

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Grantees for the Disbursement of the 2018 Gaming Compact  
Section 12(d) 12% Contribution)**

**RESOLUTION NO. 18-423**

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 on the 2018 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 2018 12%  
24 Distribution List, which shall remain confidential and shall not be reported or  
25 disclosed; provided, that information concerning individual awards may be  
26 released without disclosing the total amount of the 2018 12% Distribution.

27 **BE IT FURTHER RESOLVED** that if the designated grantees are unable to receive and expend the  
28 12% Distribution in accordance with this resolution and the Compact, the  
29 Commerce Committee and Nation's Chairperson are authorized to jointly  
30 approve amendments to 2018 12% Distribution List awards, that are solely for  
31 purposes permitted under Section 12(d) of the Compact, and that collectively do  
32 not exceed 10% of the total Distribution amount.

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**(Approving Grantees for the Disbursement of the 2018 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 2016 12% Distribution List and  
9 the terms of this resolution.

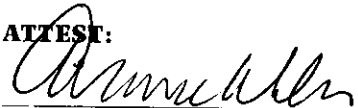
10 **BE IT FINALLY RESOLVED** that the Tohono O'odham Gaming Enterprise, in consultation with the  
11 Office of the Chairman, is directed to issue checks in the amounts approved in the  
12 2018 12% Distribution List or as otherwise provided by this resolution to either  
13 the grantee or the flow-through 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 by the Office of  
17 the Attorney General.

18 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12<sup>TH</sup>  
19 day of OCTOBER, 2018 at a meeting at which a quorum was present with a vote of 2,969.05 FOR;  
20 115.55 AGAINST; -0- NOT VOTING; and [01] 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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29 Timothy Joaquin, Legislative Chairman  
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31 15 day of October, 2018  
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39 **ATTEST:**

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42 Evonne Wilson, Legislative Secretary

43 15 day of October, 2018  
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(Approving Grantees for the Disbursement of the 2018 Gaming Compact Section 12(d) 12% Contribution)

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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 15 day of October, 2018 at 10:35 o'clock, a.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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10 Timothy C. Joaquin for  
11 Timothy Joaquin, Legislative Chairman  
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16  APPROVED

on the 15 day of October, 2018

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18  DISAPPROVED

at 6:06 o'clock, p.m.

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21 Edward D. Manuel  
22 EDWARD D. MANUEL, CHAIRMAN  
23 TOHONO O'ODHAM NATION  
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28 Returned to the Legislative Secretary on the 16 day of

29 October, 2018, at 8:46 o'clock, a.m.

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31 Evonne Wilson  
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34 Evonne Wilson, Legislative Secretary  
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**ACTION: APPROVING GRANTEES FOR THE DISBURSEMENT OF THE 2018 GAMING COMPACT SECTION 12(D)  
12% CONTRIBUTION**

**Moved: COUNCILMAN BILLMAN LOPEZ**

**SECOND: COUNCILWOMAN FRANCES MIGUEL**

**DATE: OCTOBER 12, 2018**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ( )	117.9	X			
	2. LUCINDA ALLEN ( <i>Absent</i> ) (Yolonda Garcia) ( <i>Present</i> )	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel)	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			X
	2. JANICE FELIX ( )	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA ( <i>Absent</i> ) (Diana Manuel) ( <i>Present</i> )	115.55	X			
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55		X		
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	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			
GU VO 256.9	1. GRACE MANUEL ( )	128.45	X			
	2. DALLAS LEWIS ( <i>Absent</i> ) (Nacho Flores) ( <i>Present</i> )	128.45	X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	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 ( <i>Absent</i> ) (Juanita Homer) ( <i>Present</i> )	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			
	2. LEANDER MASE ( <i>Absent</i> ) (Francine Schooling) ( <i>Present</i> )	186.05	X			
<b>TOTAL</b>		<b>3,084.6</b>	<b>2,969.05</b>	<b>115.55</b>	<b>-0-</b>	<b>[01]</b>