



*Via e-mail only – cccporterville@gmail.com*

February 20, 2009

Concerned Citizens Coalition Porterville  
934 W. Henderson Avenue, #126  
Porterville, CA 93257  
Attn: Rev. Robert Lee

RE: Your Public Records Request of January 18, 2009

Dear Rev. Lee:

This letter is in response to your request for records dated January 18, 2009 and received by the City of Porterville on January 27, 2009 (copy attached hereto). Below please find the information you requested:

1. Please see attached invoice.
2. Please see attached Articles of Incorporation and Bylaws.
3. Please see attached Memorandum of Understanding.
4. There are currently no meetings scheduled. *(Please note that all meetings of the Porterville Area Airport Development Corporation are noticed pursuant to the requirements of the Ralph M. Brown Act.)*
5. Please see attached Analyses of City Attorney Monthly Invoices for FY 06/07, 07/08 and 08/09. *(Please note, however, the "Tribe" billings pertain to any and all tribe-related issues and do not solely represent issues pertaining to the PAADC project matter.)*
6. \$0.

Should you require any additional information, please don't hesitate to contact our office.

Sincerely,

Patrice Hildreth  
Chief Deputy City Clerk

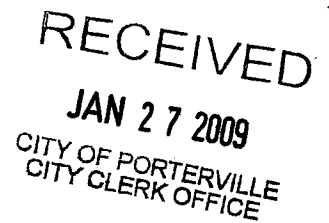
Encl.



## **IN PORTERVILLE**

### **CONCERNED CITIZENS COALITION PORTERVILLE**

cccporterville@gmail.com  
934 W. Henderson #126  
Porterville, California 93257



January 18, 2009  
Mr. John Longley  
City Manager  
291 N. Main Street  
Porterville, Ca 93257

Dear Mr. Longley,

I am writing on behalf of the Concerned Citizens Coalition Porterville. We are a community group that has come together and meets now on a regular basis. We have numerous concerns and issues regarding the effort the City has undertaken with the Tule tribal Nation to move its gambling hall into the City of Porterville which we understand will also create a tule tribal nation Reservation within the City as well.

A few of our main concerns areas are listed:

The complete lack of public review, input and general discussion of this project. It appears to have purposely been flown under the radar unlike other projects such as Wal Mart, Riverwalk and others that have had detailed public comment and review.

We are greatly concerned at the overall impacts to our community by way of quality of life. Our concerns are specific to public safety as it is well known that there has been violent crime, dealing of illegal drugs and prostitution at the current location. One can only imagine the great increase in these activities should this gambling hall be moved into our city with its much greater population. Our police are already overtaxed now.

We are also greatly concerned and opposed to what seems to be very clever packaging of this project in an effort to

avoid a more public process. The creation of the special zone to cover up what is actually an effort to construct a gambling hall on more attractive land inside our city. We have sought the assistance of Mrs. Cheryl Schmit of Stand up for California who informs us that this is called "Reservation Shopping". We have further read what has taken place in other communities and have learned that what is really going on in Porterville is an effort to conceal an "off Reservation gambling process".

The use by our City of a cleverly constructed non profit to possibly funnel public monies to help fund this process without adequate public comment. We have also been told that the tribal nation has not put a single penny into this effort; we would ask why our city is doing so and for a multi million dollar gambling venture?

With this letter we would like to make an official request for public information as listed:

1. A list of all City expenditures on the gambling project
2. The structure of the non profit entity constructed by the City
3. Copies of any contracts, agreements or proposed agreements between the tribal nation and the city.
4. Listing of upcoming meetings where this project will be discussed
5. Amount of time city employees have devoted to this project
6. How much, if any the tribal nation has provided the City to offset its costs.

We thank you for your time in addressing this request.

In Faith,

*Reverend Robert Lee*

Reverend Robert Lee

Cc-Community Press



ALLEN CORPORATION SUPPLY  
 10440 PIONEER BLVD., SUITE 8  
 SANTA FE SPRINGS CA 90670-8242  
 (562) 906-1635 FAX: (562) 906-1645

ORDER # 141040  
 INVOICE DATE: 9/29/2008

# INVOICE

BILL TO:

McCormick, Kabot, Jenner & Lew  
 Linda Gonzales  
 1220 W. Main St.  
 Visalia CA 93291

SHIP TO:

ENTITY: PORTERVILLE AREA AIRPORT DEVELOPMENT CORPORATION

**REMITTANCE**

QTY	COLOR	DESCRIPTION	UNIT	EXTENDED
1		NonProfit Atty. Spec. Corp Kit w/M&BL	\$59.95	\$59.95
1		Filing-Articles of Inc.	\$30.00	\$30.00
1		Long Name-Kit	\$8.50	\$8.50
1		S/State Fee Advance-refile	\$15.00	\$15.00
1		Resubmit Docs	\$20.00	\$20.00

Notes:

CK. #19063 \$99.60

Sub Total:	\$133.45
Sales Tax:	\$5.65
Shipping:	\$7.95
Rush Service:	
Filing Service:	
Total:	\$147.05
Late Fee:	
Amt Rec'd:	\$99.60
Balance Due:	\$47.45

**UPS GRND**

PAYMENT DUE UPON PRESENTATION  
 ACCOUNTS OVER 30 DAYS PAST DUE SUBJECT TO 1 1/2% PER MONTH SERVICE CHARGE  
 PLEASE INCLUDE A COPY OF THIS INVOICE WITH YOUR REMITTANCE  
 BILL TO PARTY RESPONSIBLE FOR PAYMENT  
 Allen Corp. is not responsible for any claim of error and/or omission made after 30 days from invoice date.  
 Warranty is limited to correction or replacement, at our discretion.

3170737

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

**ARTICLES OF INCORPORATION  
OF THE  
PORTERVILLE AREA AIRPORT DEVELOPMENT CORPORATION**

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SEP 26 2008

**ARTICLE I**

The name of this corporation is: **Porterville Area Airport Development Corporation.**

**ARTICLE II**

**A.** This corporation is a nonprofit Public Benefit Corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public purposes.

**B.** The specific purposes for which this corporation is organized include the following: to assist the City of Porterville (the "City"), and the Tule River Indian Tribe (the "Tribe") and potentially other public agencies with which the City and Tribe are engaged, in connection with the financing, acquiring, studying, planning, leasing, constructing, developing and/or improving of land, equipment, facilities, public works projects or any other public improvements for the use, benefit and enjoyment of the members of the public served by City, the Tribe and such agencies, any other public purpose incidental thereto, the administering of funds for these objectives, and to create economies and efficiencies of purpose.

**ARTICLE III**

The name and address in the State of California of this corporation's initial agent for service of process is:

Julia M. Lew  
McCormick, Kabot, Jenner & Lew  
1220 West Main Street  
Visalia, CA 93291

#### ARTICLE IV

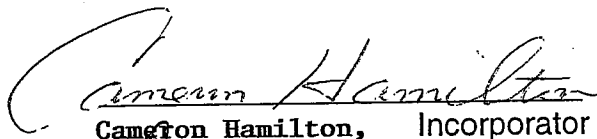
A. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3), Internal Revenue Code.

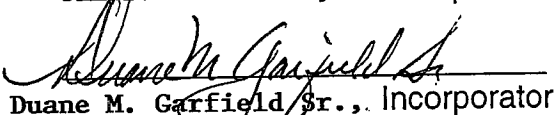
B. No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

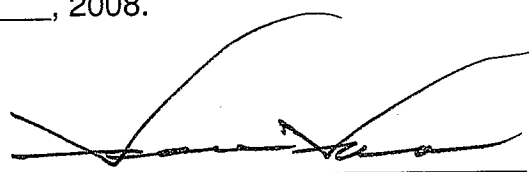
#### ARTICLE V

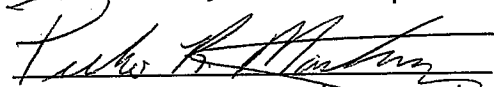
The property of this corporation is irrevocably dedicated to **charitable** purposes and no part of the net income or assets of this corporation shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private person. Upon the dissolution or winding up of the corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit fund, foundation, organization, corporation, or governmental entity which is organized and operated exclusively for charitable or public purposes and which has established its tax exempt status.

IN WITNESS WHEREOF, for the purposes of forming the corporation under the laws of the State of California, the undersigned has executed these Articles of Incorporation this 14<sup>th</sup> day of August, 2008.

  
Cameron Hamilton, Incorporator

  
Duane M. Garfield Sr., Incorporator

  
Vernon Vera, Incorporator

  
Pedro R. Martinez, Incorporator



**BYLAWS**  
**of the**  
**PORTERVILLE AREA AIRPORT DEVELOPMENT CORPORATION**

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ARTICLE I

Name, Organization and Purpose, Principal Office

Section 1.1. Name. The name of this corporation is PORTERVILLE AREA AIRPORT DEVELOPMENT CORPORATION (hereinafter referred to as the "Corporation").

Section 1.2. Organization, Purpose and Use of Funds. The Corporation is a nonprofit public benefit corporation organized under the Nonprofit Public Benefit Corporation Law of the State of California (the "Law") exclusively for the promotion of charitable purposes within the meaning of 501(c)(3) of the Internal Revenue Code (the "Code") and to assist the City of Porterville (the "City") and the Tule River Indian Tribe (the "Tribe"), and other public agencies in the State of California of which the City is a member or is otherwise engaged with, in connection with the financing, acquiring, studying, planning, leasing, constructing, developing and/or improving of land, equipment, facilities, public works projects or any other public improvement for the use, benefit and enjoyment of the members of the public served by City, Tribe and such agencies, any other public purpose incidental thereto, the administering of funds for these objectives, and to create economies and efficiencies of purpose. The activities of the Corporation shall be limited to the activities described in its Articles of Incorporation. No gains, profits or dividends shall be distributed to any of the Directors or officers of the Corporation; and no part of the net earnings, funds or assets of the Corporation shall inure to the benefit of any Director or any other person, firm or corporation excepting only the as described herein.

Section 1.3. Principal Office. The principal office of the Corporation is hereby fixed and located at 2780 West Yowlumne Avenue, Suite 2, Porterville, California 93257. The Board of Directors is hereby granted full power and authority to change said principal office from one location to another. Any such change shall be noted by the Secretary opposite this section, but shall not be considered an amendment to these Bylaws.

## ARTICLE II

### No Members

Section 2.1. No Members. Pursuant to Section 5310 of the Law, the bylaws of a nonprofit corporation may provide that the corporation shall have no members. This Corporation shall have no members.

## ARTICLE III

### Directors

Section 3.1. Powers. Subject to limitation of the Articles of Incorporation, the Bylaws, and the Law, and subject to the duties of Directors as prescribed by the Bylaws, all powers of the Corporation shall be exercised by or under the authority of, and the business and affairs of the Corporation shall be controlled by, the Board of Directors. No Director shall be responsible for any error in judgment or for anything that such Director may do or refrain from doing in good faith. Without prejudice to such general powers, but subject to the same limitations, it is hereby expressly declared that the Directors shall have the following powers, to wit:

1. To select and remove all appointed officers, agents and employees of the Corporation, prescribe such powers and duties for such officers, agents and employees as may not be inconsistent with law or the Articles of Incorporation or Bylaws, fix their compensation and require from such officers, agents and employees security for faithful service;
2. To conduct, manage and control the affairs and business of the Corporation and to make such rules and regulations therefor not inconsistent with law, the Articles of Incorporation or Bylaws, as the Directors may deem best; and
3. To borrow money and incur indebtedness for the purposes of the Corporation, and to cause to be executed and delivered therefor, in the name of the Corporation or otherwise, promissory notes, bonds, certificates of participation, debentures, deeds of trust, mortgages, pledges, hypothecation or other evidences of debt and securities therefor.

Section 3.2. Number of Directors. The authorized number of Directors shall be five until changed by amendment of the Articles of Incorporation or by amendment of the Bylaws.



Section 3.3. Selection and Term of Office. The initial Directors of the Corporation shall include four (4) incorporators, two (2) of whom are designated by the Porterville City Council and whom are current Porterville City Council Members (hereinafter referred to as "City - Appointed Directors") and two (2) of whom are designated by the Tule River Tribal Council and are current or prior Tule River Tribal Council Members (hereinafter referred to as "Tribe – Appointed Directors"). The four initial directors shall appoint, by unanimous vote of those present, one additional director, who shall be a resident of Tulare County (hereinafter referred to as the "Board - Appointed Director"). This director may be the same individual appointed to the Southeastern Tulare County Intergovernmental Coordinating Committee/Porterville Airport Area Association by the four members of that organization. Except as hereinafter provided and in accordance with Section 5220(d) of the law, each City and Tribe Appointed Director shall hold office until removed by its respective legislative body. The Board-Appointed Director shall hold office for a term of one year, but said term may run consistent and in conjunction with his/her term as a member of the Southeastern Tulare County Intergovernmental Coordinating Committee/Porterville Airport Area Association.

Section 3.4. Vacancies. Subject to the provisions of Section 5224 of the Law, any Director may resign effective upon giving written notice to the President or the Secretary, unless the notice specifies a later time for the effectiveness of such resignation. No such resignation shall be effective, however, unless and until such Director shall have resigned from the Board of Directors of the Southeastern Tulare County Intergovernmental Coordinating Committee/Porterville Airport Area Association.

A vacancy or vacancies on the Board of Directors shall be deemed to exist upon the expiration of a Director's term, if the authorized number of Directors comprising the Board of Directors of the District is increased, or upon the events specified in Government Code § 1770 including but not limited to the death, or resignation, on the Board of Directors of the District.

City-Appointed Director vacancies on the Board of Directors shall be filled by the Porterville City Council. Tribal-Appointed vacancies on the Board of Directors shall be filled by the Tule River Tribal Council. A Board-Appointed vacancy on the Board of Directors shall be filled by the four other (City and Tribal-Appointed) Directors, by a unanimous vote of the Directors present.

Section 3.5. Organization and Annual/Quarterly Meetings. The Board of Directors shall hold at least one annual meeting for the purpose of organization and the transaction of business of the corporation. The Board of Directors shall appoint, from it's own body, a President, Vice-President, Secretary, and Treasurer, and these officers shall serve as

specified in Article IV. Subject to Section 3.11 hereof, quarterly meetings of the Board of Directors shall be held on the first \_\_\_\_\_ in the month of \_\_\_\_\_, but in no case held later than June 1 of each year.

Section 3.6. Regular Meetings. The Board of Directors by resolution may provide for the holding of regular meetings and may fix the time and place of holding such meetings.

Section 3.7. Special Meetings; Notice Waiver. A special meeting of the Board of Directors shall be held whenever called in accordance with the Ralph M. Brown Act, commencing at Section 54950 of the Government Code of the State of California and Section 5211(a)(2) of the Law and Section 3.11 hereof.

Section 3.8. Adjourned Meetings; Notice of Adjournment. The Board of Directors may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a majority may so adjourn from time to time. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment. When a regular or adjourned regular meeting is adjourned as provided in this Section 3.8, the resulting adjourned regular meeting is a regular meeting for all purposes.

Section 3.9. Majority. A majority, or at least three (3), of the total number of Board of Directors (5) shall constitute a quorum for the transaction of any business. An affirmative vote of a majority, or at least three (3), of the total number of Board of Directors is required for every act or decision of the Board of Directors.

Section 3.10. Fees and Compensation. Directors shall receive no compensation or expenses from the Corporation for services as Directors of the Corporation.

Section 3.11. Ralph M. Brown Act. Notwithstanding any of the provisions of these Bylaws to the contrary, all meetings of the Board of Directors shall be subject to the Ralph M. Brown Act, commencing at Section 54950 of the Government Code of the State of California.

Section 3.12. Conduct of Meetings. The President or, in the absence of the President, the Vice President, or, in the absence of the Vice President, a Chairman chosen by a majority of the Directors present, shall preside at meetings of the Board of Directors.

## ARTICLE IV

### Officers

Section 4.1. Officers. The officers of the Corporation shall include a President, a Vice President, a Secretary and a Treasurer, all of whom shall be appointed from the Board of Directors. The Corporation may also have, at the discretion of the Board of Directors, one or more additional Assistant Secretaries, one or more Assistant Treasurers, and such other officers as may be appointed by the Board of Directors and are not members of the Board of Directors. One person may hold two or more offices, except that the offices of President and Secretary or President and Treasurer may not be combined.

Section 4.2. President. The person serving from time-to-time as the President of the Board of Directors of the Corporation shall serve as the President of the Corporation. The President shall preside at all meetings of the Board of Directors.

Section 4.3. Vice-President. The person serving from time-to-time as Vice President of the Board of Directors shall serve as Vice-President of the Corporation. The Vice-President shall preside at meetings of the Board of Directors in the event that the President is unable to do so.

Section 4.4. Secretary. The person serving from time-to-time as Secretary of the Board of Directors shall serve as Secretary of the Corporation. The Secretary shall keep at the principal office of the Corporation a book of minutes of all meetings of Directors, with the time and place of holding, how called or authorized, the notice thereof given, and the names of those present at Directors' meetings.

Section 4.5. Treasurer. The person serving from time-to-time as the Treasurer of the Board of Directors shall serve as Treasurer of the Corporation. The Treasurer shall keep and maintain adequate and correct books of account showing the receipts and disbursements of the Corporation, and an account of its cash and other assets, if any. Such books of account shall at all reasonable times be open to inspection by any Director.

The Treasurer shall deposit all moneys of the Corporation with such depositories as are designated by the Board of Directors, and shall disburse the funds of the Corporation as may be ordered by the Board of Directors, and shall render to the President or the Board of Directors, upon request, statements of the financial condition of the Corporation.

Section 4.6. Subordinate Officers. Subordinate officers shall perform such duties as shall be prescribed from time to time by the Board of Directors.

Section 4.7. Term of Office. The term of office of the President and Vice-President of the Corporation shall coincide with the term of office of the President and Vice-President of the Board of Directors of the Corporation. The term of office of the Secretary and Treasurer of the Corporation, respectively, shall coincide with the term of office of the Secretary and Treasurer of the Board of Directors respectively.

## ARTICLE V

### Miscellaneous

Section 5.1. Execution of Documents. The Board of Directors may authorize any officer or officers as agent or agents, to enter into any contract or execute any instrument in the name of and on behalf of the Corporation and such authority may be general or confined to specific instances; and unless so authorized by the Board of Directors, no officer, agent or other person shall have any power or authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable for any purpose or to any amount. Said authority shall be granted by Resolution or Minute Order and shall appear in the minutes.

Section 5.2. Inspection of Bylaws. The Corporation shall keep in its principal office the original or a copy of these Bylaws, as amended or otherwise altered to date, certified by the Secretary, which shall be open to inspection by members of the public and the Directors at all reasonable times during office hours.

Section 5.3. Annual Report. The Corporation, having no members, hereby expressly dispenses with the annual report referred to in Section 6321 of the Law.

Section 5.4. Fiscal Year. The fiscal year of the Corporation shall begin July 1 of each year and end on the last day of June of the succeeding year, except the first fiscal year which shall run from the date of incorporation to June 30, 2009.

Section 5.5. Dissolution. In the event of dissolution of the Corporation in any manner and for any cause, after the payment or adequate provision for the payment of all of its debts and liabilities, all of the remaining funds, assets and properties of the Corporation shall be paid or distributed to a nonprofit fund, foundation, organization or corporation which is organized and operated exclusively for charitable or public purposes and which has established its tax exempt status.

Section 5.6. Construction and Definitions. Unless the context otherwise requires, the general provisions, rules of construction and definitions contained in the Law shall govern the construction of these Bylaws. If any section, subsection, sentence, clause or phrase of these Bylaws, or the application thereof, is contrary to the Law, the provisions of the Law shall prevail. Without limiting the generality of the foregoing the masculine gender includes the feminine and neuter, the singular number includes the plural and the plural number includes the singular, and the term "person" includes a corporation as well as a natural person.

## ARTICLE VI


### Amendments

Section 6.1. Power of Directors. New Bylaws may be adopted or these Bylaws may be amended or repealed by an affirmative vote of a four-fifths majority of the total number of the Board of Directors. The Bylaws shall be amended to remain consistent with any organizational changes to the Porterville Airport Area Development Association, and/or Authority if and when a valid Joint Powers Agreement is executed. No amendment to these Bylaws shall be effective until approved by an affirmative four-fifths majority vote of the Board of Directors as provided in these Bylaws.

**CERTIFICATE OF SECRETARY  
OF**

**PORTERVILLE AREA AIRPORT DEVELOPMENT CORPORATION**

I hereby certify that I am the duly elected and acting Secretary of said corporation and that the foregoing Bylaws, comprising 8 pages, constitute the Bylaws of said corporation as duly adopted at a meeting of the Board of Directors thereof held on the 30<sup>th</sup> day of September, 2008.

  
\_\_\_\_\_  
, Secretary

**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF  
PORTERVILLE AND THE TULE RIVER INDIAN TRIBE TO ADVANCE  
FURTHER NEGOTIATIONS AND THE PERFORMANCE OF  
GOVERNMENTAL PROCESSES**

1. The City and Tribe desire to work together towards the development of the Tribe's property located within the City of Porterville and subject to the land trust application currently pending before the Bureau of Indian Affairs, to be amended for gaming and resort use. Specifically the Tribe desires to develop and construct a hotel resort and casino, and the City is supportive of the concept.
2. The parties desire to resolve the prior objections and issues between the parties concerning the land fee to trust application.
3. The deal points contained herein shall be used for the development of a detailed Agreement(s) consistent with these deal points.
4. The City and the Tribe agree that following property described in Attachment 1a and 1b will be subject to this Agreement, excluding the potential location of the Porterville Fair at the City's Sports Complex property.
5. The City acknowledges that the proposed comprehensive amendment to the City's General Plan allows for commercial recreation which would include the resort development. However, the public input and testimony portion of the general plan process has not yet been concluded.
6. Upon adoption of a comprehensive General Plan Amendment, that allows for commercial recreation, the Porterville Airport Area Development Association/Agency ("PAADA," described in further detail below) shall pursue/propose a Specific/Master Plan for the property for resort and recreational use.
7. The City shall conduct the appropriate environmental review as required by CEQA with regard to any projects related to these deal points, including but not limited to any review needed for the adoption of the Agreements, review related to the General Plan update, the Specific/Master plan, and the project(s) itself. The costs for review shall be shared between the parties in proportion via future agreements before the specific costs are incurred.
8. The Tribe shall conduct the appropriate environmental review as required by NEPA concerning the project.

9. The Tribe agrees to move forward with its plans for a hotel resort and casino, including in a future phase, development of a golf course facility by PAADA.
10. The parties agree to reform the current STIG organization into the Porterville Airport Area Development Association/Agency ("PAADA"). PAADA shall remain an advisory committee unless and until the parties receive legislative authorization for the creation of a joint powers authority or other entity. If PAADA does not receive such legislative authorization, PAADA's determinations shall be deemed recommendations to the City and Tribal Council. PAADA shall be responsible for oversight and recommendations to the parties concerning the development of the airport area (defined above) as well as the exploration of other development and recreational opportunities of mutual interest to the parties. PAADA shall also serve as the reviewing body concerning proposed regulations by either party affecting the property subject to these deal points, the development applications/permits and fees concerning the property, operating and service/mutual aid agreements between the parties concerning the property, and any regulatory action needed for projects in the area subject to these deal points. Additionally, all in lieu fees for property, sales, transient occupancy, utility user, and business licenses related to the subject property/area shall be coordinated through PAADA via the Summary of STIG/PAADA Finance Mechanism attached hereto as Attachment 2, and annually reviewed by PAADA.
11. PAADA shall serve as the appeals body for disputes between the parties with regard to the property/area, projects and fees. Decisions by PAADA shall be final and conclude all administrative remedies between the parties. Within the primary zone (see Attachments 1a and 1b), to the extent allowed by law, decisions by PAADA will be appealable to the Federal or State Court in accordance with the jurisdiction provisions of the Agreements between the parties and applicable law. Within the benefit zone, PAADA decisions shall be advisory.
12. PAADA shall not intervene between the parties and other regulatory authorities. PAADA shall not impair the operational management of tribal or city-owned properties, or other properties under the jurisdiction of the respective parties but not subject to these deal points.
13. PAADA shall consist of five association members, of whom two members shall be appointed by the Tribal Council from its membership and two members shall be appointed by the City Council from its membership. The remaining member shall be appointed by the four PAADA committee members and serve a one year term. A majority vote of the entire PAADA membership shall be required for the adoption of a recommendation. The parties shall, cooperate to develop the procedural rules for determinations by and appeals to PAADA. Said rules shall be consistent with all laws applicable to the City, including but not limited to the Brown Act.
14. The parties agree to pursue the development of Agreements consistent with these



deal points, including an Agreement(s) covering the specific development project(s) contemplated, service/mutual aid agreements, and provisions for City's cost recovery service agreements.

Approved for further negotiations through January 30, 2010.

Date: 03-07-08

CITY COUNCIL OF THE CITY OF PORTERVILLE

*Felipe G. Martin*  
By: *Eduardo Hernandez*  
Cameron Hamilton, Mayor

Date: 03-MAR-08

TULE RIVER TRIBAL COUNCIL

By: *Neil Peyron*  
Neil Peyron, Chairman

## **Potential Alternative Zone Definitions**

**Primary Zone:**      **Alt. 1** The Primary Zone includes the Tribal land subject to the Land to Trust Application which includes Assessor Parcel Numbers 302-400-001 through 017 and adjacent public right-of-way. It also includes the existing Sports Complex property to the north which consists of 100± acres and the City's 34± acre parcel immediately south of the Tribal land. This area is identified on the Draft PAADA Land Use Area Diagram attached hereto.

Land within this area is subject to STIG/PAADA land use, fiscal and programmatic decision making authority. It is mutually agreed that the decisions made with the Primary Zone are of utmost importance to the economic viability of the uses to be developed in this area.

**Alt. 2** As depicted on the attached diagram, the Primary Zone is the location of the Resort Development and other related Commercial or Municipal Recreational uses that are the focus of the joint land use agreement and proposed Joint Powers Authority. Land within the Primary Zone is subject to STIG/PAADA's land use authority. It is mutually agreed upon that the compatibility and connectivity of these uses are of the utmost importance.

**Alt. 3** The Primary Zone is identified on the attached Draft PAADA Land Use Area diagram, a portion of which is the subject of the Tribe's Land to Trust Application for the proposed Resort/Casino Development. Additional land within the Primary Zone under City ownership bears a direct relationship to the economic and operational viability of the Resort/Casino Development. Therefore it is mutually agreed that the coordinated decision making for projects within this Zone shall be made by STIG/PAADA.

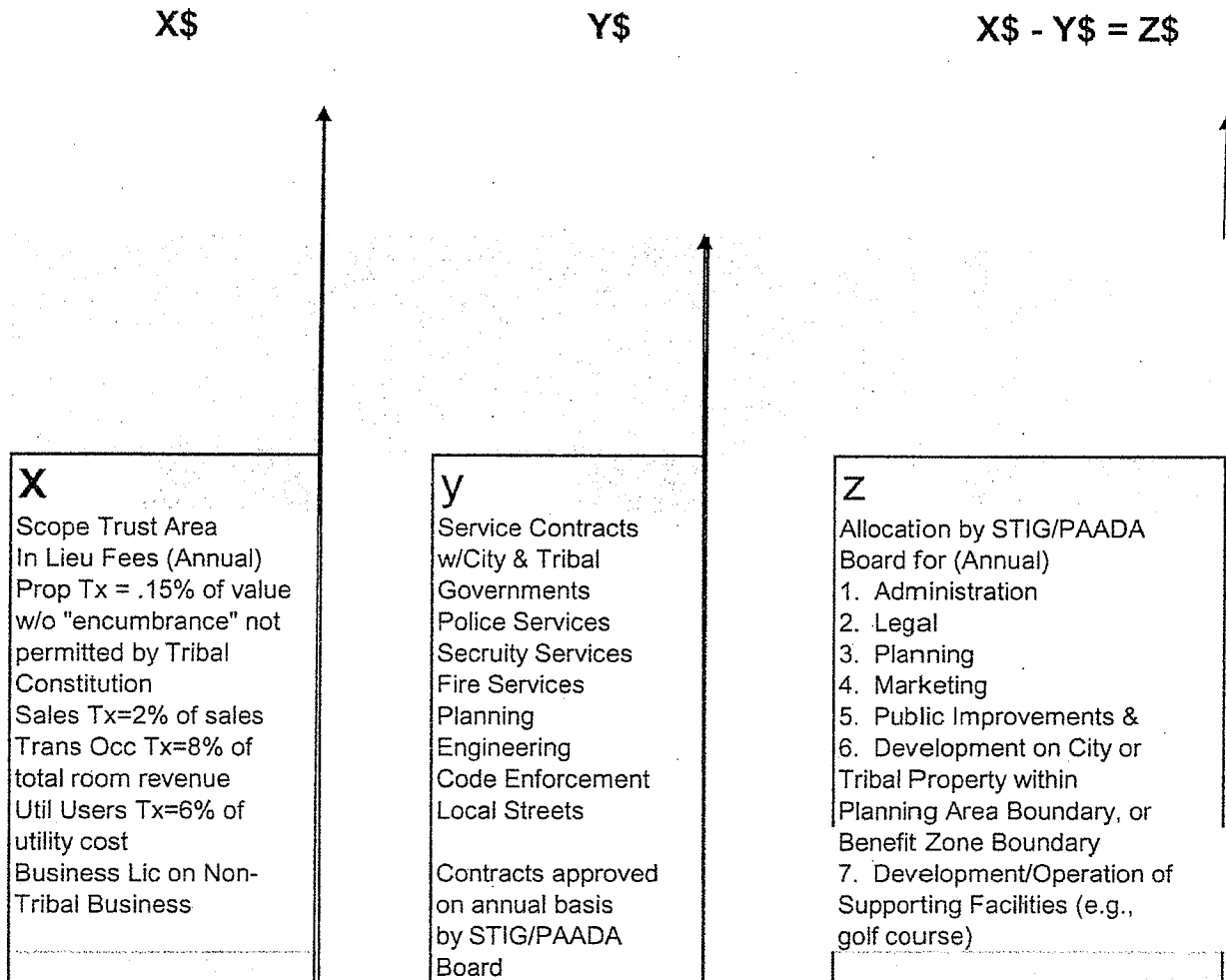
**Benefit Zone: Alt 1.** The Zone of Benefit is described on the attached diagram as an area that has a close relationship to the Primary Zone in that it incorporates adjacent lands and lands following access routes into and out of the area that are wholly or partially within the City jurisdiction. It is mutually agreed upon that, due to its relationship to the Primary Zone, the area could benefit from revenues derived within the Primary Zone that may benefit the area and in return benefit the development within the Primary Zone.

**Alt. 2** As depicted on the attached diagram, the Zone of Benefit is that area that is either wholly or partially within the City's jurisdictional boundaries, and may benefit by revenues generated within the Primary Zone and by funding projects within this zone, may in return, benefit development within the Primary Zone.

**Alt. 3** The Zone of Benefit is identified on the attached Draft PAADA Land Use Area diagram that may benefit by the Resort/Casino Development by the economic success of the project by the use of funds derived within the Primary Zone that will provide resources to undertake projects that will in return benefit development within the Primary Zone.



## SUMMARY OF STIG/PAADA FINANCE MECHANISM



**X** = Monies received from in lieu agreements (revenues)

**Y** = Monies expended by STIG/PAADA for service support agreements between STIG/PAADA and the City or Tribe

**Z** = Remainder monies after support agreements for STIG/PAADA activities for STIG/PAADA Admin, Legal, Planning, and Public Improvements/Development in STIG/PAADA Planning Area or Benefit Zone, and the Development, Maintenance and Operation of Facilities that support Primary Zone Projects (e.g., golf course)





