

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving a Line of Credit to Finance expansion of Gaming Activity pursuant**  
**to the 2002 Gaming Compact)**

**RESOLUTION NO. 03-186**

1 **WHEREAS, by Resolution No. 02-562, the Nation approved a new tribal-state gaming compact**  
2 **with the State of Arizona which authorizes the Nation to expand its gaming**  
3 **operations; and**

4 **WHEREAS, the Nation's Chairman and the Commerce Committee of the Legislative Council**  
5 **recommend expanding the Nation's gaming operations to generate additional**  
6 **revenue for the Nation; and**

7 **WHEREAS, Bank of America, N.A. (the "Bank") is willing to finance the expansion of gaming**  
8 **operations by extending to the Nation a line of credit of up to \$1,000,000.00; and**

9 **WHEREAS, it is in the interests of the Nation to finance gaming expansion through a line of**  
10 **credit extended by the Bank.**

11 **NOW, THEREFORE, BE IT RESOLVED THAT:**

- 12 **1. The line of credit of up to \$1,000,000.00 proposed by the Bank is hereby approved.**
- 13 **2. The Nation's Chairman is authorized and directed to negotiate and execute a**  
14 **loan agreement on behalf of the Nation for a line of credit of up to \$1,000,000.00,**  
15 **and to execute such other instruments and documents as may be required to give**  
16 **effect to the transactions herein contemplated, and to take such other actions**  
17 **as may hereafter be necessary and appropriate to carry out the obligations of the**  
18 **Nation thereunder.**
- 19 **3. The Nation hereby grants a limited waiver of sovereign immunity in favor of the**  
20 **Bank on the terms approved by the Legislative Council in Resolution No. 2000-**  
21 **055; the Nation consents to arbitration provisions on the terms approved by the**  
22 **Legislative Council in Resolution No. 2000-055; the Nation consents to be sued in**  
23 **a court of competent jurisdiction on the terms approved by the Legislative**  
24 **Council in Resolution No. 2000-055 in connection with the Bank's enforcement**  
25 **of the obligations of the Nation under the loan agreement. This waiver and**  
26 **consent is specifically limited as provided in the loan agreement and extends to**  
27 **suits (as defined in the loan agreement) against the Nation and its officers, agents**  
28 **and attorneys; provided, however, that no officer, agent or attorney of the Nation**  
29 **shall be personally liable for the payment of the loan or for the obligations of the**  
30 **Nation undertaken pursuant to the loan agreement or the security agreement.**

**RESOLUTION NO. 03-186**

**(Approving a Line of Credit to Finance expansion of Gaming Activity pursuant to the 2002 Gaming Compact)**

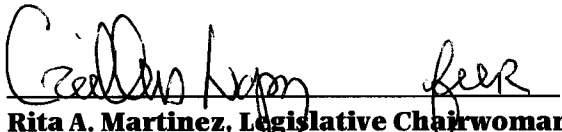
**Page 2 of 3**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

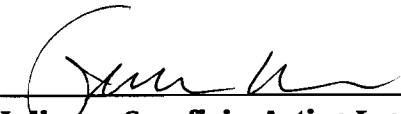
**4. The Nation's Gaming Authority is hereby authorized and directed to establish a sinking fund pursuant to Section 7 (c) of the Tohono O'odham Gaming Authority Charter for the express purposes of meeting the repayment obligations under the approved line of credit in an amount not to exceed \$1,000,000.00 and accrued interest.**

**The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11<sup>TH</sup> Day of APRIL, 2003 at a meeting at which a quorum was present with a vote of 1,802.05 FOR; 615.45 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(5) of Article VI 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**

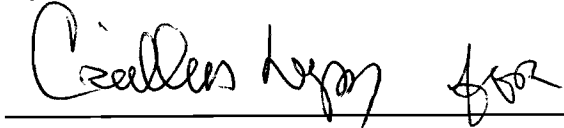
  
Rita A. Martinez, Legislative Chairwoman  
11<sup>th</sup> day of April, 20 03

**ATTEST:**

  
Julianna Saraficio, Acting Legislative Secretary  
11<sup>th</sup> day of April, 20 03.

**Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 11<sup>th</sup> day of April, 20 03 at 1:35 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.**

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
Rita A. Martinez, Legislative Chairwoman

**RESOLUTION NO. 03-186**

**(Approving a Line of Credit to Finance expansion of Gaming Activity pursuant to the 2002 Gaming Compact)**

**Page 3 of 3**

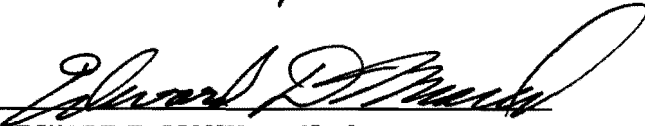
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

APPROVED

on the 17<sup>th</sup> day of April, 2003

DISAPPROVED

at 5:13 o'clock, P.M.

  
**EDWARD D. MANUEL, Chairman**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 21<sup>st</sup> day of

April, 2003, at 9:01 o'clock, A.M.

  
**Julianna Saraficio, Acting Legislative Secretary**

**ACTION: APPROVING A LINE OF CREDIT TO FINANCE EXPANSION OF GAMING ACTIVITY PURSUANT TO THE 2002 GAMING COMPACT**

**MOVED: COUNCILMAN DENNIS RAMON**

**SECOND: COUNCILWOMAN FRANCES MIGUEL**

**DATE: APRIL 11, 2003**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI 317.7</b>	1. FRANCES MIGUEL ( )	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			X
<b>CHUKUT KUK 248.1</b>	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			X
<b>GU ACHI 230.7</b>	1. CAMILLUS LOPEZ ( )	115.35	X			
	2. JEROME JOAQUIN ( )	115.35		X		
<b>GU VO 188.3</b>	1. FERN SALCIDO ( )	94.15		X		
	2. EMILIO LEWIS (Michael Flores)	94.15		X		
<b>HICKIWAN 167.3</b>	1. SHIRLEY MOLINA ( )	83.65		X		
	2. SANDRA ORTEGA ( )	83.65		X		
<b>PISINEMO 174.7</b>	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ ** (Johnson Jose)	87.35	X			
<b>SAN LUCY 160.7</b>	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			X
	2. GLORIA RAMIREZ ( )	80.35	X			
<b>SAN XAVIER 184.7</b>	1. FELICIA NUÑEZ ( )	92.35	X			
	2. DENNIS RAMON ( )	92.35	X			
<b>SCHUK TOAK 144.5</b>	1. MARY FLORES ( )	72.25		X		
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25		X		
<b>SELLS 416.1</b>	1. DENNIS E. JOSE ** ( )	208.05	X			
	2. EVELYN JUAN ( )	208.05	X			
<b>SIF OIDAK 184.7</b>	1. ISIDRO LOPEZ (Nicholas Jose)	92.35	X			
	2. RITA MARTINEZ ( )	92.35	X			
<b>TOTAL</b>		<b>2,417.5</b>	<b>1,802.05</b>	<b>615.45</b>	<b>-0-</b>	<b>[03]</b>

**\*\*PASSED VOTES**