RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving the First Amendment to the Settlement Agreement Among the City of Glendale, the Tohono O'odham Nation, and the Tohono O'odham Gaming Enterprise)

RESOLUTION NO. 15-421

WHEREAS, the Legislative Council is vested with the power to "consult, negotiate and conclude agreements and contracts on behalf of the Tohono O'odham Nation with Federal, State and local governments and other Indian tribes or their departments, agencies, or political subdivisions, or with private persons or organizations on all matters within the authority of the Tohono O'odham Council" (Constitution of the Tohono O'odham Nation, Article VI, Section 1(f)); and

WHEREAS, in 1986, the United States Congress enacted the Gila Bend Indian Reservation Lands Replacement Act as Pub. L. No. 99-503 (the "Replacement Act"), which authorized the Nation to acquire new lands to replace lands damaged by the Painted Rock Dam and required the United States to hold eligible replacement lands in trust for the benefit of the Nation; and

WHEREAS, pursuant to Resolution No. 09-049, as amended by Resolution No. 09-397, the Legislative Council requested that the Secretary of the Interior acquire 134.88 acres of real property (the "Settlement Property") in trust for the benefit of the Nation under the terms of the Replacement Act; and

WHEREAS, a portion of the Settlement Property has been taken into trust by the Secretary of the Interior under the terms of the Replacement Act and is National land; and

WHEREAS, by Resolution No. 13-446 the Legislative Council delegated to the Economic Development Delegation authority to negotiate with the City of Glendale the terms of an agreement designed to build a cooperative and mutually beneficial relationship between the Nation and the City of Glendale; and

WHEREAS, pursuant to Resolution No. 14-317, the Legislative Council approved a settlement agreement with the City of Glendale; and

WHEREAS, the purpose of the First Amendment to the Settlement Agreement Among the City of Glendale, the Tohono O'odham Nation, and the Tohono O'odham Gaming Enterprise ("First Amendment to the Settlement Agreement") is to amend the settlement agreement so that the Nation's obligation to make annual payments
RESOLUTION NO. 15-421
(Approving the First Amendment to the Settlement Agreement Among the City of Glendale, the Tohono O'odham Nation, and the Tohono O'odham Gaming Enterprise)

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to the City of Glendale will be triggered by the Nation operating either Class II Gaming or Class III Gaming at the West Valley Resort; and

WHEREAS, the Budget and Finance, Commerce, and Agricultural and Natural Resource Committees of the Legislative Council have reviewed the First Amendment to the Settlement Agreement and recommend that the Nation enter into the First Amendment to the Settlement Agreement on terms that are substantially the same as those set forth in the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the First Amendment to the Settlement Agreement and authorizes the Nation's Chairman to execute the agreement in substantially the form presented to the Legislative Council.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05TH day of NOVEMBER, 2015 at a meeting at which a quorum was present with a vote of 3,021.4 FOR; 0 AGAINST; 0 NOT VOTING; and 04 ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(f) 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

Timothy Joaquin, Legislative Chairman

13 day of November, 2015

ATTEST:

Evonne Wilson, Legislative Secretary

18 day of November, 2015

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 13 day of November, 2015 at 4:03 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.
RESOLUTION NO. 15-421
(Approving the First Amendment to the Settlement Agreement Among the City of Glendale, the Tohono O'odham Nation, and the Tohono O'odham Gaming Enterprise)

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin, Legislative Chairman

[ ] APPROVED  on the 17 day of November, 2015
[ ] DISAPPROVED  at 12:58 o'clock, __.m.

EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 17 day of November, 2015, at 2:18 o'clock, __.m.

Evonne Wilson, Legislative Secretary
RESOLUTION NO. 15-421

ACTION: APPROVING THE FIRST AMENDMENT TO THE SETTLEMENT AGREEMENT AMONG THE CITY OF GLENDALE, THE TOHONO O'ODHAM NATION, AND THE TOHONO O'ODHAM GAMING ENTERPRISE

MOVED: COUNCILWOMAN FRANCES MIGUEL SECOND: COUNCILWOMAN ETHEL GARCIA

DATE: NOVEMBER 05, 2015

<table>
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<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>
| BABOQUIVARI 367.2 | 1. FRANCES MIGUEL (Roberta E. Harvey)  
2. VERNON J. SMITH (Absent) (Gloria Zazueta) (Present) | 183.60     | X   |         |            |        |
| CHUKUT KUK 332.1 | 1. ETHEL GARCIA (Marlakay K. Henry)  
2. BILLMAN LOPEZ (Patricia Vicenti) | 166.05     | X   |         |            |        |
| GUACHI 265.0 | 1. TIMOTHY L. JOAQUIN (Louis L. Johnson)  
2. LORETTA LEWIS | 132.50     | X   |         |            |        |
| GU VO 250.6 | 1. GRACE MANUEL (Dallas Lewis)  
2. PAMELA ANGHIll (Jeffery Antone, Sr.) | 125.30     | X   |         |            |        |
| HICKIWAN 205.8 | 1. LOUIS R. LOPEZ (Shirley Molina)  
2. SANDRA ORTEGA | 102.90     | X   |         |            |        |
| PISINEM0 219.9 | 1. CHESTER ANTOINE (   )  
2. MONICA K. MORGAN (   ) | 109.95     | X   |         |            |        |
| SAN LUCY 226.5 | 1. DIANA MANUEL (   )  
2. JANNA MONTANA (Gloria Ramirez) | 113.25     | X   |         |            |        |
| SAN XAVIER 228.6 | 1. DANIEL L.A. PRESTON III (   )  
2. RACHEAL WILSON-STONER (Olivia Villegas-Liston) | 114.30     | X   |         |            |        |
| SCHUK TOAK 180.6 | 1. ANTHONY J. FRANCISCO JR. (   )  
2. QUINTIN C. LOPEZ (John Fendenhelm) | 90.30      | X   |         |            |        |
| SELS 513.5 | 1. ARTHUR WILSON (Beverly Rivas)  
2. BARBARA HAVIER (   ) | 256.75     | X   |         |            |        |
| SIFOIDAK 231.6 | 1. LUCINDA ALLEN (Nicholas Jose)  
2. MARY LOPEZ (   ) | 115.80     | X   |         |            |        |

TOTAL 3,021.4 3,021.4 -0- -0- [04]