

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

RESOLUTION NO. 20-400

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, by Resolution No. 20-305, the Legislative Council approved the 2020 12%**
19 **Distribution List that lists grantees for the disbursement of the FY 2020 Gaming**
20 **Compact Section 12(d) 12% Contribution; and**

21 **WHEREAS, the Commerce Committee and the Chairman of the Nation recommend that the**
22 **Legislative Council approve awards to additional grantees for the designated**
23 **purposes and in the amounts appearing in the grantee proposals, which are**
24 **incorporated by this reference.**

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

31 **BE IT FURTHER RESOLVED that if the designated grantees are unable to receive and expend the**
32 **12% Distribution in accordance with this resolution and the Compact, the**
33 **Commerce Committee and Nation's Chairperson are authorized to jointly**
34 **approve amendments to the 2020 12% Distribution List awards, that are solely for**

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1 purposes permitted under Section 12(d) of the Compact, and that collectively do
2 not exceed 10% of the total Distribution amount.

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

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

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

18 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 20TH
19 day of **NOVEMBER, 2020** at a meeting at which a quorum was present with a vote of **2,902.15 FOR;**
20 **273.55 AGAINST; -0- NOT VOTING; and [04] ABSENT**, pursuant to the powers vested in the Council
21 by Article VI, Section 1(d)(2) and 1(f) of the Constitution of the Tohono O'odham Nation, adopted
22 by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy
23 Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the
24 Act of June 18, 1934 (48 Stat.984).

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26 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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30 **Timothy Joaquin, Legislative Chairman**

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32 23 day of November, 2020

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35 **ATTEST:**

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38 **Evonne Wilson, Legislative Secretary**

39 23 day of November, 2020
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1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
2 O'odham Nation on the 23 day of November, 2020 at 3:44 o'clock, p.m.,
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
4 effective upon his approval or upon his failure to either approve or disapprove it within 48
5 hours of submittal.
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7 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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11 **Timothy Joaquin, Legislative Chairman**

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15 **APPROVED**

on the 24 day of November, 2020

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17 **DISAPPROVED**

at 12:25 o'clock, p.m.

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22 **NED NORRIS, JR., CHAIRMAN**
23 **TOHONO O'ODHAM NATION**

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28 **Returned to the Legislative Secretary on the 24 day of**

29 November, 2020, at 1:14 o'clock, p.m.

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33 **Evonne Wilson, Legislative Secretary**

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ACTION: APPROVING ADDITIONAL GRANTEES FOR 2020 GAMING COMPACT SECTION 12(D) 12% CONTRIBUTION

Moved: COUNCILWOMAN GRACE MANUEL

SECOND: COUNCILWOMAN JANICE FELIX

DATE: NOVEMBER 20, 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			
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			X
	2. GRACE MANUEL ()	132.25	X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA ()	106.90	X			
	2. LOUIS R. LOPEZ (<i>Absent</i>) (Delma M. Garcia) (<i>Present</i>)	106.90	X			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 L.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			X
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
TOTAL		3,175.7	2,902.15	273.55	-0-	[04]