

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Grantees for the Disbursement of the 2021 Gaming Compact
Section 12(d) 12% Contribution)**

RESOLUTION NO. 21-410

1 **WHEREAS, by Resolution No. 21-087, the Tohono O'odham Nation ("Nation") affirmed its**
2 **approval of the 2021 amendments to the Tohono O'odham Nation-State of Arizona**
3 **Gaming Compact ("Compact"); and**

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

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

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

19 **WHEREAS, the Commerce Committee and the Chairman of the Nation recommend that the**
20 **Legislative Council approve awards to grantees for the designated purposes and**
21 **in the amounts appearing in the 2021 12% Distribution List, which is**
22 **incorporated by this reference.**

23 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves**
24 **payments to the listed grantees for the purposes identified in the 2021 12%**
25 **Distribution List, which shall remain confidential and shall not be reported or**
26 **disclosed; provided, that the identity of the organizations receiving individual**
27 **awards may be released without disclosing the total amount of the 2021 12%**
28 **Distribution.**

29 **BE IT FURTHER RESOLVED that if the designated grantees are unable to receive and expend the**
30 **12% Distribution in accordance with this resolution and the Compact, the**
31 **Commerce Committee and Nation's Chairperson are authorized to jointly**
32 **approve amendments to the 2021 12% Distribution List awards, that are solely for**

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

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

BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council authorizes the Chairman of the Nation to execute grant agreements and related documents with the grantees as necessary in accordance with the 2021 12% Distribution List and the terms of this resolution.

BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham Gaming Enterprise, in consultation with the Office of the Chairman, is directed to issue checks in the amounts approved in the 2021 12% Distribution List or as otherwise provided by this resolution to either the grantee or the flow-through municipality; provided that such checks shall be issued no later than sixty (60) days after the last day of the Gaming Facility Operator's fiscal year to the designated grantees with copies of the approved grant agreements provided to the Office of the Attorney General.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 14TH day of OCTOBER, 2021 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0- AGAINST; -0- NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council by, Article VI, Section 1(d)(2) and 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

18 day of October, 2021

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ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

15 day of October, 2021

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 18 day of October, 2021 at 10:20 o'clock, a .m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin
Timothy Joaquin, Legislative Chairman

APPROVED

on the 18 day of October, 2021

DISAPPROVED

at 4:25 o'clock, p .m.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19 day of

October, 2021, at 5:00 o'clock, p .m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

**ACTION: APPROVING GRANTEES FOR THE DISBURSEMENT OF THE 2021 GAMING COMPACT SECTION 12(D)
12% CONTRIBUTION**

Moved: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILWOMAN GRACE MANUEL

DATE: OCTOBER 14, 2021

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON ()	278.25	X			
	2. EVELYN JUAN-MANUEL (<i>Absent</i>) (Arvada Liston) (<i>Present</i>)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
	2. JANICE FELIX (Adam P. Andrews)	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUAL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. SANDRA D. ORTEGA (<i>Absent</i>) (Delma M. Garcia) (<i>Present</i>)	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
TOTAL		3,218.0	3,218.0	-0-	-0-	-0-