

RESOLUTION NO: 2010-43

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE TOHONO O'DHOM NATION ("NATION") PURSUANT TO A.R.S. 5-601-02 12% GAMING DISTRIBUTION, DIRECTING CITY OFFICIALS TO SUBMIT APPLICATION DOCUMENTS AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, in 2002 Arizona voters approved Proposition 202 which implemented a new requirement that Tribal/State Gaming Compacts must include a provision that the compacting tribe would contribute a portion of its annual net gaming revenues (the "Annual Contribution") for the benefit of the general public; and

WHEREAS, pursuant to Proposition 202, each tribe may determine the recipients of 12% of its total Annual Contribution (the "12% Payments"); and

WHEREAS, the NATION has issued a Request for Proposals for the 12% Gaming Distribution pursuant to A.R.S. 5-601-02 to identify and select funding recipients; and

WHEREAS, the Willcox Department of Public Safety ("WDPS") requests Mayor and Council approval and authority to submit a grant proposal to the NATION for participation in the 12% Gaming Distribution funding process; and

WHEREAS, the Mayor and Council of the City of Willcox have determined that it is in the best interest of the City, the WDPS and its citizens to submit a proposal to the NATION for 12% Gaming Distribution funds; and

WHEREAS, the Mayor and Council desire to have this item presented on May 3rd, 2010 at the Regular Council Meeting; and

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist to assure timely submission of the funding proposal, and that this Resolution be effective immediately upon its passage and adoption.

BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally approves and authorizes City Staff to act on the proposal and to proceed with the submission of same to the NATION.

BE IT FURTHER RESOLVED by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona this 3rd day of May, 2010.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: May 4, 2010

ATTEST:

APPROVED AS TO FORM:

/s/ Cristina G. Whelan, CMC
City Clerk, Cristina G. Whelan, CMC

/s/ Hector M. Figueroa
City Attorney, Hector M. Figueroa

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