

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Grantees for the Disbursement of the 2020 Gaming Compact  
Section 12(d) 12% Contribution)**

**RESOLUTION NO. 20-305**

1 **WHEREAS,** by Resolution No. 02-562, the Tohono O'odham Nation ("Nation") approved a new  
2 tribal-state gaming compact ("Compact") with the State of Arizona; and

3 **WHEREAS,** pursuant to Section 12 of the Compact, the Nation agreed to make certain tribal  
4 contributions in consideration for substantial exclusivity covenants by the State,  
5 and pursuant to Section 12(d), the Nation agreed to contribute 12% of its total  
6 annual contribution (the "12% Distribution") to cities, towns, and counties for  
7 services that benefit the general public; and

8 **WHEREAS,** pursuant to Section 12(e)(2) of the Compact, the 12% Distribution disbursement  
9 shall be transmitted to the recipient no later than sixty (60) days after the last day  
10 of the Gaming Facility Operator's fiscal year; and

11 **WHEREAS,** Section 7(d) of the Gaming Enterprise Charter, 16 T.O.C. Chapter 2, directs the  
12 Tohono O'odham Gaming Enterprise to "timely pay the contribution required  
13 under Section 12(d) of the Compact in accordance with the directives of the  
14 Legislative Council. The Enterprise shall comply with all accounting, auditing,  
15 and record keeping requirements and obligations of the Nation under the  
16 Compact relating to the payment of regulatory costs and tribal contributions as  
17 required under Section 12 of the Compact."; and

18 **WHEREAS,** the Commerce Committee and the Chairman of the Nation recommend that the  
19 Legislative Council approve awards to grantees for the designated purposes and  
20 in the amounts appearing in the 2020 12% Distribution List, which is  
21 incorporated by this reference.

22 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves  
23 payments to the listed grantees for the purposes identified in the 2020 12%  
24 Distribution List, which shall remain confidential and shall not be reported or  
25 disclosed; provided, that the identity of the organizations receiving individual  
26 awards may be released without disclosing the amount of the 2020 12%  
27 Distribution.

28 **BE IT FURTHER RESOLVED** that if the designated grantees are unable to receive and expend the  
29 12% Distribution in accordance with this resolution and the Compact, the  
30 Commerce Committee and Nation's Chairperson are authorized to jointly  
31 approve amendments to the 2020 12% Distribution List awards, that are solely for  
32 purposes permitted under Section 12(d) of the Compact, and that collectively do  
33 not exceed 10% of the total Distribution amount.

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**(Approving Grantees for the Disbursement of the 2020 Gaming Compact Section 12(d) 12% Contribution)**

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1 **BE IT FURTHER RESOLVED** that the Nation's Chairperson is authorized to administer and  
2 approve grantee requests to reallocate or spend unused remaining funds, that  
3 are solely for purposes permitted under Section 12(d) of the Compact and that fall  
4 within the scope of work identified in the grantee proposal as approved by  
5 Council.

6 **BE IT FURTHER RESOLVED** that the Tohono O'odham Legislative Council authorizes the  
7 Chairman of the Nation to execute grant agreements and related documents with  
8 the grantees as necessary in accordance with the 2020 12% Distribution List and  
9 the terms of this resolution.

10 **BE IT FINALLY RESOLVED** that the Tohono O'odham Gaming Enterprise, in consultation with the  
11 Office of the Chairman, is directed to issue checks in the amounts approved in the  
12 2020 12% Distribution List or as otherwise provided by this resolution to either  
13 the grantee or the flow-through municipality; provided that such checks shall be  
14 issued no later than sixty (60) days after the last day of the Gaming Facility  
15 Operator's fiscal year and shall be mailed via certified mail to the designated  
16 grantees with copies of the approved grant agreements provided to the Office of  
17 the Attorney General.

18 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 17<sup>TH</sup>  
19 day of SEPTEMBER, 2020 at a meeting at which a quorum was present with a vote of 3,175.7 FOR;  
20 -0- AGAINST; [01] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by  
21 Article VI, Section (d)(2) and 1(f) of the Constitution of the Tohono O'odham Nation, adopted by  
22 the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
23 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June  
24 18, 1934 (48 Stat.984).

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26 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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30 Timothy Joaquin, Legislative Chairman

31  
32 18 day of September, 2020

33  
34 ATTEST

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37 Evonne Wilson, Legislative Secretary

38  
39 17 day of September, 2020


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41 Said Resolution was submitted for approval to the office of the Chairman of the Tohono  
42 O'odham Nation on the 18 day of September, 2020 at 2:07 o'clock, p.m.,  
43 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
44 effective upon his approval or upon his failure to either approve or disapprove it within 48  
45 hours of submittal.

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
\_\_\_\_\_  
Timothy Joaquin, Legislative Chairman

APPROVED

on the 21 day of September, 2020

DISAPPROVED

at 3:05 o'clock, P.m.

  
\_\_\_\_\_  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 21 day of

September, 2020, at 4:24 o'clock, P.m.

  
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Evonne Wilson, Legislative Secretary

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**ACTION: APPROVING GRANTEES FOR THE DISBURSEMENT OF THE 2020 GAMING COMPACT SECTION 12(D)  
12% CONTRIBUTION**

**Moved: COUNCILWOMAN JANICE FELIX**

**SECOND: COUNCILWOMAN ALBERTA J. RAY**

**DATE: SEPTEMBER 17, 2020**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling)	192.40	X			
	2. ALBERTA J. RAY (Frances G. Antone)	192.40	X			
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer)	173.75	X			
	2. MARLAKAY HENRY (Billman Lopez)	173.75	X			
GUACHI 279.3	1. VICTORIA HOBBS ( )	139.65	X			
	2. TIMOTHY L. JOAQUIN (Louis L. Johnson)	139.65	X			
GUVO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			
	2. GRACE MANUEL ( )	132.25	X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA ( )	106.90	X			
	2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90	X			
PISINEMO 230.7	1. MONICA K. MORGAN ( )	115.35	X			
	2. MARIETTA MARTIN ( )	115.35	X			
SAN LUCY 235.6	1. GLORIA RAMIREZ ( )	117.80	X			
	2. JANA MONTANA (Lorraine M. Eiler)	117.80	X			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL I.A. PRESTON III (Racheal Vilson-Stoner)	119.45	X			X
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ( )	273.55	X			
	2. ARTHUR WILSON ( )	273.55	X			
SIF OIDAK 244.5	1. LUCINDA ALLEN (Yolonda Garcia)	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X		X	
<b>TOTAL</b>		<b>3,175.7</b>	<b>3,175.7</b>	<b>-0-</b>	<b>[01]</b>	<b>[01]</b>