

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Grantees for the Disbursement of the 2023 Gaming Compact  
Section 12(d) 12% Contribution)**

**RESOLUTION NO. 23-296**

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2 **WHEREAS,** by Resolution No. 21-087, the Tohono O'odham Nation ("Nation") affirmed its  
3 approval of the 2023 amendments to the Tohono O'odham Nation-State of Arizona  
4 Gaming Compact ("Compact"); and

5 **WHEREAS,** pursuant to Section 12 of the Compact, the Nation agreed to make certain tribal  
6 contributions in consideration for substantial exclusivity covenants by the State,  
7 and pursuant to Section 12(d), the Nation agreed to contribute 12% of its total  
8 annual contribution (the "12% Distribution") to cities, towns, and counties for  
9 services that benefit the general public; and

10 **WHEREAS,** pursuant to Section 12(e)(2) of the Compact, the 12% Distribution disbursement  
11 shall be transmitted to the recipient no later than sixty (60) days after the last day  
12 of the Gaming Facility Operator's fiscal year; and

13 **WHEREAS,** Section 7(d) of the Gaming Enterprise Charter, 16 T.O.C. Chapter 2, directs the  
14 Tohono O'odham Gaming Enterprise to "timely pay the contribution required  
15 under Section 12(d) of the Compact in accordance with the directives of the  
16 Legislative Council. The Enterprise shall comply with all accounting, auditing  
17 and record keeping requirements and obligations of the Nation under the  
18 Compact relating to the payment of regulatory costs and tribal contributions as  
19 required under Section 12 of the Compact."; and

20 **WHEREAS,** the Commerce Committee and the Nation's Chairman recommend that the  
21 Legislative Council approve awards to grantees for the designated purposes and  
22 in the amounts appearing in the Recommendations for 12% Proposals - 2023  
23 Memorandum (the "2023 12% Distribution List"), which is incorporated by this  
24 reference.

25 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves  
26 payments to the listed grantees for the purposes identified in the 2023 12%  
27 Distribution List, which shall remain confidential and shall not be reported or  
28 disclosed; provided, that the identity of the organizations receiving individual  
29 awards may be released without disclosing the total amount of the 2023 12%  
30 Distribution.

31 **BE IT FURTHER RESOLVED** by the Tohono O'odham Legislative Council that if the designated  
32 grantees are unable to receive and expend the 12% Distribution in accordance  
33 with this resolution and the Compact, the Commerce Committee and Nation's

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**(Approving Grantees for the Disbursement of the 2023 Gaming Compact Section 12(d) 12% Contribution)**

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1 Chairman are authorized to jointly approve amendments to the 2023 12%  
2 Distribution List awards, that are solely for purposes permitted under Section  
3 12(d) of the Compact, and that collectively do not exceed 10% of the total  
4 Distribution amount.

5 **BE IT FURTHER RESOLVED** by the Tohono O'odham Legislative Council that the Nation's  
6 Chairman is authorized to administer and approve grantee requests to reallocate  
7 or spend unused remaining funds, that are solely for purposes permitted under  
8 Section 12(d) of the Compact and that fall within the scope of work identified in  
9 the grantee proposal as approved by Council; provided that the Chairman shall  
10 promptly submit a written report of all such reallocations or expenditures by  
11 grantees to the Commerce and Budget and Finance Committees and Nation's  
12 treasurer.

13 **BE IT FURTHER RESOLVED** that the Tohono O'odham Legislative Council authorizes the  
14 Nation's Chairman to execute grant agreements and related documents with the  
15 grantees as necessary in accordance with the 2023 12% Distribution List and the  
16 terms of this resolution.

17 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the Tohono O'odham  
18 Gaming Enterprise, in consultation with the Office of the Chairman, is directed to  
19 issue checks in the amounts approved in the 2023 12% Distribution List or as  
20 otherwise provided by this resolution to either the grantee or the lowthrough  
21 municipality; provided that such checks shall be issued no later than sixty (60)  
22 days after the last day of the Gaming Facility Operator's fiscal year to the  
23 designated grantees with copies of the approved grant agreements provided to  
24 the Office of the Attorney General.

25 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08<sup>TH</sup>**  
26 **day of AUGUST 2023 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;**  
27 **-0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by,**  
28 **Article VI, Section 1(d)(2) and 1(f) of the Constitution of the Tohono O'odham Nation, adopted by**  
29 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
30 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
31 **18, 1934 (48 Stat.984).**

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

*Alberta J. Ray*  
Alberta J. Ray, Legislative Vice Chairwoman

9 day of August, 2023

**ATTEST:**

*Evonne Wilson*  
Evonne Wilson, Legislative Secretary

9 day of August, 2023

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 9 day of August, 2023 at 3:20 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**

*Alberta J. Ray*  
Alberta J. Ray, Legislative Vice Chairwoman

**APPROVED**

on the 10 day of August, 2023

**DISAPPROVED**

at 8:25 o'clock, a.m.

*Ned Norris, Jr.*  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 10 day of

August, 2023, at 12:34 o'clock, p.m.

*Evonne Wilson*  
Evonne Wilson, Legislative Secretary

**ACTION: APPROVING GRANTEES FOR THE DISBURSEMENT OF THE 2023 GAMING COMPACT SECTION 12(D)  
12% CONTRIBUTION****MOVED: COUNCILWOMAN JANICE FELIX****SECOND: COUNCILWOMAN GRACE MANUEL****DATE: AUGUST 08, 2023**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF ODAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. SHEILA ESPINO ( )	278.25	X			
	2. EVELYN JUAN MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III ( )	121.3	X			
	2. JANICE FELIX ( )	121.3	X			
SAN LUCY 243.8	1. LORRAINE M. EILER ( )	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ( )	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ( )	108.3	X			X
	2. DELMA M. GARCIA ( )	108.3	X			
GU VO 270.7	1. GRACE MANUEL ( )	135.35	X			
	2. DALLAS LEWIS ( )	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ( )	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
	<b>TOTAL</b>	<b>3,218.0</b>	<b>3,218.0</b>	<b>-0-</b>	<b>-0-</b>	<b>[01]</b>