

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

**RESOLUTION NO. 04-562**

1 **WHEREAS, by Resolution No. 02-562, the Tohono O'odham Nation ("Nation") approved a new**  
2 **tribal-state gaming compact (the "Compact") with the State of Arizona which**  
3 **authorizes the Nation to expand its gaming operations; and**

4 **WHEREAS, pursuant to Section 12(b) of the Compact, in consideration for the substantial**  
5 **exclusivity covenants by the State in Section 3(h) of the Compact, the Nation agreed**  
6 **to contribute for the benefit of the public twelve percent (12%) of the Nation's Class**  
7 **III Net Win for each fiscal year of the Gaming Facility Operator (the "12%**  
8 **Contribution"); and**

9 **WHEREAS, Section 12(d) of the Compact requires the Nation to make the 12% Contribution in**  
10 **either or both of the following forms:**

11 **i. Distributions to cities, towns or counties for government services that benefit the**  
12 **general public, including public safety, mitigation of impacts of gaming, or**  
13 **promotion of commerce and economic development;**

14 **ii. Deposits to the Arizona Commerce and Economic Development Commission**  
15 **("Arizona CEDC") Local Communities Fund established by A.R.S. §41-1505.12; and**

16 **WHEREAS, the Second Disbursement of the 12% Contribution of \$948,339.00 is due on October**  
17 **25, 2004; and**

18 **WHEREAS, the Chairwoman of the Nation and the Commerce Committee of the Legislative**  
19 **Council recommend approval of the Second Disbursement of the 12% Contribution**  
20 **and the designation of recipients shown below.**

21 **NOW, THEREFORE, BE IT RESOLVED THAT:**

22 **1. The Tohono O'odham Legislative Council hereby directs the Tohono O'odham**  
23 **Gaming Authority to timely make payment of the Second Disbursement of the**  
24 **12% Contribution due to be paid on October 25, 2004 to the Arizona CEDC Local**  
25 **Communities Fund established by A.R.S. §41-1505.12, as provided in Compact**  
26 **Section 12(d)(ii).**

27 **2. The Tohono O'odham Legislative Council hereby approves and designates the**  
28 **following named recipients to receive the amounts shown below totaling**  
29 **\$948,339.00, and requests that the Arizona CEDC disburse the funds in**

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**accordance with the Nation's designation:**

**PIMA COUNTY - \$5,000.00: Friends of Robles Ranch to purchase a 10 x 12 food shed, pour slab and install a cooling unit for Food Bank.**

**UNITED COMMUNITY HEALTH CENTER, INC. (in Pima County) - \$125,509.00: \$51,864.00 for equipment for the newly formed pediatric dental practice and \$73,645.00 to expand building renovations capital campaign for health services in Arivaca, Continental and Three Points.**

**CITY OF TUCSON - \$120,000.00: \$40,000.00 for juvenile and adult book purchases for Pima County Library system, \$30,000.00 for underwriting of a fire safety trailer for children to learn about fire safety and \$50,000.00 to purchase child car seats for fire department.**

**PINAL COUNTY - \$44, 250.00: Purchase of 75 ballistic vests for Pinal County Sheriff's deputies.**

**CITY OF CASA GRANDE - \$50,000.00: Purchase of strategic SWAT vehicle.**

**TOWN OF GILABEND - \$50,000.00: For the design and construction of a Regional Visitors Center and Museum.**

**NORTHERN ARIZONA UNIVERSITY - \$50,000.00: Funding for the Nizhoni Academy to build leadership and academic skills.**

**THE SOUTHERN ARIZONA CENTER AGAINST SEXUAL ASSAULT (in Pima County) - \$60,000.00: A non-profit organization for renovations to expand building for much needed services.**

**CHICANOS POR LA CAUSA (in Pima County) - \$60,000.00: A non-profit organization for annual campaign to strengthen and expand services to underrepresented minority families and children.**

**AMERICAN INDIAN ASSOCIATION, OF TUCSON INC., TUCSON INDIAN CENTER - \$60,000.00: A non-profit organization for educational, training, health, nutrition, services to Native American families and individuals.**

**THE UNIVERSITY OF ARIZONA, NATIVE AMERICAN PROGRAMS - \$75,000.00: Funding to support educational retention and early outreach programs for Native American students.**

**PIMA COMMUNITY COLLEGE - \$39,783.28: Funding to provide Native American**

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student retention programs.

SANTA CRUZ VALLEY UNION HIGH SCHOOL DISTRICT NO. 840 (in City of Eloy) -

\$83,796.72: Funding to provide for the educational needs of lower socio-economic, rural and predominantly minority students.

VISTA DEL RIO NEIGHBORHOOD ASSOCIATION (in City of Tucson) - \$65,000.00:

Funding to assist with expansion and educational programs at Archeology Park.

SANTA CRUZ COUNTY - \$60,000: Funding for outreach project to increase knowledge of services to youth and adults.

3. Any remaining amount in the Second Disbursement of the 12% Contribution shall be held by the Arizona CEDC until receipt of further designation by the Nation for that remaining amount.
4. Each subsequent payment of the 12% Contribution due to be paid shall be made in accordance with the determination of the Legislative Council in consultation with the Chairwoman of the Nation.
5. The payment required under this Resolution shall be made by the Tohono O'odham Gaming Authority in accordance with Section 1304(c) of the Nation's Gaming Ordinance, Ordinance No. 93-01.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 22<sup>ND</sup> Day of OCTOBER, 2004 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2) of Article VI 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

  
Isidro Lopez, Legislative Chairman

22 day of October, 2004

ATTEST:

  
Rosita N. Ruiz, Legislative Secretary

22 day of October, 2004.

**RESOLUTION NO. 04-562**

**(Approving Second Disbursement of the Gaming Compact Section 12(d) 12% Contribution)**

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Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'odham Nation on the 22<sup>nd</sup> day of October, 2004 at 5:47 o'clock, 8 .M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

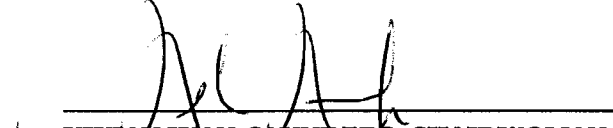
  
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**Isidro Lopez, Legislative Chairman**

APPROVED

on the 25 day of October, 2004

DISAPPROVED

at 9:43 o'clock, A.M.

  
\_\_\_\_\_  
for **VIVIAN JUAN-SAUNDERS, CHAIRWOMAN**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 25 day of

October, 2004, at 9:48 o'clock, A.M.

  
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**Rosita N. Ruiz, Legislative Secretary**

ACTION: APPROVING SECOND DISBURSEMENT OF THE GAMING COMPACT SECTION 12(d) 12% CONTRIBUTION

MOVED: COUNCILMAN VERLON JOSE

SECOND: COUNCILMAN DENNIS JOSE

DATE: OCTOBER 22, 2004

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF Oidak</b> 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30	X			
<b>SELLS</b> 465.6	1. DENNIS E. JOSE ( )	232.80	X			
	2. EVELYN JUAN ( )	232.80	X			
<b>SCHUK TOAK</b> 176.1	1. FRANCES B. CONDE ( )	88.05	X			
	2. PHYLLIS JUAN ( )	88.05	X			
<b>SAN XAVIER</b> 215.4	1. FELICIA NUÑEZ (Olivia Liston-Villegas)	107.70	X			
	2. DENNIS RAMON (Eleanor Hunter)	107.70	X			
<b>SAN LUCY</b> 166.3	1. JOHN W. LAWSON, SR. ( )	83.15	X			
	2. GLORIA RAMIREZ ( )	83.15	X			
<b>PISINEMO</b> 175.4	1. BARBARA SALVICIO ( )	87.70	X			
	2. PATRICIA CRUZ ( )	87.70	X			
<b>HICKIWAN</b> 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			X
	2. SANDRA ORTEGA ( )	85.15	X			
<b>GU VO</b> 191.4	1. RAYMOND VICTOR ( )	95.70	X			
	2. MICHAEL FLORES ** (Willard Manuel)	95.70	X			
<b>GU ACHI</b> 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Roberta Picard)	126.80	X			
<b>CHUKUT KUK</b> 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			
<b>BABOQUIVARI</b> 364.1	1. FRANCES MIGUEL ( Lucilda Norris-Valenzuela )	182.05	X			
	2. FRANCES G. ANTONE ( )	182.05	X			
<b>TOTAL</b>		<b>2,629.7</b>	<b>2,629.7</b>	<b>-0-</b>	<b>-0-</b>	<b>[01]</b>

\*\*PASSED VOTES