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

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

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

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

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

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

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

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

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

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

(1) Payment of $2,500,000 will be transferred from the Nation to TOKA on October 1, 2019, October 1, 2020, October 1, 2021, October 1, 2022, and October 1, 2023 after the TOKA has satisfied the requirements of 18 Tohono O'odham Code Chapter 1, Article XII and the Nation's treasurer certifies in writing that sufficient funds are available in the gaming savings account to meet all other pending obligations.
(2) Funds will be wired to TOKA's account on the date set forth above without further Tohono O'odham Legislative Council action; all funds shall remain assets of the Nation until transferred to TOKA.

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

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

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08th day of MAY, 2019 at a meeting at which a quorum was present with a vote of 1,527.95 FOR; 1,053.45 AGAINST; 270.90[01] NOT VOTING; and 232.30[06] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(c)(2) and Section 1(d)(2) 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

[Signature]

Timothy Joaquins, Legislative Chairman

13 day of May, 2019

ATTN:

[Signature]

Evonne Wilson, Legislative Secretary

13 day of May, 2019

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 15 day of May, 2019 at 4:10'o'clock, AM, pursuant to the provisions of Section 5 of Article VI 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.
RESOLUTION NO. 19-152
(Appropriating Gaming Savings for Tohono O'odham Ki:Ki Association Operations in Fiscal Years 2020-2024)
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[ ] APPROVED

on the__day of__May, 2019

at__4:43 o'clock, __p.m.

EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

[ ] DISAPPROVED

Returned to the Legislative Secretary on the__day of

__May, 2019, at__1:10 o'clock, __p.m.

Evonne Wilson, Legislative Secretary
**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

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

**TOTAL** 3,084.6 1527.95 1053.45 270.9 [01] 232.3 [06]