

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Gaming Device Operating Rights Transfer Agreement Between the Navajo Nation and the Tohono O'odham Nation)

RESOLUTION NO. 06-110

- 1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to “consult,**
2 **negotiate and conclude agreements and contracts on behalf of the Tohono**
3 **O'odham Nation with Federal, State and local governments and other Indian tribes**
4 **. . . on all matters within the authority of the Tohono O'odham Council”**
5 **(Constitution of the Tohono O'odham Nation, Article VI, Section 1(f)); and**
- 6 **WHEREAS, the Legislative Council has established the Tohono O'odham Gaming Enterprise**
7 **(“Gaming Enterprise”) to conduct gaming activities in order to promote economic**
8 **development, provide training and employment, and generate revenue that**
9 **provides for the general welfare of the Nation and its members (Charter of the**
10 **Tohono O'odham Gaming Enterprise, Section 1(a) and Section 4); and**
- 11 **WHEREAS, the Gaming Enterprise conducts class III gaming activities, including the operation**
12 **of slot machine gaming devices, in accordance with the Tohono O'odham Nation-**
13 **State of Arizona Gaming Compact (“Compact”); and**
- 14 **WHEREAS, pursuant to Section 3(c) of the Compact, the Gaming Enterprise currently operates**
15 **1400 slot machines comprising the Nation’s entire current gaming device allocation**
16 **and is therefore unable to operate additional slot machines without first receiving**
17 **additional gaming device operating rights; and**
- 18 **WHEREAS, Section 3(c)(d) of the Compact permits the Nation to enter into a transfer agreement**
19 **with another tribe that would allow the Gaming Enterprise to operate a portion of**
20 **the transferring tribe’s gaming device operating rights in addition to the Nation’s**
21 **current allocation; and**
- 22 **WHEREAS, the Navajo Nation is not operating its entire current gaming device allocation and**
23 **has expressed a willingness to transfer 200 of its gaming device operating rights to**
24 **the Tohono O'odham Nation for a period of up to two years, at the rate of \$7,500 per**
25 **gaming device operating right transferred, and pursuant to a Gaming Device**
26 **Operating Rights Transfer Agreement Between the Navajo Nation and the Tohono**
27 **O'odham Nation (“Transfer Agreement”); and**

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1 WHEREAS, the Legislative Council Commerce Committee and Nation's Chairwoman
2 recommend that the Nation enter into the Transfer Agreement in the form attached
3 hereto.

4 NOW, THEREFORE, BE IT RESOLVED THAT the Legislative Council hereby (1) approves the Gaming
5 Device Operating Rights Transfer Agreement Between the Navajo Nation and the
6 Tohono O'odham Nation in the form attached hereto and (2) authorizes and directs
7 the Chairwoman of the Nation to execute the Transfer Agreement.

8 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 22ND Day
9 of FEBRUARY, 2006 at a meeting at which a quorum was present with a vote of 1,657.7 FOR; -0-
10 AGAINST; 783.1 NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by
11 Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono
12 O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -
13 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
14 Stat. 984).

15 TOHONO O'ODHAM LEGISLATIVE COUNCIL

16 
17 _____
18 Evelyn B. Juan Manuel, Legislative Chairwoman

19 27 day of February, 2006

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22 ATTEST:

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24 _____
25 Lucille Lopez, Acting Legislative Secretary

26 22 day of February, 2006.

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29 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
30 O'Odham Nation on the 27 day of February, 2006 at 3:09 o'clock, p. M.,
31 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
32 upon her approval or upon her failure to either approve or disapprove it within 48 hours of
33 submittal.

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35 TOHONO O'ODHAM LEGISLATIVE COUNCIL

36 
37 _____
38 Evelyn B. Juan Manuel, Legislative Chairwoman

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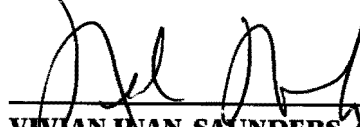
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APPROVED

on the 27th day of February, 2006

DISAPPROVED

at 4:53 o'clock, P.M.



VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 27 day of

February, 2006, at 4:43 o'clock, P.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING GAMING DEVICE OPERATING RIGHTS TRANSFER AGREEMENT BETWEEN THE NAVAJO NATION AND THE TOHONO O'ODHAM NATION

MOVED: VICE CHAIRMAN VERLON JOSE

SECOND: COUNCILWOMAN FRANCES MIGUEL

DATE: FEBRUARY 22, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQIVARI 310.8	1. FRANCES MIGUEL ()	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
GU VO 193.1	1. RAYMOND VICTOR ()	96.55			X	
	2. MICHAEL FLORES (Grace Manuel)	96.55			X	
HICKIWAN 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. JOHN W. LAWSON, SR. ()	84.50			X	
	2. GLORIA RAMIREZ ()	84.50			X	
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			
	2. OLIVIA VILLEGAS-LISTON ()	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. MARLENE SARAFICIO-JUAN** ()	210.50			X	
	2. EVELYN B. JUAN MANUEL ()	210.50			X	
SIF OIDAK 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			X
	2. DARLENE ANDREW (Rita Martinez)	93.35	X			
TOTAL		2,440.80	1,657.7	-0-	783.1	[01]

**PASSED VOTES