

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

RESOLUTION NO. 05-645

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

3 **WHEREAS, as part of Section 12 of the Compact, the Nation did agree to make certain tribal**
4 **contributions in consideration for substantial exclusivity covenants by the State; and**

5 **WHEREAS, on September 12th, pursuant to Section 12(d) of the Compact the Nation agreed to**
6 **contribute twelve percent of the tribal contribution (the "12% Distribution") to cities,**
7 **towns, and counties, for government services that benefit the general public; and**

8 **WHEREAS, pursuant to Section 12(d), the Council did pass Resolution 05-479, in which certain**
9 **grantees were preapproved by the Council for the purposes of beginning negotiating**
10 **of final grant agreements; and**

11 **WHEREAS, since September 12th for various reasons, only a portion of the approved grantees**
12 **have successfully completed negotiation of the Grant Agreements and subsequently**
13 **provided copies of the signed agreements to the Nation; and**

14 **WHEREAS, it is in the best interest of the Nation to promptly make as many as is possible of the**
15 **12% Distributions to the recipient city, town, or county; and**

16 **WHEREAS, one of the grants, in the amount of \$30,000.000, was inadvertently left out of**
17 **Resolution 05-479 and Resolution 05-479 incorrectly states the amount of the Nation's**
18 **2005 12% distribution; and**

19 **WHEREAS, the correct amount of the Nation's 12% distribution for fiscal year 2005 should be**
20 **\$1,100,000.00; and**

21 **WHEREAS, unknown to the Committee who recommended the grantees to the Council, one of the**
22 **grantees, the Green Valley Community Emergency Response Team, which was**
23 **recommended for a grant in the amount of \$15,000.00 for various emergency and**
24 **training supplies, is not incorporated as a legal entity and as such has no legal**
25 **authority to enter into a Grant Agreement, and accordingly the Green Valley**
26 **Community Emergency Response Team should be unapproved for any grant funding**
27 **until they become a legal entity recognized by some appropriate jurisdiction.**

28

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1 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves**
2 **immediate direct grant funding for the following named recipients of the 12%**
3 **Distribution funding, who have provided the Nation a copy of the signed Grant**
4 **Agreement, and does direct the Tohono O'odham Gaming Enterprise to issue checks**
5 **to the recipients in the amounts shown below, totaling \$669,000.00 dollars in**
6 **accordance with the Nation's designated purpose, with the understanding that**
7 **additional grants in the combined amount of \$431,000.00, will be brought forward as**
8 **signed Agreements are provided until the Nation's complete 12% contribution in the**
9 **amount of \$1,100,000.00 is made:**

- 10 1) **City of Douglas - \$25,000.00: for the Youth Activities Fund to establish a**
11 **revolving fund to assist children of low-income families to pay the costs of youth**
12 **activities.**
- 13 2) **City of Sierra Vista - \$6,000.00: to replace antiquated Firearms Training Systems**
14 **for the Sierra Vista Police Department.**
- 15 3) **City of South Tucson - \$200,000.00: to purchase a garbage truck.**
- 16 4) **Town of Clifton - \$12,500.00: to purchase a replacement animal control vehicle.**
- 17 5) **Town of Duncan - \$60,000.00: to purchase two heavy duty machines for the**
18 **Public Works Department.**
- 19 6) **Town of Oro Valley - \$206,500.00: to build a low wall to protect the Honey Bee**
20 **Village Archeological Preserve Wall and Fence Project.**
- 21 7) **Town of Sahuarita - \$50,000.00: for the Sahuarita School District to improve two**
22 **portable structures on a school campus for the before school after school LINK**
23 **program.**
- 24 8) **Green Valley Community Coordinating Council, Inc. - \$44,000.00: to purchase**
25 **a van and make conversions on it so that it is accessible for those in**
26 **wheelchairs.**
- 27 9) **The Santa Cruz Valley Historic Museum, Inc. - \$10,000.00: to restore the**
28 **historical Toltec Elementary School to act as a joint museum and visitor's**
29 **center.**

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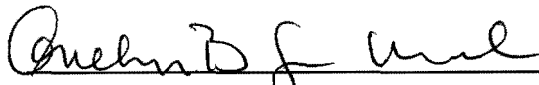
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10) Southeast Arizona Medical Center - \$55,000.00: to help pay for renovations to the Southeast Arizona Medical Center to install a kidney dialysis center.

BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council hereby rescinds the prior approval to begin grant negotiations with the Greater Green Valley Community Emergency Response Team (GGV-CERT) for the amount of \$15,000.00, to purchase emergency and training supplies and a trailer for emergency response and for training and outreach programs, because the GGV-CERT is not a legally established entity.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 20TH Day of OCTOBER, 2005 at a meeting at which a quorum was present with a vote of 2,271.8 FOR; -0- AGAINST; 169.0 NOT VOTING; and [04] 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



Evelyn B. Juan Mannel, Legislative Chairwoman

20th day of October, 2005

ATTEST:

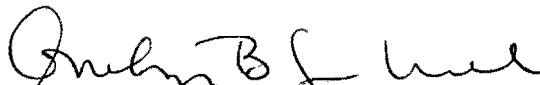


Lucille Lopez, Acting Legislative Secretary

20th day of October, 2005.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 20th day of October, 2005 at 4:31 o'clock, P.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



Evelyn B. Juan Manuel, Legislative Chairwoman

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APPROVED

on the 20 day of October, 2005

DISAPPROVED

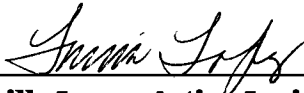
at 4:41 o'clock, P.M.



**VIVIAN JUAN SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 20~~th~~ day of

October, 2005, at 4:49 o'clock, P.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING FINAL AGREEMENTS FOR PART OF THE GAMING COMPACT SECTION 12(D), 12% CONTRIBUTION DISBURSEMENT

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILWOMAN FRANCES CONDE

DATE: OCTOBER 20, 2005

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|----------------------|--|-----------------|----------------|------------|--------------|-------------|
| BABOQUIVARI 310.8 | 1. FRANCES MIGUEL () | 155.40 | X | | | |
| | 2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris)) | 155.40 | X | | | |
| CHUKUT KUK 258.7 | 1. ETHEL GARCIA () | 129.35 | X | | | |
| | 2. VERLON M. JOSE (David Garcia) | 129.35 | X | | | X |
| GU ACHI 221.6 | 1. TIMOTHY L. JOAQUIN (Jonas Robles) | 110.80 | X | | | |
| | 2. CYNTHIA E. MANUEL (Louis L. Johnson) | 110.80 | X | | | X |
| GU VO 193.1 | 1. RAYMOND VICTOR () | 96.55 | X | | | |
| | 2. MICHAEL FLORES (Grace Manuel) | 96.55 | X | | | |
| HICKIWAN 167.4 | 1. DELMA GARCIA (Mary E. Sam) | 83.70 | X | | | |
| | 2. SANDRA ORTEGA () | 83.70 | X | | | X |
| PISINEMO 171.8 | 1. BARBARA SALVICIO () | 85.90 | X | | | X |
| | 2. GERALD FAYUANT () | 85.90 | X | | | |
| SAN LUCY 169.0 | 1. JOHN W. LAWSON, SR. () | 84.50 | | | X | |
| | 2. GLORIA RAMIREZ () | 84.50 | | | X | |
| SAN XAVIER 193.8 | 1. FELICIA NUÑEZ () | 96.90 | X | | | |
| | 2. OLIVIA VILLEGAS-LISTON () | 96.90 | X | | | |
| SCHUK TOAK 146.9 | 1. FRANCES B. CONDE () | 73.45 | X | | | |
| | 2. PHYLLIS JUAN () | 73.45 | X | | | |
| SELLS 421.0 | 1. DENNIS E. JOSE () | 210.50 | X | | | |
| | 2. EVELYN B. JUAN MANUEL () | 210.50 | X | | | |
| SIF OIDAK 186.7 | 1. WAVALENE SAUNDERS (Isidro Lopez) | 93.35 | X | | | |
| | 2. DARLENE ANDREW (Rita Martinez) | 93.35 | X | | | |
| TOTAL | | 2,440.80 | 2,271.8 | -0- | 169.0 | [04] |

**PASSED VOTES