

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Grantees for the Disbursement of the 2022 Gaming Compact
Section 12(d) 12% Contribution)**

RESOLUTION NO. 22-342

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 2022 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 2022 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 total amount of the 2022 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 2022 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 2022 12% Distribution List and
11 the terms of this resolution.

12 **BE IT FINALLY RESOLVED** that the Tohono O'odham Gaming Enterprise, in consultation with the
13 Office of the Chairman, is directed to issue checks in the amounts approved in the
14 2022 12% Distribution List or as otherwise provided by this resolution to either
15 the grantee or the flow-through municipality; provided that such checks shall be
16 issued no later than sixty (60) days after the last day of the Gaming Facility
17 Operator's fiscal year and shall be mailed via certified mail to the designated
18 grantees with copies of the approved grant agreements provided to the Office of
19 the Attorney General.

20 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15TH**
21 **day of SEPTEMBER, 2022 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;**
22 **~~-0-~~ AGAINST; ~~-0-~~ NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by,**
23 **Article VI, Section 1(d)(2) and 1(f) of the Constitution of the Tohono O'odham Nation, adopted by**
24 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
25 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
26 **18, 1934 (48 Stat.984).**

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28 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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32 **Timothy Joaquin, Legislative Chairman**

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34 20 day of September, 2022
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1 **ATTEST:**

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4 **Evonne Wilson, Legislative Secretary**

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6 20 day of September, 2022

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8 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
9 O'odham Nation on the 20 day of September, 2022 at 4:33 o'clock, P.m.,
10 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
11 effective upon his approval or upon his failure to either approve or disapprove it within 48
12 hours of submittal.

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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18 **Timothy Joaquin, Legislative Chairman**

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22 **APPROVED**

23 on the 22 day of September, 2022


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25 **DISAPPROVED**

26 at 8:46 o'clock, A.m.

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29 **NED NORRIS, JR., CHAIRMAN**
30 **TOHONO O'ODHAM NATION**

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35 Returned to the Legislative Secretary on the 22 day of

36 September, 2022, at 12:20 o'clock, P.m.

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41 **Evonne Wilson, Legislative Secretary**

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**ACTION: APPROVING GRANTEES FOR THE DISBURSEMENT OF THE 2022 GAMING COMPACT SECTION 12(D)
12% CONTRIBUTION****MOVED: COUNCILWOMAN GRACE MANUEL****SECOND: COUNCILMAN DANIEL L.A. PRESTON III****DATE: SEPTEMBER 15, 2022**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF ODAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewycwa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON (<i>Absent</i>) (Shelia Espino) (<i>Present</i>)	278.25	X			
	2. EVELYN JUAN-MANUEL (Arvada Liston)	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 (<i>Absent</i>) (Lorraine M. Eiler) (<i>Present</i>)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. DELMA M. GARCIA ()	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 (<i>Absent</i>) (Billman Lopez) (<i>Present</i>)	175.8	X			X
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (<i>Absent</i>) (Frances G. Antone) (<i>Present</i>)	194.45	X			X
	2. LEANDER MASE (Francine Schooling)	194.45	X			
	TOTAL	3,218.0	3,218.0	-0-	-0-	[02]