and this is why we need an Environmental Impact Report. Hello, my name is Katherine Bowen, and I am a resident of Santa Ynez. Thank you Supervisor Firestone and Supervisors for having this hearing today.



[1]01:48:17

**KATHRYN BOWEN (CONTINUED)**

A lot of talk in the press and from Chairman Armenta has been about negotiations, or what is now being referred to as an informal meeting with the governor, over 5000 slots. Negotiations are irrelevant at this time due to a provision in the Santa Ynez bands tribal state Compact. Section 15.4 Most favored tribe status, by default, allows the ban to request from the state the number of slots already negotiated, already negotiated, by Governor Schwarzenegger.

[1]01:48:54

**KATHRYN BOWEN (CONTINUED)**

Their current compact allows for a second casino. Five tribes have compacts pending in the state legislature right now. These compacts were due to be ratified in December. If even one of these compacts are ratified, the Santa Ynez Band, because of this provision, can simply request the same number of slots. According to Sabrina Lockhart, spokeswoman for the Governor's press office, up to 7500 slot machines would be allowed for other tribes under the new compacts, nearly quadrupling some of these gaming operations.

[1]01:49:36

**KATHRYN BOWEN (CONTINUED)**

In essence, this has already been negotiated. When we met with state officials, we expected to see at least a plan going forward with the issue of Indian gaming in California. Well, there is no current policy in place for the state in regards to expanded gaming and lack of oversight with the current compacts is creating a situation where tribes are aggressively impeding on the rights on their neighboring communities.

[1]01:50:08

**KATHRYN BOWEN (CONTINUED)**

This condition is particularly true with respect to the Chumash Casino. Impacts on hosting communities are simply not being adequately addressed by the state. Ratification of these five compacts will open the flood gates for most favored tribes, and will create a free-for-all. These five compacts have been negotiated in private and without adequate input.

[1]01:50:34

**KATHRYN BOWEN (CONTINUED)**

Private negotiations between the state and a tribe to expand Indian gaming cannot possibly be in the interest of a community, and will only further deteriorate local self governance. What this room full of people are trying to tell you is that you have been given prior knowledge of what is coming. Something these five other communities did not have. They simply woke up to the headlines that these compacts had been negotiated. They had no say.

[1]01:51:06

**KATHRYN BOWEN (CONTINUED)**

This is a heads up for Santa Barbara County, something no other county in this entire state has been given the opportunity. Chairman Armenta stated in a recent broadcast that he had spoken to all of you. That the tribe had no intention of expanding now, and that he would notify you, notify you, personally, at least 90 days prior, because it is required by law. 90 days.

[1]01:51:35

**KATHRYN BOWEN (CONTINUED)**

He also stated that the sky is not falling. The sky may not be falling, but the heavens have certainly opened up and handed all of you a gift of knowing what is to come.

[1]01:51:42

**CHAIRMAN FIRESTONE**

Thank you very much.

[1]01:51:43

**KATHRYN BOWEN**

(OVERLAPPING) You have been notified.

[1]01:51:45

**CHAIRMAN FIRESTONE**

Thank you very much. And I hope everyone will realize that, in light of the number of speakers, we really must insist on the time limit and hope you won't even take it. Rob Walters, please, to be followed by Jim Richardson.

[1]01:51:59

**ROB WALTER**

All right, good morning, my name is Rob Walter, I'm an attorney here in the Valley and a pastor of LA Harvest Church, and they have the Radio Free California Talk Show here on local radio. I was concerned about a couple of comments here, and I'm gonna have to digress a second. I'm a little bit concerned that there doesn't seem to be enough emphasis on the Santa Ynez Valley. And Mr. Carbajal, my thought is, if the tribal expansion occurred in Montecito, you know, what would be the thought down there? Maybe those people should fight that battle down there, and when they own enough land, and the thought is maybe we'll change the name from Montecito to Monte Carlo, maybe there will be a response from other parts of the county.

[1]01:52:33

**ROB WALTER (CONTINUED)**

But I'm concerned, because the statistics that are cited here are woefully inadequate in reflecting the true social costs. The statistics are out there that reference the fact that casinos earn more than half of the revenues from problem gamblers. 20 percent of compulsive gamblers attempt suicide. Domestic violence, divorce, child abuse, increase dramatically when gambling comes into an area.

[1]01:53:00

**ROB WALTER (CONTINUED)**

You have a piece from you, the Guile Of Gambling, which you have been provided, which provides statistics that far exceed the accuracy of anything that is local. What it comes down to is that there is empirical evidence, ladies and gentlemen, that gambling does three things to every single community. It increases crime, it increases bankruptcy, and it increases divorce. Without exception.

[1]01:53:23

**ROB WALTER (CONTINUED)**

South Dakota to South Carolina, California to Kentucky. No exception whatsoever. Anecdotally, a friend of mine a while back borrowed \$250 from me to fix his fan. He borrowed \$250 from seven other people that same day, because we wanted him to have his van fixed so that he could continue with his catering business. He blew it all at the Indian casino, because he was addicted.

[1]01:53:47

**ROB WALTER (CONTINUED)**

Another story, I'm in the barber chair, one block away. One block away, two weeks ago, at Super Cuts. I'm listening to the gentleman next to me talk about a decline in real estate prices. Why did his neighbor's house decline in value and why would he know about it? Because his neighbor's home got foreclosed upon because both of them lost everything at the Indian casino, and their home was foreclosed upon, and they have now moved to Bakersfield to try to find an apartment that they can afford to rent.

[1]01:54:17

**ROB WALTER (CONTINUED)**

I want to just close with a brief comment by David Delasandro (sp?) who is the CEO of John Hancock Financial Services, who is the son of a gambler, and a gambling family. He says gambling builds its army of slaves one by one. The addiction has no heart, it has no conscience. It does not care about mortgages. It doesn't care about child support, food, clothing, it doesn't care about utility bills or any other obligation or promise. Like a shark, it cares only about being fed. Thank you.

[1]01:54:51

**CHAIRMAN FIRESTONE**

Thank you, Jim Richardson please, Mayor Pro Tem of Solvang, to be followed by James Marino.

[1]01:54:56

**JIM RICHARDSON**

Good morning, Supervisors. You know that I'm a member of the City Council of the city called Solvang. I'm not speaking for the city council nor for the city of Solvang. I'm speaking for myself in my constituency. Your responsibility towards Solvang is not only for Solvang and for the Santa Ynez Valley but for your own districts.

[1]01:55:24

**JIM RICHARDSON (CONTINUED)**

The casino sends buses to your very cities to haul people to our casino, I say ours because it's in our valley, to spend their disposable income, that takes money out of your districts, and leaves it within the casino property. We in Solvang appreciate the contribution that the casino and the Indian Tribe has provided the valley with what they've done, and we're not here to denigrate that contribution.

[1]01:55:55

**JIM RICHARDSON (CONTINUED)**

However, they are an 800 pound gorilla in our valley. We don't want to see the expansion because we don't need a 1600 pound gorilla in our valley. And as far as Mr. Armenta commenting on your lack of response to his letter, last November, November 29th, I sent Mr. Armenta an e-mail, welcoming him and his tribe to the city of Solvang, regarding their purchase of the RSI, the Royal Scandinavian Inn.

[1]01:56:30

**JIM RICHARDSON (CONTINUED)**

I have yet to receive a response from Mr. Armenta or his cohorts. So it's a two way street. But I encourage you to remember that we don't need the expansion. 5000 more slot machines means 250 percent more problems for us. And I don't believe you'll see a 250 percent benefit for the rest of the county. Thank you.

[1]01:56:57

**CHAIRMAN FIRESTONE**

Thank you. James Marino, please, to be followed by Doug Herthell. (SP?)

[1]01:57:05

**JAMES MARINO**

Good morning, Mr. Chairman, members of the board. First of all, I recommend if you haven't read it yet, you should read this report commissioned by the Attorney General, entitled... (TECHNICAL)

[1]01:57:23

**JAMES MARINO (CONTINUED)**

Because it gives you the statistics you may need. For example, how the state could possibly balance their budget by increasing the number of slot machines, it's not gonna happen. And you'll see that if you read that report. I reduced most of what I wanted to say to a letter, because I know we have some time constraints here, lots of people want to speak. But let me say there are a few things that you need to know if you don't already.

[1]01:57:46

**JAMES MARINO (CONTINUED)**

First of all, the Indian Gaming Act envisioned that the protections for local communities and local governments like you would be by the state, negotiating a compact with the tribe, which is mandatory. And in that compact, they would build in protections for local communities to mitigate the impacts and that sort of thing. And they have the right to put whatever laws and whatever terms in that compact that they wanted to put in there to protect you.

[1]01:58:10

**JAMES MARINO (CONTINUED)**

That didn't happen, compliments of former governor Gray Davis in 1999. The 59 compacts he negotiated were, in a word, pitiful. Containing language like good faith efforts to mitigate off site impacts. We all know, even the non lawyers know that that's sort of a worthless language in terms of enforcement.

[1]01:58:33

**JAMES MARINO (CONTINUED)**

What you need to know, and Chairman Armenta, if you were listening carefully, let it slip. First thing he said is we contacted you for a letter of support. That's because you do have a say so. I don't care about Federal sovereign, immunity and law and Indian law. You do have a say so, and more now than ever, the Federal government, the BIA, the NIDCR are listening, because this is a complaint from all over the country, local communities are being ignored.

[1]01:58:58

**JAMES MARINO (CONTINUED)**

The tactics used by the gambling tribes is to get a letter from a Board or a City Council supporting them. They take that to the Federal government and say see, they really want us down there. And the other 400,000 people in that county are just a bunch of nimbi's, Anti Indian, racist, et cetera. That's a tactic that's been employed all over this country.

[1]01:59:20

**JAMES MARINO (CONTINUED)**

And you see it here. So I want you to understand your voice is important. It's important in Sacramento and it's important in Washington. You need to stand up and let them know that you're not gonna tolerate any more of this. You know, if there's a compact, it's got to provide that the 2000 limit be enforced. That's the limit in the 1999 compact. That needs to be enforced.

[1]01:59:42

**JAMES MARINO (CONTINUED)**

It doesn't do you any good to have a new compact that purportedly provides some revenue to the county, a token, in my view, if it's not enforced. And believe me, and if you want to call my office and talk to me personally, any one of you, I can show you part and parcel where nothing in this compact that exists now has been enforced. Not Workers Compensation, not Protections for the customers. They've all been ignored.

[1]02:00:07

**JAMES MARINO (CONTINUED)**

So it's important for you to understand that having a compact is only step one. If the governor and the gambling control commission, which is a hollow shell, doesn't do anything to enforce any of the terms of the compact, or any of the applicable laws, it's all just a waste of time. The statistics that I heard a moment ago, to... (TECHNICAL)

[1]02:00:35

**JAMES MARINO (CONTINUED)**

So I think you really need to do a lot of homework before you can make a decision. And this is not always the time. There's 400,000 people here in this county, or more, and there's a tribe of 153 members, Who, because of the wealth they get from the losses of gamblers, are able to wield an 800 pound gorilla, or a 1600 pound gorilla if they got more slot machines and more money. There are reputable studies that show that for every dollar in trickle down, multiplier, whatever you want to call it, revenue to the community, it costs a community \$3.50.

[1]02:01:11

**JAMES MARINO (CONTINUED)**

And that's what everybody else here has to pay. So I ask you to make your voice heard in Sacramento, when the time comes, whether it's today or at some later hearing, to let them know that this community is not gonna be rolled over like it has in the past, and like other communities are being rolled over in this state. Thank you.

[1]02:01:30

**CHAIRMAN FIRESTONE**

Thank you very much, Mr. Marino. Dr. Doug Herfell, please. After which we will take a short break, and when we reconvene, Corinne Surney (sp?) will be the first speaker. Doug Herfell please.

[1]02:01:53

**DOUG HERTHEL**

I'm sorry, I forgot my prop. Thank you for having this hearing and I appreciate your listening to the citizens of the valley and the county. I'm not sure what county Mr. Brown's working for, but I agree, the statistics and the pro Chumash information he gave out here is very, very unlike what's really going on.

[1]02:02:14

**DOUG HERTHEL (CONTINUED)**

In Santa Barbara County, this is the county which you should all be concerned about, crime changed dramatically when this casino opened. And you can just take a look at these, dramatic increase. And these are all human. This is human. And, so basically, I don't want to lose my time, but I just want to let you know that the information we get is from tribal members.

[1]02:02:39

**DOUG HERTHEL (CONTINUED)**

Tribal members are very upset with what's going on in the valley. They live there. They don't want to see this place destroyed. They don't want to see the place that they love turn into a casino town, an Atlantic City type situation. So yes, Mr. Armenta did visit the governor's office at least twice, and profess that he demands 5000 slot machines and ten years on his compact, and no regulation.

[1]02:03:07

**DOUG HERTHEL (CONTINUED)**

So we've got the proof, it's there. He can deny it or go along with it. We met with the governor's negotiators, two very pleasant young ladies, one was a lawyer, they talked to us about it. They have no idea how they're gonna audit the books or collect the money. So we're talking about a business that nets 700 to \$800,000 a day, tax free.

[1]02:03:34

**DOUG HERTHEL (CONTINUED)**

What's corporate tax? 30 percent? They're avoiding over \$200,000 a day in taxes. Of course they're happy to give you a couple million dollars a year. I think any one of us would be. We're asking for a study. You have no idea. These slots are not regulated. There's no certification. The slot net is 65 percent. Vegas is five percent to ten percent. They are vacuuming \$700,000 a day out of your constituents.

[1]02:04:09

**DOUG HERTHEL (CONTINUED)**

You have to ask, how many bankruptees, how many divorces, how many child abuse, how many lost homes, how does that weigh for a bunch of low paying jobs? As a matter of fact, how many of those jobs are given to people from Las Vegas, like Mr. Calvin, Mr. Lewis Calvin, who murdered a friend of mine. Two weeks after he was hired. Was he background checked? Are they background checking the people that come from Vegas? Anyway, these are questions that need to be asked. And basically for this county, to come up with a report like that, is embarrassing.

[1]02:04:48

**SUPERVISOR WOLF**

Mr., Dr. is it Doctor? Can you just turn it so that we can see what you put up there?

[1]02:04:57

**DOUG HERTHEL**

This is information from the Attorney General's office, 2003, 2004. It shows a 26 percent increase in total crime, but homicides, 75 percent, aggravated assault, 64 percent. Motor vehicle theft, 133 percent. Car theft is very common in our valley. These people run out of money, they have to have a car to go back.

[1]02:05:20

**DOUG HERTHEL (CONTINUED)**

Now, Mr. Carbajal, 60,000 more cars a day, 60 percent of those are gonna be going by your town. And these are desperate people. Tremendous amount of theft, burglary, drugs. The people that work at the casino, the people that are in security, tell us there's an average of 20 drug dealers a day working that

casino. And they are told to leave them alone. This happened with the sheriff before and it's happening now.

[1]02:05:52

**DOUG HERTHEL (CONTINUED)**

These are serious issues. You have a responsibility, you signed an oath, a responsibility to the people of this community, not just to a sovereign nation. There's no where in your oath that says you have total responsibility to a sovereign nation.

[1]02:06:10

**CHAIRMAN FIRESTONE**

Thank you very much. We've been requested to have a short break. We'll try to keep it to about five minutes, because we have such a long agenda.

**[BREAK]**

[1]02:14:24

**CORINNE SURNEY**

...I just really respect your position. And I thank you for your endless work that you do. And I really want to thank you for your efforts and your commitment to your community. Really, what I wanted to say has been very well expressed already this morning. And so I am going to defer my time to people after me. But I just implore you to continue doing your due diligence and research this as we have suggested and are requesting. So thank you very much.

[1]02:14:59

**CHAIRMAN FIRESTONE**

Thank you very much. John Harmon, please, to be followed by Teri Harmon.

[1]02:15:06

**JOHN HARMON**

It's still morning. Good morning, my name is John Harmon and I'm a citizen of the Santa Ynez Valley. I'm actually not here to speak, I was going to defer my time to my wife, who's coming up next, she's a little bit more prepared than I am. But I just wanted to thank you for having this and letting the citizens of the valley speak their views.

[1]02:15:29

**JOHN HARMON (CONTINUED)**

I would also like to welcome the other supervisors who are outside of District Three to come into our valley and actually become more familiar with it, and see what's going on, in making your decision. Thank you.

[1]02:15:42

**CHAIRMAN FIRESTONE**

Thank you very much. I've explained that we do not have a system where by when a speaker can give time to another. Everyone has the same three minutes. If you please, Teri Harmon. To be followed by Steve Pappas. (SP?)

[1]02:15:59

**TERI HARMON**

Good morning. Thank you for this opportunity. My name is Teri Harmon, can you hear me alright? Of Harmon Family Vineyards in Santa Ynez Valley. I'm employed by a very large financial services firm known worldwide, and I'm a girl scout leader. My degrees are in finance. I earned a masters in financial planning, and the certified financial planning credential as well as other credentials. You could say I know money, how it works, how people treat it, and use it to their advantages, and what mistakes are made with it and the power of it.

[1]02:16:26

**TERI HARMON (CONTINUED)**

Now I've reviewed several reports, and for the life of me, I cannot understand why this issue is not a slam dunk for all of you, to support the citizens you represent in this matter. In plain English, none of this adds

up. The Chumash want 5000 more slot machines. If the largest casino in Vegas have 3000 machines, why on earth do the Chumash want 5000 more? Where would they put them? At the gas station across the street? The Royal Scandinavian Inn that they just bought? The Fredrico's Restaurant in Buellton?

[1]02:16:56

**TERI HARMON (CONTINUED)**

Where would these go? 2000 plus 5000 more equals way too many . It is very obvious that they don't need 7000 slot machines. Now the Chumash would not apply for something unless they intended to use it, so let's be realistic in our understanding of their intent behind this request. We are not dumb. Fact, our band of Indians was approved to have two casinos. Are you aware of this, Board of Supervisors, two casinos for this tribe, as reported by Governor Gray Davis?

[1]02:17:27

**TERI HARMON (CONTINUED)**

And if so, please tell us where this next casino is planned to go. The only logical conclusion I can draw from all of this is that the Chumash are preparing for casino number two. I guess number one was not enough. Please raise their hand if you have read the Review Of Economics And Statistics February 2006 issue, by the President and fellows of Harvard College and Massachusetts Institute Of Technology. I found it on the FBI website.

[1]02:17:54

**TERI HARMON (CONTINUED)**

I have a copy of these articles, if you have not seen it. It is a clear, unbiased report of the social cost of a casino to the communities. I will hand it out in a few minutes. If you've studied it, you will find it shocking to see where our community is headed, pretty much like all the others you will read in that study. Bottom line, casinos cost communities.

[1]02:18:16

**TERI HARMON (CONTINUED)**

I have read some of the past quotes from some of you that say that the casinos have provided good jobs and benefited the entertainment community. To me, this is a total uninformed quote by someone here today that may not have done their homework or drank the casino Kool-aid. So I will also quote that I have a study here on a study that happened in San Pablo, where there were 500 slot machines, they lobbied to have it increased to 5000.

[1]02:18:44

**TERI HARMON (CONTINUED)**

It was vehemently opposed by Senator Feinstein in the year 2004. They wound up with 1048 slot machines, and you should see the crime statistic on this report that I'm going to give you. On average, up over 250 percent, straight across the board, on all crimes. Some more than 300 percent, some a little less than 250 percent, but I think you get the picture, and everyone else has talked about that.

[1]02:19:08

**CHAIRMAN FIRESTONE**

Thank you.

[1]02:19:08

**TERI HARMON**

So, another fact, the Chumash is mandated....

[1]02:19:11

**CHAIRMAN FIRESTONE**

Miss Harmon, I must ask you to conclude, please.

[1]02:19:12

**TERI HARMON**

We're done? I didn't hear a buzzer. The red light, all right. Well, in conclusion, I think you know what the facts are. I ask you to please tell the governor not to do this, not to allow our community to be run by people who do not care.

[1]02:19:28

**CHAIRMAN FIRESTONE**

Thank you very much. Mr. Pappas, Steve Pappas, to be followed by John Bowen. Thank you. Steve Pappas is not here? Very well. John Bowen, please.

[1]02:19:46

**JON BOWEN**

Thank you very much, Chairman Firestone, thank you Board of Supervisors. (BACKGROUND NOISE) That's a record. (LAUGH) Well I know you guys don't like me to talk but that's a new one. And I just want to welcome you, Supervisor Wolf. My name is John Bowen, and I'm president of Preservation Of Santa Ynez. And when each one of you took your oath of office, you took your oath of office to represent the people of Santa Barbara county.

[1]02:20:11

**JON BOWEN (CONTINUED)**

You did not take an oath to represent an outside sovereign government, that has now circumvented our sovereignty, the county's sovereignty, through private negotiations, talks, meetings, whatever you want to call it, with the state. No public employee. Under current federal law, the tribe does had the right to consult, I'm sorry, does not have to consult with the county regarding more than tripling their operation.

[1]02:20:33

**JON BOWEN (CONTINUED)**

This has devastating impacts to all of us in Santa Barbara County. Chairman Armenta has publicly stated that the tribe will inform you with 90 days notice before any expansion takes place. You will be told, not consulted. With 90 days notice, how will the county be in a good position to deal with this? You cannot risk our future. The county's been, what this is all about is you guys have been given a great opportunity to take a pro active step here and avoid being forced once again into a reactive mode.

[1]02:21:06

**JON BOWEN (CONTINUED)**

You know, if you're given 90 days notice for those 5000 new slots, what are you gonna do? This report that was put together in the last two weeks, indicates just exactly what we're after here. We need a full EIR. We need to understand the impacts. This is a stab at it, but we don't know. And Supervisor Carbajal, I appreciate your concerns, but please understand, you're coming with prejudice on this issue.

[1]02:21:32

**JON BOWEN (CONTINUED)**

And, you know, there's a lot of good information being shared today. And I ask you to reconsider, sit back, take a new look at this, and analyze the data that's being presented. And it all adds up to, that we need good data. So, I'm skipping, I'm gonna keep it short for you, in honor of your request.

[1]02:21:53

**JON BOWEN (CONTINUED)**

The obvious answer is we need an EIR and it's very appropriate to this situation. The county needs to protect its ability to govern. The county needs to pause to assess the current impacts, to address the many questions related to the various impacts. My real question before the Board is where do these already negotiated compacts leave the county when these compacts are enacted?

[1]02:22:20

**JON BOWEN (CONTINUED)**

What is the county's role in this? Right now it doesn't seem to have a role. What is going to be the county's fair share of the revenue the state expects to gain from these new compacts? How will the county percentage be determined? And where is the county considered in this process? These are questions that you need to have a place at the table. By taking this step, by adopting the proposed resolution would give you that chance.

[1]02:22:45

**JON BOWEN (CONTINUED)**

This isn't about being against the casino or being against gaming. This is actually just about self governance. And one thing I just want to add real quickly is, the money, the SDF fund, that, you know,



the million, the quarter to two million dollars, is actually almost identical to the same amount of money that the tribe currently receives under federal grants. So it's just like they get from one department, they give it to the other, and they make it into an advertising campaign every time they do what, you know, we call mitigation. Thank you very much.

**[1]02:23:15** **CHAIRMAN FIRESTONE**

Thank you very much. Steve Pappas, please, to be followed by Trace Eubanks. We have about a dozen, ten more speakers.

**[1]02:23:46** **STEVE PAPPAS**

I actually didn't put in a slip, but several people in the audience asked me to come up once again and readdress County Council and this Brown Act issue. And I'm gonna reiterate, unless you can be specific that this Board would be taking an illegal act to move forward to adopt this resolution today, behind me, I would encourage the Board to do so. And again, I do not see anything in the Brown Act. I've had extensive Brown Act training, that prevents this Board from taking definitive action today. Thank you.

**[1]02:24:19** **CHAIRMAN FIRESTONE**

Thank you very much, Steve. Trace Eubanks, please, to be followed by Andy Caldwell. (SP?) And I wish to make an announcement that we have had adequate opportunity for public input, and we will not receive any more speakers slips today on this issues. Yes, please.

**[1]02:24:37** **TRACE EUBANKS**

Good morning Chairman Firestone, Board Supervisors. I can't help but reflect on the comment Mr. Firestone (sic) has stated today, as well as on public TV, that he has no immediate plans to expand the casino, and yet he's here at this meeting this morning to support expansion of the amount of slot machines. As they have repeatedly indicated, that they have no plans to expand any gaming on the adjacent 6.9 acres to the casino, which they have stated they have purchased to build a culture center, they are still fighting to annex the property, yet they could have had the culture center built by now if their intentions were true. Mr. Armenta...

**[1]02:25:15** **CHAIRMAN FIRESTONE**

Excuse me, Mr. Eubanks, did you mean to say Mr. Armenta initially?

**[1]02:25:18** **TRACE EUBANKS**

Mr. Armenta, I'm sorry.

**[1]02:25:19** **CHAIRMAN FIRESTONE**

Oh, okay.

**[1]02:25:23** **TRACE EUBANKS**

Yes, I meant Mr. Armenta. Mr. Armenta promises to negotiate with the Board. However, based on previous negotiations or lack of, between the Board of Supervisors and the citizens of the Santa Ynez Valley, you should know by now that his sincerity can be questioned. With that said, by increasing the amount of slot machines allowed in this casino will perpetuate the tribe's ability to expand gaming on other locations within our community.

**[1]02:25:49** **TRACE EUBANKS (CONTINUED)**

If the Chumash Tribe is sincere about what they are implying, that is, not to have immediate plans to expand, then why do we have to make a decision? Why can't we wait? Governor Schwarzenegger has found a convenient revenue source to allow him the potential of balancing our state budget, thus he has

decided to sacrifice a few smaller communities within the state of California that are already plagued with a casino, by not taking into consideration the serious impacts that may result.

**[1]02:26:16 TRACE EUBANKS (CONTINUED)**

Therefore, I urge you to please consider imposing a moratorium on increasing the amount of slot machines in our local casino until we can examine the impacts of the other communities within the state of California that have decided to allow the expansions. My opinion, the governor has willingly sacrificed our community, and I'm hopeful that the Board will not.

**[1]02:26:39 TRACE EUBANKS (CONTINUED)**

On a final note, to reiterate on the gambling problems that we have in our community. There's a plethora of gambling that's obviously exposed to especially our children. My son was recently invited to an event in our local community, where normally it's harmless dancing, loud music, occasional flirting. Contrary, and without parental notification, my son was introduced to gambling.

**[1]02:27:06 TRACE EUBANKS (CONTINUED)**

He was taught how to play Texas Hold 'Em, he was taught how to play Blackjack. This was at the Santa Ynez Valley Homecoming Dance, sponsored by the Santa Ynez Union High School, and was taught by public educators on how to gamble. Thank you.

**[1]02:27:21 CHAIRMAN FIRESTONE**

Thank you very much. Mr. Caldwell, please, to be followed by Dr. Johns in Santa Barbara. Mr. Caldwell.

**[1]02:27:32 ANDY CALDWELL**

Chairman Firestone, members of the Board, I'm Andy Caldwell, representing (WORD?) First of all, we want to say that Supervisor Firestone and the organizations Polo and Pozi (SP?) we expect and respect them to be concerned about the potential of the Santa Ynez band of Chumash Indians to someday amend their compact, because some day they will.

**[1]02:28:00 ANDY CALDWELL (CONTINUED)**

So we do not fault you for exercising due diligence. And we believe it's your job and it's the job of these organizations. We do not deny there's impacts of the current casino operations, nor would there not be additional impacts if the compact was changed and gaming was allowed to increase. We have no argument there. We have no argument that you would ask the state and request the state that you could become part of the compact negotiations as government to government to government.

**[1]02:28:29 ANDY CALDWELL (CONTINUED)**

So let it be clear that we do not oppose what we believe is at the heart of the concerns of the third district Supervisor and the people in this audience and the people they represent. What we do have a problem with is the fact that Polo correspondence that's on their website, says they don't want this stuff studied so that the impacts can be mitigated, they want a moratorium.

**[1]02:29:00 ANDY CALDWELL (CONTINUED)**

And the purpose of EIR's, and the purpose of negotiations is to negotiate. Now if these people want to come before you and say we want a moratorium, then they want a moratorium. But don't study the, say we want a study of the impacts but we're telling you right now we don't want a study of the impacts for the purpose of identifying mitigations because we're not interested in mitigations.

[1]02:29:25

**ANDY CALDWELL (CONTINUED)**

And so all of this becomes an exercise in futility because, again, they grasp too far. For instance, it would be one thing for them to say, with respect to Santa Barbara County, we want a moratorium on the Chumash Casino, but they're asking for a moratorium on every casino in the state, unless all counties in the state reach an agreement with the state of California. Again, they go too far, they become unreasonable, and it frankly becomes an embarrassment to this county, if and when your Board signs on to their requests.

[1]02:30:01

**ANDY CALDWELL (CONTINUED)**

We're not disagreeing with the heart of their request, but we are disagreeing with what it's morphed into. And the fact that instead of having civil, respectful discussions, we have this. Which looks like a hit. Instead of a study. And, I mean, look at the poor quality of the staff report on this. You know, you didn't have the donations. They gave millions of dollars to Santa Ynez School, they've funded a crime lab in the city of Santa Maria. Their donations far exceed the funds from their gambling designation fund, and that's not included.

[1]02:30:41

**ANDY CALDWELL (CONTINUED)**

Again, what we would ask you to do is deal with facts, respect the fact that the tribal government is a government, and negotiate with them. I can't tell you how many times I've heard the Chairman come before this Board and previous Boards saying they're willing to talk. But you have to recognize, just like you do with Buellton, Solvang, or UCSB, that they are under the authority of certain laws, and that they are not an extension of the county. And once you do that, I think you can get along with them. Thank you.

[1]02:31:17

**CHAIRMAN FIRESTONE**

Thank you very much. Dr. Johns, please in Santa Barbara, to be followed by Shelley Hatch, here please.

[1]02:31:23

**DR. JOHNS**

Yes. We all know the evils of gambling. I mean, it's, you know, the social cost, as someone said there, it exists. And we know that. And Mr. Brown, I beg you, sir, I'm not trying to hit you or anything here verbally, but gambling is a mental health issue. And it should be seen that way. Now, and I'm not trying to hit the Chumash, either.

[1]02:31:48

**DR. JOHNS (CONTINUED)**

What I'm saying here is that I heard, you know, that Mr. Armenta wants to negotiate. I really think that if there's a real interest here in the community, Polo, community, concerned citizens of Santa Ynez, if there's real interest here, there should be sitting down and talking about these issues. Now someone came up with a figure of 700,000. Let's talk about it in reality. \$700,000 a day?

[1]02:32:21

**DR. JOHNS (CONTINUED)**

Well there could be like a kitty. I don't know what, you know, I'm just visualizing, I'm just throwing words out. But sit down and negotiate. There could be like, I don't know, \$10,000 for gambling groups, for different church funds. I mean, you know, you've got to sit down, I don't care how you hate, how much you hate gambling, how much you dislike it, you still, this is America, you've got to put up with whatever it is.

[1]02:32:52

**DR. JOHNS (CONTINUED)**

And Mr. Armenta says hey, you know, I'm willing. Every time I hear him speak, he wants to negotiate. Now, if you feel like hey, this is evil, I can't do it, there's nothing I can do, then you're gonna be stuck in a place where, you know. So I know someone said well, an employee was shot, or somebody was shot in

the parking lot and he was gambling. You've got to deal with that, because the Chumash is here to stay and you've got to really deal with that.

**[1]02:33:21 DR. JOHNS (CONTINUED)**

So a kitty or fund for so many thousands of dollars a day, set aside for social purposes, social concerns. Whatever that is for people out there, that needs to be talked about. I don't know whether that can happen or not, but talk about these things. This is America. I believe in America, I live in America. And I've never had any concerns with people where I couldn't work them out. Thank you very much, sir.

**[1]02:33:43 CHAIRMAN FIRESTONE**

Thank you very much. Shelley Hatch to be followed by Sam Burke.

**[1]02:33:52 SHELLEY HATCH**

Hi, my name is Shelley Hatch and I'm here to read a letter on behalf of Nancy Crawford Hall, owner of San Lucas Ranch. Dear Chairman Firestone and members of the Board of Supervisors, I thank you for addressing the very serious issue of Chumash Casino in the midst of the Santa Ynez Valley.

**[1]02:34:09 SHELLEY HATCH (CONTINUED)**

I must say right up front that I believe, contrary to some published reports, that a very equitable solution to the future plans for the Valley can be obtained. It will require, however, all concerned parties to sit down, in a non-judgmental spirit to work out how we would like the valley to look and function 100 years from now.

**[1]02:34:32 SHELLEY HATCH (CONTINUED)**

All residents in the Valley have much at stake here. Many hours, days, weeks and years have been spent trying to determine what will benefit us all, what the vision we would like to see. It serves no one to be hostile, use inflammatory language or insult the intelligence of anyone in this discussion. Furthermore, refusing to participate creates mistrust and divisions among the, sorry, various Valley communities, which is counter productive to meaningful discussions.

**[1]02:35:07 SHELLEY HATCH (CONTINUED)**

It is my hope that the Santa Barbara County Board Of Supervisors will take their oaths seriously and work to preserve the health and safety of all residents. And that all discussions of the future of the Santa Ynez Valley be open to the public and any agreements be for the good of all, and be available for any and all public review and comment, prior to acceptance. To do anything less is to violate the trust of the tax paying public. Nancy Crawford Hall.

**[1]02:35:36 CHAIRMAN FIRESTONE**

Thank you very much, Mr. Burke, Sam Burke, to be followed by Jim Nichols.

**[1]02:35:44 SAM BURKE**

Mr. Firestone, members of the Board Of Supervisors, thank you for providing this forum for us today. I'd like to share a concept that I'm concerned about and I'm sure everyone else here is concerned about. I lived in Montecito, right next to Westmont College, for 30 years. And Westmont College wanted to build a new gym and they wanted to build a couple of new classrooms, and there was this review process that I could not believe.

**[1]02:36:14 SAM BURKE (CONTINUED)**

As a neighbor, I was involved in watching what was unfolding. At some points, I felt sorry for Westmont College because of all the review they had to go through. They had to explain everything. Apparently they have a staff at the college that just handles these reviews with the county. And it's really quite

impressed, I was really impressed with how much the public can provide input to what was going on at Westmont College.

[1]02:36:45

**SAM BURKE (CONTINUED)**

We sold our house next to Westmont and moved up to the Santa Ynez Valley three years ago to get into a rural situation, a quiet, country area. And we like it up here. And then I heard about this gigantic casino that was being built, and apparently the review process was extremely limited. I realize there's laws that I don't understand, but I am in favor of this resolution. I encourage you to seriously consider it. And I leave with one question, having to do with, what authority do you have, if you decide to pass this resolution, is that about all you can do? Can you stop the slot machine expansion? Do you have that authority?

[1]02:37:33

**CHAIRMAN FIRESTONE**

Thank you very much. The answer is no. Jim Nichols, please, to be followed by Linda Kasner.

[1]02:37:42

**JIM NICHOLS**

I want to thank the Supervisors for having this hearing today. It's a great outlet for a very frustrated community, and I want to thank those who have spoken before me. I'm not gonna address the comments that I had prepared, because they've been so well covered previously. I do want to make one short comment, I strongly urge the Supervisors to obtain outside, legal council to provide new viewpoints and direction to the legal challenges ahead, because there will be legal challenges, and you will be involved in them.

[1]02:38:14

**JIM NICHOLS (CONTINUED)**

This recommendation is based on the years of unsatisfactory performance of the county council, in their advice to planning and development, housing development, IE, affordable housing, and their abysmal legal advice in the previous negotiations with the Chumash. The cost of this outside support can be offset by cutting back on the contract lawyers presently working for county council. It's obvious new blood is needed in that agency. Thank you very much.

[1]02:38:42

**CHAIRMAN FIRESTONE**

Thank you. Linda Kasner, please, to be followed by Nancy Eckland. (sp?)

[1]02:38:50

**LINDA KASNER**

Hello, I'm Linda Kasner from Santa Ynez, and I was going to defer to Nancy Eckland, but now I understand I can't. So I do urge you all, please, to adopt this resolution. Thank you.

[1]02:38:59

**CHAIRMAN FIRESTONE**

Thank you very much. Nancy Eckland, please, to be followed by C.J. Jackson.

[1]02:39:21

**NANCY ECKLAND**

Chairman Firestone, Supervisors, my name is Nancy Eckland. I reside in the Santa Ynez Valley and I sit on the board of Santa Ynez Valley Concerned Citizens. The impact of a large casino upon a formerly quiet rural community simply cannot be overstated. Let's look at the numbers. As our handouts and chart illustrate, sheriff's calls to the casino alone have increased nearly 400 percent since the year 2000, from 136 to 671. At present, this casino possesses approximately 2000 slot machines.

[1]02:39:54

**NANCY ECKLAND (CONTINUED)**

You imagine the impact of a 250 percent increase from 2000 to 7000. In terms of off site impact upon the immediate local community, the highway patrol indicates that 50 percent of all their stops in Santa Ynez are casino related. Supervisors, if any other business enterprise in your jurisdiction experienced a 400 percent increase in criminal activity, and sought to more than double the size of its business operation,

would you not demand a significant evaluation of its impacts and burdens upon the local community prior to approving it?

**[1]02:40:27** **NANCY ECKLAND (CONTINUED)**

Would you not demand a detailed plan to mitigate the impact upon the surrounding and effected area? Moving to our second chart, right here, in the absence of an actual traffic count at the Chumash Casino entrances, which we believe is desperately needed, it is difficult to accurately assess the current impact of the present level of 2000 slot machines upon our local traffic situation.

**[1]02:40:48** **NANCY ECKLAND (CONTINUED)**

Recent studies have determined that slot machines in various other Indian casinos in this state, far more saturated markets, generate approximately five to 12 car trips on local roads and highways per machine, every day. So to be exceptionally conservative, our chart reflects an estimate of only two trips, per day, per machine. As the chart indicates, an increase to 7000 slot machines moves the estimated daily car trip number up to approximately 32,000.

**[1]02:41:16** **NANCY ECKLAND (CONTINUED)**

See the red bar. Now, that figure is based on the actual Cal Trans numbers from 2005, on the internet. We don't have 2006 available to us, and the additional estimated two trips per day generated by 5000 new slot machines. What steps can possibly be taken to mitigate the vast increase in traffic upon our already over burdened local highways? Where will all these cars be parked? Will 246 and 154 been transformed into four lane highways?

**[1]02:41:45** **NANCY ECKLAND (CONTINUED)**

Even at 2005 actual traffic figures, Highway 246 is at a roadway level service E, representing extreme congestion. In addition, the 2005 traffic figures for 246, see the burgundy bar right here, have already far surpassed the Cal Trans projections for the year 2025. Represented by the gray bar, far right.

**[1]02:42:16** **NANCY ECKLAND (CONTINUED)**

Clearly we are in dire need of accurate, up to date traffic information which could easily be achieved by doing a rubber hose count at casino entrances. For the record, I would also like to note that the tribe's own 2004 Environmental Assessment, represented by the blue bar in the center of the chart, significantly understates the actual traffic figures in burgundy, For the 2004 time period, by roughly 20 percent.

**[1]02:42:42** **NANCY ECKLAND (CONTINUED)**

Chairman Firestone, Supervisors. You, your communities and your constituents deserve to know all the facts and are entitled to a complete understanding of the impact of any proposed casino expansion. Clearly it will be impossible to perform any meaningful review in the 90 day period. Thank you for your time.

**[1]02:42:58** **CHAIRMAN FIRESTONE**

Thank you very much. C.J. Jackson, to be followed by Carol Herrera, (sp?) please.

**[1]02:43:06** **C.J. JACKSON**

I need a moment to find a display item. My duty today, ladies and gentlemen, was to hope to tie together and explain the unity of my community in this effort. I'm C.J. Jackson, I'm from the Santa Ynez Valley Concerned Citizens. Let me put one thing on the table first. There is unity in purpose here. And we were listening to you, as you asked us to be reasonable, and you asked us to think about solutions, and you asked us to be fair.

[1]02:43:35

**C.J. JACKSON (CONTINUED)**

The purpose of our meeting today is to advance this resolution. Admittedly, as I heard Mr. Caldwell speak, I thought the sky had fallen in, because I've never agreed with Mr. Caldwell in the last 15 years. I have something I agree with. This is an ask for a pause in a study, it is not an ask for a moratorium, the way he put it.

[1]02:43:58

**C.J. JACKSON (CONTINUED)**

The problem you have, ladies and gentlemen, is we have concluded from this document here, in the compact, that the threat, or the decisions, is at hand. The state legislature is looking at expanding those compacts, and this piece of documentation is in the Chumash documentation. What we have come here to ask you to do is to pass this resolution, which essentially says you will use your good offices to go to your colleagues, as you are with Mr. Blakesly, in the legislature and in the Governor's office, to tell them what you're experiencing.

[1]02:44:35

**C.J. JACKSON (CONTINUED)**

To tell them what the burdens are that you are facing. But, as the first hour of this meeting have demonstrated, you don't have, you do not possess a solid handle on exactly what the burdens are that you face now. How can you be asked to absorb a decision by a governor who is usurping your authority in your jurisdiction, to be sensitive to the concerns and burdens that are placed here, and how they are different from the Morongo Casino, which borders Highway 10, five lanes either way.

[1]02:45:15

**C.J. JACKSON (CONTINUED)**

They're very different propositions. This community is very different. I believe you all have an expectation as you do your jobs, of a standard of due diligence, in analyzing burdens to protect your communities. An irony that we have here today is that more time, more due diligence, more staff effort, was placed on determining the efficacy of a stairway from the Biltmore to the ocean, then was placed on the advent of nearly one million new square feet in Santa Ynez Valley.

[1]02:45:48

**C.J. JACKSON (CONTINUED)**

You believe in that due diligence. We the citizens of this county have to experience it, have to address any development or any projects that we wish to do, with that same level of due diligence. But you have been removed from that discussion on a significant enterprise within your prevue. And this enterprise has burdens that not only hit the Santa Ynez Valley or impact the Santa Ynez Valley, they impact each of your districts.

[1]02:46:19

**C.J. JACKSON (CONTINUED)**

How do they do it? If one of the problems I had with the discussion here was, there was a great deal of talk about revenue, about contribution, dollar amount. I've got an MBA. A balance sheet and an income statement is on a given date, and it doesn't aggregate several years worth into a total number. The reason I bring that up is, not once did I hear what the cost of those services was.

[1]02:46:45

**C.J. JACKSON (CONTINUED)**

I heard what partial contributions to it were, but that is the problem. I guess I'm done. I want you to know this community worked hard, taking your advice, to be reasonable. This is a reasonable request. It is asking for a pause. Please respect that. These meetings demonstrate nobody has a handle on the full burden. Please, help your community and don't let the governor usurp your authority. Thank you very much.

[1]02:47:13

**CHAIRMAN FIRESTONE**

Thank you much, Mr. Jackson. Carol Herrera to be followed by Joe Armanderas (sp?) please.

[1]02:47:18

**CAROL HERRERA**

Good afternoon, or is it still good morning, Chairman Firestone, Supervisors. Welcome Supervisor Wolf. I'm here representing Women's Environmental Watch this morning. I would like to reiterate the importance of the data and the work that has been presented by residents of the Santa Barbara county to you this morning.

[1]02:47:48

**CAROL HERRERA (CONTINUED)**

It clearly overshadows the information that you received earlier by Mr. Brown and Mr. Stark. Simply stated, gambling addiction is a mental health issue. It is in California and it is in the United States. I have never heard that gambling addiction is not a mental health issue. Our organization stresses the safety, the health, the environmental protection of the Santa Ynez Valley. That's what we care about.

[1]02:48:25

**CAROL HERRERA (CONTINUED)**

We also care that the whole of Santa Barbara be strong economically, and that is your job. It does not matter how you feel about a sovereign Indian nation within your jurisdiction. That is not what we are asking you to decide, think about, or bring to the table as your offering. We are asking you to represent us, all 400,000 of us. Make sure that you make wise economic decisions.

[1]02:49:06

**CAROL HERRERA (CONTINUED)**

Make sure that you take care of good land use decisions. And that you analyze the environmental impacts from what we have presently and what most assuredly we will have in the future. It only makes good business sense to expand gambling by the present gambling industry here. It's good business. They will move forward, and you better be ready. You have to be ready.

[1]02:49:37

**CAROL HERRERA (CONTINUED)**

You have been put in this situation, however unwillingly, to try to make sense of the federal, the state laws that now perhaps restrict you, but at the same time, you do have some rights, you do have some powers. And you are asking for you, not just to take care of the Santa Ynez Valley problems, we want you to take care of all of Santa Barbara county and watch for the gambling industry and what it will do in the future. Thank you.

[1]02:50:13

**CHAIRMAN FIRESTONE**

Thank you very much. Joe Armanderas, to be followed by Supervisor Gayle Marshall (sp?) please. I have five more speakers.

[1]02:50:23

**JOE ARMANDERAS**

Supervisor Firestone, members of the Board, I haven't seen this many charts since Ross Perot debated Al Gore. I'm kind of envious, I wish we would have had more notice, we could have maybe made some charts as well. I think that, first of all, there's nothing wrong, in my view, with this process. I sit on a city council down in Carpenteria, and we have hearings like this, where projects are debated or impacts are identified and folks articulate their concerns. Nothing wrong with that.

[1]02:50:58

**JOE ARMANDERAS (CONTINUED)**

But I think there in lies the point. What's going on with the casino is really no different than what's going on with a variety of different sectors or industries throughout the county. In the Carpenteria Valley, for example, we had meetings very similar to these types where hundreds of folks got up and talked about greenhouses and the impacts of greenhouses and particularly the negative impacts of greenhouses.

[1]02:51:23

**JOE ARMANDERAS (CONTINUED)**

And now thanks to a natural disaster, the tax payers are making available low interest backed loans for those agricultural workers, and rightly so. I don't suggest that that's not the right thing. It is the right



thing. The casino's a successful business venture. In the next 50 years, according to our data, it's gonna produce 436 billion dollars. In multiplier, economic impact on the county.

**[1]02:51:53** **JOE ARMANDERAS (CONTINUED)**

Should they pay their fair share? Absolutely. I think their track record demonstrates that they're willing to. I don't disagree with anything I've heard today. I don't agree, however, with the strategy, which seems to be, with all due respect, to divide and conquer. And Mr. Firestone, you know I love you to death, you're one of my heroes, you're a great American. If anybody could provide leadership on this issue, bringing these two communities together, it's Supervisor Brooks Firestone.

**[1]02:52:22** **JOE ARMANDERAS (CONTINUED)**

I would urge you that you do it, and that you reject this tendency to appeal to our worst nature. Nimbism, not in my backyard, it doesn't matter whether it's Nimbi, Polo, Pozi, it's all the same thing. And it's understandable. I deal with it in Carpenteria, I understand it. There's nothing wrong with caring about your community. I think the Chumash, the tribe cares about their community, too.

**[1]02:52:47** **JOE ARMANDERAS (CONTINUED)**

And we just need to unleash that compassion and that concern and not be so combative and confrontational. Let me just conclude by making a basic point. First of all, you're not here to legislate morality. So I can appreciate the concerns about gambling, but that's really not what your job is. But I want you to keep your eye on the ball with respect to California Indian poverty levels.

**[1]02:53:12** **JOE ARMANDERAS (CONTINUED)**

In the national average poverty level, for average Americans, is nine percent. in the California Indian population, it's still nearly 30 percent. That's what gambling is supposed to remedy. And we believe that it will. But you just have to give it the opportunity to happen. Well perhaps increase, but as long as they're paying their fair share, I think that those mitigations will be realized. So, thank you.

**[1]02:53:39** **CHAIRMAN FIRESTONE**

Thank you very much. Supervisor Marshall, to be followed by George Alvarez, please.

**[1]02:53:51** **SUPERVISOR GAYLE MARSHALL**

Good morning, Mr. Chair and members of the Board, thank you for holding the hearing. I'm here today because I have a depth of experience with the third district, and the tribal gaming expansion, having represented the Santa Ynez Valley for eight years. I'm really here today to support the eloquent speakers that have gone before me.

**[1]02:54:12** **SUPERVISOR GAYLE MARSHALL (CONTINUED)**

We have groups that have really defined this issue. And I really appreciate their input. What we need, as soon as I looked at this economic impact report, and what is far overdue is a cost benefit analysis. And I think that's what most speakers have been asking for today, of the cost and the benefits of gaming in Santa Barbra county.

**[1]02:54:39** **SUPERVISOR GAYLE MARSHALL (CONTINUED)**

It's long overdue. And it has to be done with the cooperation of the tribe, prior to any expansion of gaming of the Chumash Tribe. Chair Firestone opened his comments by saying we need to realize the impacts. Salud had some valid questions. Supervisor Gray made some comments about the numbers not meaning anything, and I agree with you. We do not have a cost benefit analysis that makes these numbers meaningful.

**[1]02:55:14 SUPERVISOR GAYLE MARSHALL (CONTINUED)**

And throughout this report it says there is no quantifiable data at this time. This is really outrageous. And you know, on every single front, there is no quantifiable data. That has to change. With regards to the Nimbi issue, unless you consider Santa Barbara County the Nimbi, I don't really see this as a Nimbi issue. Because we have finite resources in Santa Barbara County and they are gonna go to where the need is the greatest.

**[1]02:55:45 SUPERVISOR GAYLE MARSHALL (CONTINUED)**

Well, the Santa Ynez Valley need is becoming the greatest. We have tremendous impacts that we will have quantified hopefully in the near future. And when the resources come up, they're gonna go to the Valley. So it's gonna effect every single one of your districts in the future. I have one other thing I need to say before I hear the buzzer. UCSB is constantly brought up as being another entity that's not responsive to county government.

**[1]02:56:11 SUPERVISOR GAYLE MARSHALL (CONTINUED)**

We have long term development agreements with the University of California At Santa Barbara, and they are enforceable agreements, and they are made with all parties at the table. This is all we're asking for, of the tribe. Thank you.

**[1]02:56:23 CHAIRMAN FIRESTONE**

Thank you very much. George Alvarez, please, to be followed by Ann Crosby.

**[1]02:56:36 GEORGE ALVAREZ**

First of all, I want to do my disclaimer, I have not drinken (sic) any of that juice over there at the Chumash tribe, okay. Right off the bat. I speak on behalf of a lot of people that are not here, and that's the people that are given the choice of wanting to gamble or not. It's a business. I, as an individual, am appalled that basically the people here that wanted to share their basic concerns were prepared. Outright prepared. I mean, I haven't seen such charts, and well done, to get their point across.

**[1]02:57:08 GEORGE ALVAREZ (CONTINUED)**

On the other hand, we the viewing public, the general voting public, did not have any information to regurgitate. I had to go to the front and get the copies of what you had in front of you. We didn't have a pie chart, or let alone, a power point presentation for the masses that are hearing this, apart from this small group. Because it's the county of Santa Barbara and we're all involved.

**[1]02:57:33 GEORGE ALVAREZ (CONTINUED)**

I've sent he positive aspects of the casino. Yes, there's negatives. But then again, there will always be drugs. There will always be murders. That's part of the existence of life. That's what life's about. It is. Didn't you hear that the people got shot over there out of state, a guy walks into a mall and kills people? You can't control that. I'm sure there was a gambling establishment nearby. Or maybe not. But you can't blame it on that.

**[1]02:58:01 GEORGE ALVAREZ (CONTINUED)**

We need statistics and proof. And granted, I'll get the blunt because of the fact, A, I don't live in that area and say what right do I have? Well I do have a right because I go there on occasion, I'm not a heavy gambler. A lot of people go there to gamble. But it employs a lot of people. I heard the analogy of the big gorilla, 800 pounds to 16. Well that little gorilla feeds a lot of chimps in employment. Gives a lot of bananas out.

[1]02:58:26

**GEORGE ALVAREZ (CONTINUED)**

Impact fees are basically the issue here that you have to deal with, that are subject only with the understanding between the tribe and yourselves and the state of California. That's the issue. You cannot accept this, it's a no brainer, the resolution wasn't done in a proper form. You have to get the information, to get back on another hearing, if you do so, to get the facts on both sides, to weigh what's gonna be appropriate for everyone in your county. That's what I'm here to say. Give an opportunity to get all the facts, no biased... (TECHNICAL)

[END OF TAPE: [1]03:03:22]

**TAPE NUMBER : 2**

[2]01:00:09

**FEMALE ONE**

...so the consequences are unknown and they're already silently effecting our environment. Adding more, before studying the environmental impacts, is very unwise. The proposed addition is an example, a classic example of random, piecemeal expansion with no planning in place first. A partial list of potential environmental consequences, if this addition would be approved before proper planning, a partial list would be, for example, a dramatic increase in paved parking lots, that will effect runoff during storms.

[2]01:00:49

**FEMALE ONE (CONTINUED)**

And because of the proximity to the Santa Ynez River, if rapidly moving water from newly paved areas dumps into the river at a single point, there could be the potential for a disaster. What about emergency planning, which has not been analyzed for this large expansion? With thousands of new customers coming from afar, in an emergency how would they flee? What alternate routes would be available to them? What are the alternative transit options, and where is the temporary housing, where would be the temporary housing for them?

[2]01:01:29

**FEMALE ONE (CONTINUED)**

What about reliable water supply for the new buildings that would be needed to house the extra slots? What about reliable waste water processing for these new buildings? And what about increased traffic and gridlock which already is present on the unimproved roads, since there's no mention of any infrastructure improvements.

[2]01:01:58

**FEMALE ONE (CONTINUED)**

This is a county wide issue, these environmental impacts, negative ones, not limited to the third district. We all live in this environment. It's the only one we have. And just to sum up, I first want to say that Kathy Lusion (sp?) who could not be here today because of health reasons, she joins me in urging that you adopt these resolutions in order to assess the negative environmental consequences of the proposed increase in slots, before any expansion. Thank you.

[2]01:02:30

**CHAIRMAN FIRESTONE**

Thank you very much. Mark Rick please. Our last speaker.

[2]01:02:33

**MARK RICK**

Thank you, I'll be very brief. Thank you Chairman Firestone and the rest of you. I just, on the way up I bought the local valley paper, it's called the Santa Ynez Valley News, it's printed once a week. And it used to have a little section in it that was called The Crime Report, and it used to have things like crowing chickens that were making noise that were bothering the neighbors, maybe a barking dog. Maybe someone that left their lights on.

[2]01:02:59

**MARK RICK (CONTINUED)**

But this one, which was just dated February 8th, has three license sirens, which they call it now. All three of them came from the Chumash parking lot or from the casino. So, you know, these charts that they're making fun of, that are saying they don't mean anything, which the last speaker just addressed, I think they do mean something. And I think it speaks volumes to what's going on in our valley to have our little valley newspaper that has three notations about law enforcement issues, and all three of them occurred at the casino this week. So, that's all I have to say.

[2]01:03:34

**CHAIRMAN FIRESTONE**

Thank you very much, Mr. Rick. Any comments? Well I will, if nobody else will.

[2]01:03:48

**SUPERVISOR WOLF**

Do you want to start, Mr. Firestone? That's fine.

[2]01:03:49

**CHAIRMAN FIRESTONE**

Well, thank you very much, everyone, and thank you Board. This is a big issue in the valley, and I think it's a big issue for the whole county. The purpose of this hearing was to open up the subject, to bring some light on it, and factual information. There's been some dispute about the facts, and the result intended by those who wanted the hearing was to have a communication to the governor, regarding the feeling of the Santa Barbara County, to be included in these negotiations, which I think is entirely appropriate.

[2]01:04:28

**CHAIRMAN FIRESTONE (CONTINUED)**

We've been informed that to take action on such a resolution would not be appropriate. It's my intention to ask for a hearing, perhaps in two weeks, back here again, that would again, look at these facts, and hopefully pass a resolution to communicate to the governor our concerns about the various issues that effect our county. And accordingly, to be included in the negotiations. So that would be my intention. And I hope you'll indulge me in that, and consider this carefully, because I think it's a very legitimate request and a very legitimate need for the county.

[2]01:05:12

**SUPERVISOR WOLF**

Thank you. First of all, I want to thank everyone for coming here and for those of you who don't know, there were some people who spoke today who were from the second district. So I can assure you that the concerns that you raise are concerns that are felt throughout the county. And I know from the second district residents as well.

[2]01:05:35

**SUPERVISOR WOLF (CONTINUED)**

I'd like to just go back to when I heard about this, and this was maybe about a week ago, and it was, you know, rumor and innuendo. And honestly, I thought well, should we be acting when it's rumor and innuendo? Shouldn't we have more facts? Then we decided to go ahead and have the hearing. And again, I was a little concerned about that.

[2]01:05:55

**SUPERVISOR WOLF (CONTINUED)**

But, the more I thought about it, the more I realized that by having a hearing we would be able to get the facts. And we would be able to have the parties here and listen to them. And so for that reason, I'm glad we listened to Chairman Armenta. We heard from all of you. And I appreciate the issues that you bring up, the impacts that you're feeling on a daily basis.

[2]01:06:19

**SUPERVISOR WOLF (CONTINUED)**

And I would agree with Supervisor Firestone that we do need to take some action. Either in the form of a resolution or in the form of a letter to the governor. And I've worked on some language I've just crafted and I think it's something that does need to come back to the Board for further discussion.

[2]01:06:50

**SUPERVISOR WOLF (CONTINUED)**

I also wanted to point out Supervisor Marshall's suggestion for a cost benefit analysis, in cooperation with the Tribe. One of the things that we heard today was a lot of different numbers, statistics. And I think that that's, if we go into the discussion with the Tribe on that basis, I think it's one where we're trying to work together to get the information, information that they have, information that the county has,

information that you folks have brought, and I think we really do need to get that. Especially if we're talking about any type of expansion.

**[2]01:07:28 SUPERVISOR WOLF (CONTINUED)**

I think that this section 15.4 is huge. Because regardless of what the Chumash do, it appears to me, and in reading the legislative analyst report, which just came out in February, that if other tribes receive compacts, the 2006 compacts, that the Chumash can as well. So I think that that is, that's pretty impressive.

**[2]01:08:03 SUPERVISOR WOLF (CONTINUED)**

And you know, that's one of the things I like about public input, because you bring things to the attention, well for me in particular, things that I did not know before. So I appreciate knowing about that, and I will close my comments by saying that I do think we need to send a letter to the governor, and we need to CC the legislators. Because while he makes the recommendation, they are the ones who ultimately vote on it. So that's my comments. Thank you very much.

**[2]01:08:35 CHAIRMAN FIRESTONE**

Anyone else? Well thank you very much everyone for coming, and this item will be continued then, without objection. And I want to bring it back within two weeks for our consideration. Question? (SOUNDS LIKE) Mr. Santana?

**[2]01:08:56 MR. CENTENO**

Thank you, Mr. Chair. Now with respect to the initial casino that, and it came about long before I got here obviously, but was there a Nipa or a (WORD?) process that took place when that project was being considered?

**[2]01:09:21 MR. STARK**

There's a Nipa process that's required for (WORD?) trust applications, because that is a Federal action. I don't think that there was a (WORD?) process for the 1999 compact negotiations. The '99 compacts provide for a process which I think one of the speakers mentioned, is not the same, it's a separate process. I don't think the compact itself was subjected to any form of environmental review. The 1999 compacts.

**[2]01:09:53 MR. CENTENO**

Okay. And that has never been a cost benefit analysis done, as far as you know, in terms of the casino?

**[2]01:10:04 MR. STARK**

I don't know what the governor did, and I don't know what the tribe did, as far as any information that is publicly available to the county, or the public, the answer to that question is no.

**[2]01:10:15 MR. CENTENO**

Okay. So we have no basis to determine whether or not there is a net deficit in terms of the public benefit here, as a result of this casino, or not necessarily a benefit, but better plus?

**[2]01:10:33 MR. BROWN**

Well we don't know that.

**[2]01:10:34 MR. STARK**

We would have to generate to the extent that we can. We have an idea what the impacts are. I don't know to the extent to which we have any idea what the economic impacts are. They're not entirely within our control.

[2]01:10:50

**MR. CENTENO**

You know, there's been some comments made about the quality of the report that we received from Mike Brown, with respect to the numbers, and I must confess that this came upon us rather quickly. I'm not gonna be making excuses for our staff, but I'm sure given enough time, we can come up with a report that would indicate to you folks just exactly what's going on there in terms of the impacts.

[2]01:11:12

**MR. CENTENO (CONTINUED)**

With respect to crime, with respect to all the other issues that are important to you. So I don't know that we need to sit here today and condemn the quality of that report. If we had more time, we would have probably got the report that was more pleasing to everybody. Now, I suppose, Shane, that, in terms of any expansion that is proposed for the casino, that that will not, in itself, trigger environmental analysis?

[2]01:11:50

**MR. STARK**

That depends on the nature of the expansion and where the expansion occurs. And whether the project by which the expansion occurs is a state project or a Federal project. Or for that matter, entirely on the current reservation, that's a third type of expansion.

[2]01:12:12

**MR. CENTENO**

Okay. You know, in terms of all you folks coming here today, I applaud you for the passion that you manifest for your community, and I'm hopeful that that passion flows out to the entire county, not just the area that you live in. And I have to make a comment with respect to Supervisor Marshall's comment, with respect to the University in Goleta, when she indicates that we have these binding, I guess contracts or agreements with the University that help us in the very issues that we're talking about here today.

[2]01:12:47

**MR. CENTENO (CONTINUED)**

And I have a document here that was prepared by our staff, and it deals with that very issue, just to give you kind of an analysis and a comparison of what we're doing here, and how, you know, we're somewhat shackled in our ability to get these mitigations from other folks, particularly school districts.

[2]01:13:10

**MR. CENTENO (CONTINUED)**

And there's a long list of stuff here, but the last point that is made here, and this is an analysis done by some group with respect to all the universities in California, and it says that no UC campus has reached a fair share agreement with local governments for the full scope of impacts generated by proposed expansions.

[2]01:13:31

**MR. CENTENO (CONTINUED)**

Now and that's true. And so I would ask you people, and I beseech all of you, that when we are dealing with the university in Goleta, in (WORD?) Vista, and we sense the very same issues that are present here with your appeal to us, with respect to Santa Ynez Community and the Chumash facility there, that you would help us in terms of dealing with that issue there, also.

[2]01:13:59

**MR. CENTENO (CONTINUED)**

That you not just concentrate on the issues that you feel are important to your community. Not that that's not important, because it is. But we, the five of us here, have to deal with the entire county as a whole. And what might effect you in Santa Ynez might also effect us in my district, the fourth district, or all our districts.

[2]01:14:18

**MR. CENTENO (CONTINUED)**

So we're in this thing together. And I think we want the best for the entire county. And I think that we ought to deal with that in terms of discussions and dialogues, and we need to do that with some mockem

(sp?) of civility and trust. And so I would welcome an opportunity to talk to the people from the Chumash organization, Chairman Armenta, and anyone else.

**[2]01:14:46 MR. CENTENO (CONTINUED)**

But I think this is probably the responsibility of my good colleague over here, our Chairman from the third district. But I have not been to that casino but once, and that was an invitation just to go see what it looked like. That was prior to the hotel being there. I have not had any discussions whatsoever with anyone from the casino about this issue. As a matter of fact, I've not had very many conversations with the Chairman or members of the tribe, on any issue, other than when I sit as a member of the county's committee when we talk about these funds that need to be dispersed and I sit on that committee.

**[2]01:15:26 MR. CENTENO (CONTINUED)**

And I want you to know that I'm sitting here trying to make some kind of an unbiased decision on the path that we need to take here. And I don't come here with any preconceived notions about what I'm going to do. So thank you, Mr. Chair.

**[2]01:15:42 CHAIRMAN FIRESTONE**

Thank you very much. Very well. We will move to the next item please, which is...

**[2]01:15:48 SUPERVISOR WOLF**

Excuse me. Can I just ask a question? Are we clear in our direction?

**[2]01:15:53 CHAIRMAN FIRESTONE**

Well the direction, as I tried to express it, was that we would return within two weeks, properly noticed, to consider a resolution or a letter to the governor, which would be suitably posted. And that we will try to refine the facts and information that will help us reach that decision.

**[2]01:16:19 SUPERVISOR GRAY**

I'd like to say something. This is about the, I just feel like a lot of things. This is about the fifth or sixth one of these hearings that I've been through, and every one of them we seem to say the same things and end up at the same place. First of all, I don't think two weeks is long enough. And secondly, I think we need a cost benefit analysis that's gonna take a bit of time. Now to compare that, we just completed one, if Ron Cortez is within hearing, would he appear?

**[2]01:17:03 SUPERVISOR GRAY (CONTINUED)**

We just completed one for Vanderburgh Air Force Base, that had to do, because we're all speculating. We're just, this is all just a whole bunch of speculation and fear and no one's wrong. I just think we need a cost analysis benefit or not, so we can work without just everybody speculating. And I don't know how to get there. And I'm going cold on this, Mr. Brown. Could we do something similar to what we had done for Vanderburgh, or not? I mean, maybe it costs so much money, where do we go with a huge mushroom of information that doesn't seem to get filtered into the capability to make decisions, based on what we're getting.

**[2]01:18:03 MR. BROWN**

Madame Chair, or Mr. Chair, Supervisor, Gray, two issues. One thing, the agenda in two weeks is pretty loaded with big hearings. A couple of zoning.

**[2]01:18:16 SUPERVISOR GRAY**

And we're already two hours behind.



[2]01:18:16

**CHAIRMAN FIRESTONE**

(OVERLAPPING) I would be, I think, perhaps a month. I think it should be back here...

[2]01:18:20

**MR. BROWN**

(OVERLAPPING) The next time it's up here is, if not the 27th, then it would be the 13th of March.

[2]01:18:30

**SUPERVISOR GRAY**

But what are you going to be able to give us that we don't have today?

[2]01:18:32

**MR. BROWN**

Well this is a different question, and that is, if we're really gonna do the full economic balance sheet of this, it involves not just our services, it involves the schools.

[2]01:18:48

**SUPERVISOR GRAY**

I'd like, can we go to Mr. Cortez and ask him to define that Vandenberg study. Maybe we need that. Because you're saying what we need to do.

[2]01:18:53

**MR. BROWN**

Yeah. What we need to do, if I'm hearing the Board and everybody right, is a real, if you think that's useful, and I might have something to say about that, too, because the question is going to be, once you have that, then what are you going to do with that, which is so we can spend a lot of effort doing that...

[2]01:19:17

**MR. CENTENO**

(OVERLAPPING) If I can suggest, Mr. Chair, if I can make a comment with respect to that, and here we're making, I guess an assumption that we're gonna go out and create this document. Well, not even considering whether or not we're gonna have the cooperation of the Chumash to help us build that document. And I think we need to find that out first. Obviously it's a document that we'd all like to have. But I think that we need to ask the tribe whether or not they would work with us in trying to put that document together.

[2]01:19:45

**CHAIRMAN FIRESTONE**

Well, Mr. Santana, I'll certainly commit to doing everything I possibly can to communicate that and work with them. There are two issues which make it difficult for a study. First of all, this whole situation is unfolding so rapidly. It's really in the last two or three years. And so we're dealing with numbers that are evolving and doubling, and so it's a direction we're going. Secondly, we're talking about the significance of a more than doubling of the activity there.

[2]01:20:24

**CHAIRMAN FIRESTONE (CONTINUED)**

And so we have to interpolate that. So a great deal of this simply will have to be a question of judgment. And if it takes a month, I think we're gonna be as wise in a month as we are in two months.

[2]01:20:40

**MR. BROWN**

Let me be clear. We're not gonna do that kind of study, with the quality it needs to be done, in a month.

[2]01:20:50

**CHAIRMAN FIRESTONE**

Well I don't think we're gonna do it at all because we have to make so many assumptions, because we're not really talking about what is going on now. We're talking about which may occur in the future. And our communication will be with that possibility.

[2]01:21:08

**SUPERVISOR WOLF**

I think maybe we have two things going on. One would be the cost benefit analysis, and the other, which I think is more time sensitive, is some type of letter to the governor and the legislature. (APPLAUSE) And I think it doesn't need to be complicated, I think it needs to be a statement that we are aware of, you know, we've heard some of the benefits that the Chumash has done for the community in providing jobs, but we also have to acknowledge the hearing from the people that we've heard from today. And the issues and concerns. Just so that the governor and the legislators are aware of what's going on in our community, so that they have that information when they move forward, in looking at these new compacts. (APPLAUSE)

[2]01:21:53

**CHAIRMAN FIRESTONE**

Well, again, agenda management, it seems appropriate to do this in a month. If there's no objection.

[2]01:21:58

**MR. STARK**

Well we can be ready to send a letter in a month.

[2]01:22:01

**CHAIRMAN FIRESTONE**

That's what we're talking about.

[2]01:22:03

**MR. BROWN**

Sending a letter that addresses the line of communication without attempting to engage in any quantifiable analysis, we can do in a relatively short period of time. You have a finite set of policy options and it's up to your Board to choose.

[2]01:22:19

**CHAIRMAN FIRESTONE**

Without objection, is it the 13th of March? Is that what you said? In agenda management? We will be here.

[2]01:22:28

**FEMALE THREE**

That's too late. It's too late.

[2]01:22:31

**JOHN BOWEN**

May I have a point of order? The purpose of this resolution which...

[2]01:22:33

**CHAIRMAN FIRESTONE**

I'm sorry, Mr. Bowen. It's...

[2]01:22:35

**JOHN BOWEN**

(OVERLAPPING) No, it's lost in this circus. I'm sorry, the purpose of this resolution was to ask for a pause. A pause, that's all. Until you can get a handle on just what you're identifying...

[2]01:22:41

**CHAIRMAN FIRESTONE**

(OVERLAPPING) I'm sorry, Mr. Bowen, you're out of order.

[2]01:22:49

**MR. CENTENO**

I have in front of me here a letter that I think you wrote. That I think accomplishes what it is the folks want to do here. So if you want to bring this back, in a week, then we can do that, and just take this letter and ship it off, if that's the wishes of the Board.

[2]01:23:13

**CHAIRMAN FIRESTONE**

Very well. My understanding is that we need more notice than that. Mr. Stark?

[2]01:23:23

**JOHN BOWEN**

Can you get a second opinion?

[2]01:23:26

**MR. STARK**

You can give the direction staff to craft the letter, provided you specify what the contents of the letter is.

[2]01:23:36

**CHAIRMAN FIRESTONE**

Do we need to read the letter?

[2]01:23:39

**MR. STARK**

I'd like to see what letter you're talking about.

[2]01:23:42

**CHAIRMAN FIRESTONE**

Why don't I give this to County Council and...

[2]01:23:45

**MR. CENTENO**

I think you've seen it.

[2]01:23:45

**MR. STARK**

I think I drafted it. Why don't you read it?

[2]01:23:57

**MR. BROWN**

It's reasonably short, and I think, frankly I think it accomplishes what the Board has been saying. This will be a letter to Arnold Schwarzenegger, governor of California. The Board Of Supervisors of Santa Barbara County held a public hearing in response to community concern with potential negotiation of the compact...

[2]01:24:17

**CHAIRMAN FIRESTONE**

Renegotiation.

[2]01:24:17

**MR. BROWN**

Renegotiation of the compact between the state of California and the Santa Ynez band of Chumash Indians. The Board authorized this memorandum be sent to you. Paragraph. The Chumash Casino operated under the Tribe's 1999 compact, has a major impact on the agricultural and semi rural residential Santa Ynez Valley, particularly the neighboring unincorporated communities of Santa Ynez, Los Olivos, Los Alamos, and the city of Solvang. Paragraph.

[2]01:24:53

**MR. BROWN (CONTINUED)**

We recognize the right of the governor under the compact to have discussions with tribes, and consider proposals for compact amendments consistent with the Indian Regulatory Gaming Act, and that is the IGRA. The Office Of The Governor, under the Schwarzenegger administration, has consistently supported maintaining state and local land use authority, and mitigation of local impacts.

[2]01:25:21

**MR. BROWN (CONTINUED)**

We appreciate legal secretary Peter Sigans (SP?) August 26th, 2005 letter, expressing opposition to the Chumash's feed of trust application as piecemeal and unnecessary. We support the governor's comment to the Bureau Of Indian Affairs, on proposed Federal land acquisition rules, that exceptions to IGRA's section 20 prohibition on gaming, on after acquired trust land, must be narrowly construed, and that there be mandatory notice and meaningful consultation with states in effective local governments for all sub part B exceptions.

[2]01:26:02

**MR. BROWN (CONTINUED)**

We remind you of legal secretary Andre (WORD?) promise that the governor will not negotiate compact amendments for gaming expansion, except where the land has already been taken into trust. Paragraph. County government bears the burden of providing law enforcement, public safety and social services and other off Reservation impacts. Counties and their residents also bear responsibility for developing and adopting land use plans for unincorporated communities such as the Santa Ynez Valley.

[2]01:26:36

**MR. BROWN (CONTINUED)**

Community plans serve as a locally developed blueprint for development appropriate to the character and infrastructure of the area. Paragraph. In light of these responsibilities, if a request is received to amend the 1999 compact between the state and the Santa Ynez band of Chumash, the county of Santa Barbara request participation in any negotiations for an amended compact.

[2]01:27:05

**MR. BROWN (CONTINUED)**

If full local government participation is not feasible, we request that the governor consult with local government and possibly hold a public hearing in the community to hear our concerns before negotiations are concluded. We trust you will give serious consideration to this most important matter.

[2]01:27:30

**CHAIRMAN FIRESTONE**

Are we able to do that today?

[2]01:27:33

**MR. STARK**

You can authorize us to send that letter. Consistent with the Board's statement.

[2]01:27:39

**CHAIRMAN FIRESTONE**

This is a letter, not a resolution?

[2]01:27:39

**MR. STARK**

Yes.

[2]01:27:40

**CHAIRMAN FIRESTONE**

So this would be appropriate today if the Board wished to do so?

[2]01:27:51

**MR. CENTENO**

I don't have any problem in sending it today. But it would have been nice to at least convey to the tribe the substance of what the letter says. Because you know, we need to have this fairness about what it is we're doing. And if we're gonna ship the letter, fine, we ship the letter. But at least we should allow them to comment on the letter.

[2]01:28:16

**MR. BROWN**

If you would prefer then you could continue this for a week and we would talk with them during the week and have any comments that they would have.

[2]01:28:24

**MR. CENTENO**

That would be my motion, to bring this back next week so that we can finalize the letter, but in the interim, you can direct our staff to convey to the tribe the essence of what that letter says.

[2]01:28:37

**SUPERVISOR WOLF**

I'd like to second that motion.

[2]01:28:40

**MR. BROWN**

We would be authorized to make the draft letter public so that both the tribe and the people in the public can have access to it.

[2]01:28:44

**SUPERVISOR WOLF**

Can I just make one...

[2]01:28:45

**MR. CENTENO**

(OVERLAPPING) And also, you know, my motion would include to give staff direction to make some minor changes in the letter, if it's appropriate.

[2]01:28:52

**SUPERVISOR WOLF**

Okay, yeah. I actually made a couple little changes, little grammatical changes.

[2]01:28:59

**CHAIRMAN FIRESTONE**

The School board.

[2]01:29:01

**SUPERVISOR WOLF**

Yeah, that's the school board.

[2]01:29:06

**FEMALE THREE**

Section 15.4 has to be included in the letter.

[2]01:29:10

**CHAIRMAN FIRESTONE**

Very well. We have a motion. Mr. Clerk?

[2]01:29:14

**MR. CLERK**

Miss Wolf?

[2]01:29:14

**SUPERVISOR WOLF**

Eye.

[2]01:29:14

**MR. CLERK**

Miss Gray?

[2]01:29:15

**SUPERVISOR GRAY**

Eye.

[2]01:29:16

**MR. CLERK**

Mr. Santana?

[2]01:29:16

**MR. CENTENO**

Eye.

[2]01:29:16

**MR. CLERK**

Mr. Carbajal?

[2]01:29:18

**MR. CARBAJAL**

I'm gonna vote eye, but I still maintain the same concerns about consultation with the tribe and making sure that we do establish the type of dialogue that we need to have to get to a place where we can all meet our mutual goals.

[2]01:29:35

**MR. CLERK**

Mr. Firestone?

[2]01:29:35

**CHAIRMAN FIRESTONE**

Eye. Thank you very much. The motion passes. Item two, Mr. Clerk, would you read it please?

[2]01:29:46

**MR. CLERK**

Chairman Firestone, members of the Board, item number two comes to the board from Supervisor Gray, it's a hearing to consider recommendations going to the methamphetamine prevention network summit report.

[2]01:30:00

**CHAIRMAN FIRESTONE**

Very well. Are we able to do this before lunch? Will the audience please either sit down and attend to the meeting, or take your leave appropriately? Especially you...

[END OF TAPE: [2]01:31:52]