

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Appropriating Gaming Savings for Tohono O'odham Ki:Ki Association Operations
in Fiscal Years 2020-2024)**

RESOLUTION NO. 19-152

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation ("Nation") vests the Legislative
2 Council with the power to enact laws "to promote, protect and provide for public
3 health, peace, morals, education and general welfare of the Tohono O'odham
4 Nation and its members" and to "manage any funds within the exclusive control
5 of the Tohono O'odham Nation. . ." (Constitution, Article VI, Section 1(c)(2) and
6 Section 1(d)(2)); and

7 **WHEREAS,** the Tohono O'odham Ki:Ki Association ("TOKA") is the Nation's tribally
8 designated housing entity in accordance with the Native American Housing
9 Assistance and Self-Determination Act of 1996, 25 U.S.C §4101, et seq., P.L. 104-
10 330, 110 Stat. 4016 ("NAHASDA")(18 Tohono O'odham Code Chapter 1); and

11 **WHEREAS,** the Nation receives its share of annual NAHASDA funding via the Indian Housing
12 Block Grant ("IHBG") formula, which is designated to the Tohono O'odham Ki:Ki
13 Association ("TOKA") to provide well constructed and affordable homes for the
14 Nation's members (18 Tohono O'odham Code Chapter 1); and

15 **WHEREAS,** TOKA aggressively seeks additional sources of funds other than the IHBG funds to
16 leverage and develop housing projects; and

17 **WHEREAS,** despite the annual funding provided by NAHASDA and the TOKA's dedicated and
18 continued efforts to seek competitive grant opportunities, the TOKA still faces
19 significant need and a funding shortfall; and

20 **WHEREAS,** the need for additional housing, housing renovations, and emergency housing
21 assistance has always been a priority for the Nation's leadership, but finding
22 sources of revenue to support housing efforts has also been difficult; and

23 **WHEREAS,** TOKA has consulted with each of the Nation's districts in accordance with 26
24 Tohono O'odham Code Chapter 1, Article 3, Section 1301(A); and

25 **WHEREAS,** the Housing and Budget and Finance Committees have reviewed and recommend
26 approval of the TOKA's annual appropriation request.

27 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'odham Legislative Council that it
28 appropriates \$2.5 million annually from gaming savings for fiscal years 2020-
29 2024 to TOKA to support its operations, provided that:

- 30 (1) Payment of \$2,500,000 will be transferred from the Nation to TOKA on
31 October 1, 2019, October 1, 2020, October 1, 2021, October 1, 2022, and
32 October 1, 2023 after the TOKA has satisfied the requirements of 18 Tohono
33 O'odham Code Chapter 1, Article XII and the Nation's treasurer certifies in
34 writing that sufficient funds are available in the gaming savings account
35 to meet all other pending obligations.

RESOLUTION NO. 19-152

(Appropriating Gaming Savings for Tohono O'odham Ki:Ki Association Operations in Fiscal Years 2020-2024)

Page 2 of 3


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2 (2) Funds will be wired to TOKA's account on the date set forth above without
3 further Tohono O'odham Legislative Council action; all funds shall remain
4 assets of the Nation until transferred to TOKA.

5 (3) Pursuant to 26 Tohono O'odham Code Chapter 1, Article 3, Section 1301(A),
6 TOKA shall consult the Nation's districts before requesting another multi-
7 year gaming savings funding request to the Legislative Council
8 committees and Legislative Council.

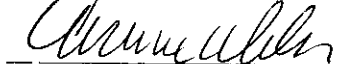
9 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the TOKA shall
10 provide to the Housing and Budget and Finance Committees upon request any
11 TOKA financial records or reports for which disclosure is not prohibited by law,
12 and shall make an annual financial and operational report, including a detailed
13 expenditure report, to the Legislative Council in accordance with 18 Tohono
14 O'odham Code Chapter 1, Article XII.

15 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH
16 day of MAY, 2019 at a meeting at which a quorum was present with a vote of 1,527.95 FOR;
17 1,053.45 AGAINST; 270.9[01] NOT VOTING; and 232.3[06] ABSENT, pursuant to the powers vested
18 in the Council by Article VI, Section 1(c)(2) and Section 1(d)(2) of the Constitution of the Tohono
19 O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by
20 the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant
21 to Section 16 of the Act of June 18, 1934 (48 Stat.984).

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23
24 TOHONO O'ODHAM LEGISLATIVE COUNCIL

25 
26 Timothy Joaquin, Legislative Chairman
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28 13 day of May, 2019
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33 ATTEST:

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36 Evonne Wilson, Legislative Secretary
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38 13 day of May, 2019
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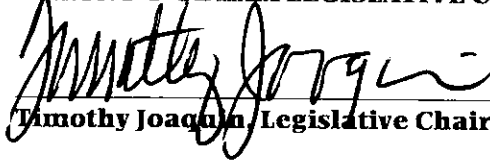
40 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
41 O'odham Nation on the 13 day of May, 2019 at 4:40 o'clock, P.m.,
42 pursuant to the provisions of Section 5 of Article VI of the Constitution and will become
43 effective upon his approval or upon his failure to either approve or disapprove it within 48
44 hours of submittal.
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RESOLUTION NO. 19-152

(Appropriating Gaming Savings for Tohono O'odham Ki:Ki Association Operations in Fiscal Years 2020-2024)

Page 3 of 3

TOHONO O'ODHAM LEGISLATIVE COUNCIL

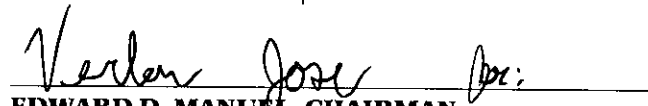

Timothy Joaquin, Legislative Chairman

APPROVED

on the 14 day of May, 2019


DISAPPROVED

at 4:43 o'clock, p. .m.


EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 15 day of

May, 2019, at 1:10 o'clock, p. .m.


Evonne Wilson, Legislative Secretary

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RESOLUTION NO. 19-152

ACTION: APPROPRIATING GAMING SAVINGS FOR TOHONO O'ODHAM KI:KI ASSOCIATION OPERATIONS IN FISCAL YEARS 2020-2024

MOVED: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILMAN LEANDER MASE

DATE: MAY 08, 2019

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ()	117.9	X			X
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON <i>(Absent)</i> (Evelyn Juan Manuel) <i>(Present)</i>	263.6		X		
	2. ADRIANNE TILLER ()	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	92.85	X			
	2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85		X		
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III <i>(Absent)</i> (Felicia Nunez) <i>(Present)</i>	116.15				X
	2. JANICE FELIX <i>(Absent)</i> (Adam Andrews) <i>(Present)</i>	116.15				X
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel)	115.55		X		
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55		X		
PISINEMO 225.9	1. CHESTER ANTONE <i>(Absent)</i> (Caroline D. Garcia) <i>(Present)</i>	112.95	X			
	2. MONICA K. MORGAN ()	112.95	X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (Shirley Molina)	104.5		X		
	2. SANDRA D. ORTEGA ()	104.5		X		X
GU VO 256.9	1. GRACE MANUEL ()	128.45		X		
	2. DALLAS LEWIS (Nacho Flores)	128.45		X		
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN <i>(Absent)</i> (Louis L. Johnson) <i>(Present)</i>	135.45			X	X
	2. LORETTA LEWIS (Victoria Hobbs)	135.45			X	
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL <i>(Absent)</i> (Robertta E. Harvey) <i>(Present)</i>	186.05	X			X
	2. LEANDER MASE (Francine Schooling)	186.05	X			
TOTAL		3,084.6	1527.95	1053.45	270.9	232.3
					[01]	[06]