



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: August 10, 2021

**Pima County Resolution to Approve Acceptance of Tohono O'odham Nation State-Shared Revenue
Title: Program 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"). Tohono O'odham Nation ("Nation") intends to designate non-profits, and County departments as ("Grantees") for this 2021 revenue sharing cycle. To comply with A.R.S. § 5-601.02, nonprofits must develop grant-in-aid agreements with a local jurisdiction. Per the Request for Proposal (RFP), all such agreements must be executed no later than September 30, 2021.

Discussion:

The Nation intends to announce recipients by September 17, 2021. This resolution will allow expedient processing of the grant-in-aid agreements to meet the September 30, 2021.

Conclusion:

Given the time constraints above, committing in advance to work with named grantees for the Nations 2021 Revenue sharing cycle, for those who wish to work with the County as fiscal agent, is in the best interest of all County residents.

Recommendation:

The recommended resolution directs County staff to work with the Nation to negotiate terms of and obtain the agreements for the distribution of 2021 12-percent grant funds to Grantees. This resolution also authorizes the Chairwoman of the Board of Supervisors to execute all documents related to said agreements.

Fiscal Impact:

12-percent gaming grants provide funds to local non-profits that contribute to public safety, education, health care, child advocacy, economic development, and cultural and environmental development and protection.

Board of Supervisor District:

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Department: Grants Management and Innovation

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Department Director Signature/Date:

[Signature] 7/22/2021

Deputy County Administrator Signature/Date:

[Signature] 7/22/2021

County Administrator Signature/Date:

[Signature] 7/22/21

RESOLUTION 2021 - _____

PIMA COUNTY RESOLUTION TO APPROVE ACCEPTANCE OF TOHONO O'ODHAM NATION STATE-SHARED REVENUE PROGRAM FUNDS AND PASS-THROUGH TO THE ENTITIES IN PIMA COUNTY SELECTED 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. On May 14, 2021, the Nation published a Request for Proposals from Arizona cities, towns, counties, and non-profit organizations for the Nation's 2021 State-Shared Revenue Program. Proposals were due by June 11, 2021 and the Nation will be deciding which programs to fund by September 17, 2021.
3. All non-profit organizations selected for the 2021 State-Shared Revenue Program need to have an agreement with a city, town, or county to act as a fiscal agent to accept the funds from the Nation on behalf of the non-profit organization. In addition, if the County is selected for funding, the Nation and the County must negotiate and execute a Grant-in-Aid agreement no later than September 30, 2021.
4. Because the Nation will not be making funding decisions until September 17, 2021, County anticipates that it will not be able to prepare and complete the necessary agreements before the September 30, 2021 deadline.
5. It is in the best interests of the residents of Pima County to accept all State-Shared Revenue Program funds for the County and for non-profit organizations selected by the Nation who want County to serve as their fiscal agent to pass-through those funds for the purposes established by the Nation.

NOW, THEREFORE, BE IT RESOLVED, that:

- A. Staff is directed to work with the Nation to prepare the agreements for the distribution of State-Shared Revenue Program funds to the programs selected by the Nation.
- B. The Chair of the Board of Supervisors is authorized to execute all necessary agreements and other documents, if any, with the Nation to accept and pass-through State-Shared Revenue program funds.

Passed and adopted, this _____ day of _____, 2021.

Sharon Bronson, Chairwoman
Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM



Clerk of the Board

Stacey A. Roseberry,
Deputy County Attorney