Agenda Item #: 5A-1

REVISED BACKUP

PALM BEACH COUNTY **BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: July 16, 2013 [X] Regular Consent **Public Hearing** Department: **Legislative Affairs** Submitted By: **Legislative Affairs** Submitted For: **Legislative Affairs**

I. EXECUTIVE BRIEF

Staff requests Board approval on a resolution of the Board of **Motion and Title:** County Commissioners of Palm Beach County, Florida, requesting the Secretary of the United States Department of the Interior to require the application of the two-part determination of the Indian Gaming Regulatory Act (IGRA) to the Seminole Coconut Creek land-into-trusts application

The Seminole Tribe ("Tribe") has developed plans to transform the Summary: Seminole Coconut Creek Casino into one of the largest destination casino resorts in the State of Florida. The Tribe has made application to the United States Department of the Interior to take 45 acres of land into trust for the casino resort complex to develop a proposed 20-story 1,000 room hotel, 2,500 seat showroom, an expanded parking structure, a pool and spa facility, 47,000 square feet of retail, a conference center and associated facilities. This proposal would create more hotel space than there currently is at the Seminole Hard Rock Casino, also in Broward County.

The IGRA requires a "two-part determination" for off-reservation lands to be taken into trust for gaming purposes and permits approval of a land-into-trust application for a "gaming establishment" if the Secretary of the Interior concludes that approval is in the best interest of the tribe, will not be detrimental to the surrounding community, and the Governor of the State concurs. Therefore, Palm Beach County, given its proximity to this project and the potential impact it may have on the southern portion of the county, is supporting this request for a two-part determination. Countywide (DW)

Background and Policy Issues: Because of the potential impact on the southern reaches of Palm Beach County, specifically regarding the amount of traffic that could be created on State Road 7, it is in the best interest of the County to request a two-part determination in accordance with federal regulations.

Attachments:

1. Resolution

Recommended by:

Approved By:

County Administration

II. FISCAL IMPACT ANALYSIS

A. FI	ive Year Summary	or Fiscai imp	Dact: N/A				
	Fiscal Years	20 <u>13</u>	20_14	20 <u>15</u>	20 <u>16</u>	20 <u>17</u>	
Oper Exter Prog	tal Inditures Pating Costs Inal Revenues Income (County Ind Match (County						
NET FISCAL IMPACT0-*		0-	-0-	-0-	0		
	ADDITIONAL FTE ITIONS (Cumulati	ve)					
ls Ite Budg Obje	m Included In Cur get Account No.: ct Re	rent Budget? Fund porting Cate	Yes Depar gory	No tment	Unit		
В.	Recommended	Sources of Fu	ınds/Summ	ary of Fiscal	Impact: N/A		
-}	There is no fiscal	impact associ	ated with th	s item.			
C.	Departmental Fi	scal Review:					
		III. <u>RE</u>	VIEW COMI	<u>MENTS</u>			
A.	OFMB Fiscal and/or Contract Dev. and Control Comments:						
	OFI	UB 94 -12/13	2013 (ontract Dev a	nd Control	7)5/13	
B.	Legal Sufficienc	y:					
<i>C</i> c.	Assistant Goun Other Departme						
	Departme	nt Director					

REVISED 9/03 ADM FORM 01 (THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

RESOLUTION NO. 2013-____

A RESOLUTION OF THE COUNTY COMMISSION OF PALM BEACH COUNTY, FLORIDA REQUESTING THE SECRETARY OF THE UNITED STATES DEPARTMENT OF THE INTERIOR TO REQUIRE THE APPLICATION OF THE TWO-PART DETERMINATION OF THE INDIAN GAMING REGULATORY ACT (IGRA) TO THE SEMINOLE COCONUT CREEK LAND-INTO-TRUSTS APPLICATION

WHEREAS, the Seminole Tribe ("Tribe") has developed plans to transform the Seminole Coconut Creek Casino into one of the largest destination casino resorts in the State of Florida and has made application to the United States Department of the Interior to take 45 acres of land into trust for the casino resort complex; and

WHEREAS, the Tribe's proposal includes a 20-story 1,000 room hotel, 2,500 seat showroom, an expanded parking structure, a pool and spa facility, 47,000 square feet of retail, a conference center and associated facilities; and

WHEREAS, the hotel would have twice as many rooms as the Seminole Hard Rock Hotel & Casino near Hollywood and would be the largest hotel in all of South Florida; and

WHEREAS, IGRA requires a "two-part determination" for off-reservation lands to be taken into trust for gaming purposes and permits approval of a land-into-trust application for a "gaming establishment" if the Secretary of the Interior concludes that approval is in the best interest of the tribe, will not be detrimental to the surrounding community, and the Governor of the State concurs; and

WHEREAS, IGRA's two-part determination is the "normal rule for 'potential gaming purposes" (June 18, 2010 Memorandum).

NOW THEREFORE BE IT RESOLVED BY THE COUNTY COMMISSION OF PALM BEACH COUNTY, FLORIDA THAT:

- **SECTION 1.** The Palm Beach County Commission shall request the United States Secretary of the Interior to require the application of IGRA's two-part determination to the Tribe's land-into-trust application for 45 acres in Coconut Creek.
- **SECTION 2.** The Clerk shall forward this Resolution to the United States Secretary of the Interior immediately, the Governor of the State of Florida, and the Members of the South Florida Congressional Delegation.
- **SECTION 3**. This resolution shall take full force and effect immediately upon its passage and adoption.

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adoption. The motion was seconded by Commissi	oner, and upon being put to a
vote, the vote was as follows:	
Commissioner Steven L. Abrams, Mayor	<u> </u>
Commissioner Priscilla Taylor, Vice Mayor	:
Commissioner Hal Valeche	-
Commissioner Paulette Burdick	
Commissioner Shelley Vana	<u> </u>
Commissioner Mary Lou Berger	<u> </u>
Commissioner Jess Santamaria	<u> </u>
The Mayor thereupon declared the Resoluti	ion duly passed and adopted this day of
, 2013.	
Approved as to Form	
1 1	Palm Beach County, Florida by its
And Legal Sufficiency	Palm Beach County, Florida by its Board of County Commissioners
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