

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Appropriating \$13,500,000 from Gaming Savings to Tohono O'odham Community College  
for Fiscal Years 2008 thru 2012)**

**RESOLUTION NO. 07-521**

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to enact laws "to**  
2 **promote, protect, and provide for public health, peace, morale, education and general**  
3 **welfare of the Tohono O'odham Nation and its members" (Article VI, Section 1(c)(2), of**  
4 **the Constitution of the Tohono O'odham Nation); and**

5 **WHEREAS, by Resolution 98-006, the Tohono O'odham Nation approved the Ordinance No. 98**  
6 **enacting the Charter and establishment of Tohono O'odham Community College**  
7 **(TOCC) in January 1998; and**

8 **WHEREAS, a Board of Trustees was appointed; and**

9 **WHEREAS, the majority of Districts supported the total funding of \$16,834,974 during the past**  
10 **eight years of TOCC's operation from gaming savings as shown below; and**

<b>Tohono O'odham Community College</b>			
<b><u>Long-Term Financial Plan: Fiscal Years 2000 - 2007</u></b>			
<b>Fiscal Year</b>	<b>Nation</b>	<b>Nation Appropriation</b>	<b>Resolutions</b>
	<b>Appropriations</b>	<b>Percent of Total</b>	
		<b>Operation Budget</b>	
14 <b>FY 1999 - 2000</b>	<b>1,404,995</b>	<b>99%</b>	<b>No. 98-328</b>
15 <b>FY 2001</b>	<b>2,927,355</b>	<b>86%</b>	<b>No. 01-211</b>
16 <b>FY 2002</b>	<b>3,320,165</b>	<b>81%</b>	
17 <b>FY 2003</b>	<b>2,682,208</b>	<b>64%</b>	
18 <b>FY 2004</b>	<b>2,789,405</b>	<b>61%</b>	
19 <b>FY 2005</b>	<b>2,734,236</b>	<b>59%</b>	<b>No. 04-281</b>
20 <b>FY 2006</b>	<b>2,700,957</b>	<b>56% -&gt; 49.5% (actual)</b>	
21 <b>FY 2007</b>	<b><u>2,608,003</u></b>	<b>52%</b>	
22 <b>TOTAL</b>	<b><u>16,834,974</u></b>		

23 **WHEREAS, by Resolutions 98-328 and 01-211, the Tohono O'odham Nation allocated funds to the**  
24 **College in its first five years of \$1.4 million, 2.9 million, 3.3 million, 2.6 million, and 2.7**  
25 **million, respectively; and**

26 **WHEREAS, by Resolution 04-281, the Tohono O'odham Nation allocated additional funds to the**  
27 **College in its next three years of \$2.7 million, 2.7 million, and 2.6 million, respectively;**  
28 **and**

29 **WHEREAS, for Fiscal Year 2006, the College bypassed the Arizona Community College's funding**  
30 **model of 57% and TOCC's five-year financial plan benchmark of 56% with 49.5% of the**  
31 **core funding from the Tohono O'odham Nation; and**

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1 **WHEREAS, the College has made significant progress by accomplishing the following milestones**  
2 **since its establishment:**

- 3 • **In record time, achieved Initial Candidacy for Accreditation in 2003 and achieved**
- 4 **Full Accreditation in 2005**
- 5 • **Held seven graduation ceremonies during years of 2001 through 2007**
- 6 • **Approved for regular membership in AIHEC**
- 7 • **Developed Information Technology Strategic Plan**
- 8 • **Gained Eligible for PL95-471 Tribal College Act Funding**
- 9 • **Offered *Pathways to Leadership* Business Degree courses on-site to 24 Desert**
- 10 **Diamond Casino Employees**
- 11 • **Selected Permanent Campus Site**
- 12 • **Received \$700,000 Teaching for O'odham Program is assisting 15 teaching**
- 13 **assistants within the BIA schools**
- 14 • **Placed twelve new teachers on or near the Tohono O'odham Nation through Project**
- 15 **Native I grant of \$1,744,107.**
- 16 • **Received \$1,000,000 USDE discretionary Project Native II grant to train 20 Tohono**
- 17 **O'odham / American Indian Teachers**
- 18 • **Received \$3.4 million USDE discretionary Project Native III grant to train 51 Tohono**
- 19 **O'odham / American Indian Teachers, Special Education Teachers, and School**
- 20 **Administrators.**
- 21 • **Received \$105,000 Honoring Our Health: Tribal Colleges and Communities Working**
- 22 **Together To Prevent Diabetes; and**
- 23 • **Received \$1.7 million USDE Title III grant to develop science programs that are**
- 24 **laboratory based**
- 25 • **Gained Approval from the Office of Veterans' Education for to offer veterans'**
- 26 **educational benefits at TOCC**
- 27 • **Awarded "Best Rural Program in State" for its Apprenticeship Building Trades**
- 28 **Program; and**

29 **WHEREAS, the Board of Trustees has approved the strategic plan for fiscal years 2005 to 2009; and**

30 **WHEREAS, the College has set the following priorities:**

- 31 • **Advance the capital campaign for planned new campuses**
- 32 • **Complete building and landscape designs for the campuses.**
- 33 • **Increase student enrollment and retention. Implement a marketing plan that**
- 34 **make recruitment a top priority**
- 35 • **Develop the Tohono O'odham Studies program and a degree in Administrative**
- 36 **Justice; and**

37  
38 **WHEREAS, TOCC has attended 11 District Council meetings during the last five months, has**  
39 **sought support by District Council resolution for its request for gaming savings or any**  
40 **other funding formula devised by the Legislative Council and has received support**  
41 **from the following districts: Sif-Oidak, Pisinemo, San Lucy, Chukut Kuk, Hickiwan, San**  
42 **Xavier, Sells, and Baboquivari; and**

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1 **WHEREAS, TOCC has also briefed the Nation's Chairman, who supports the requested**  
2 **appropriation; and**

3 **WHEREAS, long-term financial stability is required for accreditation by the North Central**  
4 **Association/Higher Learning Commission; and**

5 **WHEREAS, TOCC is requesting the Nation's financial assistance, through the use of gaming**  
6 **savings, to assist TOCC in carrying out its mission to provide higher education services**  
7 **to members of the Tohono O'odham Nation in the following amounts:**

<u>Transfer Date</u>	<u>Amount of Transfer</u>
August 10, 2007	\$2,700,000
July 1, 2008	\$2,700,000
July 1, 2009	\$2,700,000
July 1, 2010	\$2,700,000
July 1, 2011	\$2,700,000

14 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**  
15 **appropriates \$13,500,000 from the Nation's Desert Diamond Savings Account to the**  
16 **TOCC, subject to the following conditions:**

- 17 **1. The \$13,500,000 appropriated herein shall remain an asset of the Nation until**  
18 **transferred to TOCC but shall not otherwise be available for distribution or**  
19 **expenditure by the Nation;**
- 20 **2. the interest and income derived from the \$13,500,000 appropriation shall not be**  
21 **transferred to TOCC but shall remain assets of the Nation and shall accrue to the**  
22 **Desert Diamond Savings Account; and**
- 23 **3. the \$13,500,000 appropriation shall be wired to TOCC's account in five separate**  
24 **payments on or within five business days of the following dates without further**  
25 **Tohono O'odham Legislative Council action:**

<u>Transfer Date</u>	<u>Amount of Transfer</u>
August 10, 2007	\$2,700,000
July 1, 2008	\$2,700,000
July 1, 2009	\$2,700,000
July 1, 2010	\$2,700,000
July 1, 2011	\$2,700,000

- 32 **4. all funds appropriated to TOCC shall be managed and expended in accordance**  
33 **with the Tohono O'odham Community College Charter.**

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09<sup>TH</sup>. Day of AUGUST, 2007 at a meeting at which a quorum was present with a vote of 2,207.0 FOR; -0- AGAINST; 327.5 NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1 (c)(2) and (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

  
Verlon M. Jose, Legislative Chairman

27 day of August, 2007

ATTEST:

  
Lucille Lopez, Acting Legislative Secretary

27<sup>th</sup> day of August, 2007.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 27 day of August, 2007 at 4:14 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

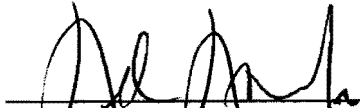
  
Verlon M. Jose, Legislative Chairman

APPROVED

on the 28 day of August, 2007

DISAPPROVED

at 10:29 o'clock, P.M.

  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

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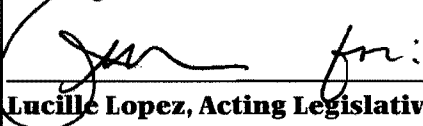
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Returned to the Legislative Secretary on the 28<sup>th</sup> day of

August, 2007, at 12:36 o'clock, P.M.

  
Lucille Lopez, Acting Legislative Secretary

**ACTION: APPROPRIATING \$13,500,000 FROM GAMING SAVINGS TO TOHONO O'ODHAM COMMUNITY COLLEGE FOR FISCAL YEARS 2008 THRU 2012**

**MOVED: VICE CHAIRWOMAN FELICIA NUNEZ**

**SECOND: COUNCILWOMAN OLIVIA VILLEGAS-LISTON**

**DATE: AUGUST 09, 2007**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE ( )	158.45	X			X
<b>CHUKUT KUK</b> 264.8	1. ETHEL GARCIA ( )	132.40	X			X
	2. VERLON M. JOSE ( )	132.40	X			
<b>GU ACHI</b> 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95			X	
	2. CYNTHIA E. MANUEL ( )	113.95			X	X
<b>GU VO</b> 199.2	1. GRACE MANUEL ( )	99.60			X	
	2. MICHAEL FLORES ( )	99.60	X			
<b>HICKIWAN</b> 172.0	1. MICHELLE ORTEGA ( )	86.00	X			
	2. SANDRA ORTEGA ( )	86.00	X			
<b>PISINEMO</b> 182.4	1. CHESTER ANTONE ( )	91.20	X			
	2. GERALD FAYUANT ( )	91.20	X			
<b>SAN LUCY</b> 181.1	1. LORRAINE EILER ( )	90.55	X			
	2. GLORIA RAMIREZ ( )	90.55	X			
<b>SAN XAVIER</b> 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
<b>SCHUK TOAK</b> 154.6	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
<b>SELLS</b> 444.7	1. KIMBERLY LISTO ( )	222.35	X			
	2. EVELYN B. JUAN MANUEL ( )	222.35	X			X
<b>SIF OIDAK</b> 194.4	1. WAVALENE ROMERO ( )	97.20	X			
	2. MARY LOPEZ ( )	97.20	X			
<b>TOTAL</b>		<b>2,534.5</b>	<b>2,207.0</b>	<b>-0-</b>	<b>327.5</b>	<b>[04]</b>

**\*\*PASSED VOTES**