



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: October 18, 2016

Pima County Resolution to Approve Acceptance of Tohono O'odham Nation State-Shared Revenue Program
Title: Funds and Pass-Through to the Non-Profit Entities in Pima County Designated as "Grantees" by the Tohono O'odham Nation

Introduction/Background:

In 2002, Arizona voters passed Proposition 202, which allows for the continuation of limited Indian gaming on tribal lands in Arizona. Under Proposition 202, Arizona tribes also agreed to share a portion of their revenues. Of the revenues shared, 12 percent can be made available to cities, towns, counties, or non-profits for purposes benefiting the general public (also known as "State-Shared Revenue Program"). For its 2016 revenue sharing, the Tohono O'odham Nation (Nation) has designated several non-profits (Grantees). These nonprofits must develop grant-in-aid agreements with a local jurisdiction. Recently, the Nation communicated to Pima County (County) that all such agreements must be executed no later than November 18, 2016.

Discussion:

The November 18, 2016 deadline set by the Nation is much earlier than usual. Additionally, these grant awards were announced later than usual, and the County Board of Supervisors does not meet in November prior to the deadline. Finally, the Nation has not yet presented the County with all the completed agreements to execute for the 2016 Grantees.

Conclusion:

Given the time constraints described above, it is in the best interests of County residents to commit in advance to working with all nonprofits that: 1) are 2016 Nation Grantees of 12-percent grant funds; and 2) wish to work with Pima County as the "pass-through" jurisdiction for these funds.

Recommendation:

The recommended resolution directs County staff to work with the Nation to negotiate terms of and obtain the agreements for the distribution of 2016 12-percent grant funds to Grantees. This resolution also authorizes the Chair of the Board of Supervisors to execute all documents related to said agreements.

Fiscal Impact:

Currently, eleven 2016 Grantees would like to work with the County as the pass-through local government. The total 2016 grant awards designated by the Nation for these Grantees is \$312,539.95. This amount may increase as additional Grantees request the County as the pass-through jurisdiction.

Board of Supervisor District:

1 2 3 4 5 All

Department: CED/Grants and Data Office

Telephone: (520) 724-6679

Department Director Signature/Date:

[Signature] 10/7/16

Deputy County Administrator Signature/Date:

[Signature] 10/10/16

County Administrator Signature/Date:

[Signature] 10/10/16

RESOLUTION 2016 - _____

PIMA COUNTY RESOLUTION TO APPROVE ACCEPTANCE OF TOHONO O'ODHAM NATION STATE-SHARED REVENUE PROGRAM FUNDS AND PASS-THROUGH TO THE NON-PROFIT ENTITIES IN PIMA COUNTY DESIGNATED AS "GRANTEES" BY THE TOHONO O'ODHAM NATION

The Board of Supervisors of Pima County, Arizona finds:

1. Pursuant to A.R.S. § 5-601.02, the Tohono O'odham Nation ("the Nation") and the State of Arizona have entered into a compact requiring a certain portion of funds generated from gaming operations of the Nation be distributed to governments or 501(c)(3) organizations or entities for services benefitting the general public, including public safety, promotion of commerce and economic development ("State-Shared Revenue Program").
2. The Nation has awarded grants from the State-Shared Revenue Program to several non-profit entities in Pima County ("Grantees").
3. The Nation will provide these grants to Pima County ("County") and County agrees to accept the grant awards and to pass the grant funds through to the Grantees designated by the Nation.
4. The State-Shared Revenue Program grant cycle requires that all agreements between the Nation and County for the acceptance and pass-through of the grants from the State Shared Revenue be executed by the Nation, County and the Grantees no later than November 18, 2016.
5. The Nation has not yet presented County with completed agreements to execute for all of the designated non-profit recipients and the Board of Supervisors does not meet in November prior to the November 18 deadline.
6. It is in the best interests of the residents of Pima County to accept all State-Shared Revenue Program grant funds provided for the Grantees selected by the Nation and to pass-through those grant funds for the purposes established by the Nation.

NOW, THEREFORE, BE IT RESOLVED, that:

- A. Staff is directed to work with the Nation to negotiate the terms of and obtain the agreements for the distribution of State-Shared Revenue Program grant funds.

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B. The Chair of the Board of Supervisors is authorized to execute all necessary agreements and other documents, if any, with the Tohono O'odham Nation to accept and pass-through State-Shared Revenue Program grant funds to the non-profit organizations designated by the Nation for specified activities.

Passed and adopted, this _____ day of October, 2016.

Chair, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM

Clerk of the Board



Karen S. Friar, Deputy County Attorney