RESOLUTION OF THE TOHONO O’ODHAM LEGISLATIVE COUNCIL
(Approving Intergovernmental Agreement between the City of Peoria and the
Tohono O’odham Nation)

RESOLUTION NO. 15-430

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, 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, the Tohono O’odham Gaming Enterprise is responsible for the development of
the West Valley Resort located within the Settlement Property (Resolution No.
14-565 (Approving Tribal Land Assignment for the West Valley Area) and 16
Tohono O’odham Code, Chapter 2, Section 5(d)(6)); and

WHEREAS, by Resolution No. 13-446 the Legislative Council delegated to the Economic
Development Delegation authority to negotiate with the City of Peoria the terms
of an agreement designed to ensure the efficient provision of important public
services within the boundaries and jurisdictions of the Nation and the City of
Peoria; and
RESOLUTION NO. 15-430
(Approving Intergovernmental Agreement between the City of Peoria and the Tohono O’odham Nation)

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WHEREAS, the Commerce, Domestic Affairs, and Agricultural and Natural Resource Committees of the Legislative Council have reviewed the Agreement and recommend that the Nation enter into an agreement with the City of Peoria 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 Intergovernmental Agreement with the City of Peoria and authorizes the Nation’s Chairman to execute the agreement in substantially the form presented to the Legislative Council provided that the Tohono O’odham Gaming Enterprise shall be responsible for performing the Nation’s obligations under the Agreement.

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

10 day of December, 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 4158 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. 15-430
(Approving Intergovernmental Agreement between the City of Peoria and the Tohono O'odham Nation)
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin, Legislative Chairman

[✓] APPROVED on the 16 day of November, 2015
[ ] DISAPPROVED at 12:44 o'clock, P.m.

EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14 day of
December, 2015, at 2:04 o'clock, P.m.

Evonne Wilson, Legislative Secretary
RESOLUTION NO. 15-430

ACTION: APPROVING INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PEORIA AND THE TOHONOO O'ODHAM NATION

MOVED: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILWOMAN ETHEL GARCIA

DATE: NOVEMBER 05, 2015

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