RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL

(Amending Resolution No. 06-110, Approving Gaming Device Operating Rights Transfer Agreement Between the Navajo Nation and the Tohono O'odham Nation)

RESOLUTION NO. <u>06-356</u>

T	WHEREAS,	the Tohono O'odham Legislative Council (the "Legislative Council") is vested with the
2		power to ``consult, negotiate and conclude agreements and contracts on behalf of the
3		Tohono O'odham Nation with Federal, State and local governments and other Indian
4		tribes 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,	by Resolution No. 06-110, the Legislative Council did approve a Gaming Device
7		$Operating \ Rights \ Transfer A greement (the ``Transfer A greement") \ Between \ the \ Navajo$
8		Nation and the Tohono O'odham Nation; and
9	WHEREAS,	as consideration for the Transfer Agreement, the Tohono O'odham Nation did agree
10		to pay the Navajo Nation an annual fee per transferred gaming device right (the
11		"Transfer Fee"); and
12	WHEREAS,	while the Transfer Agreement is clear about the amount owed, neither the Transfer
13		Agreement nor Resolution No. 06-110 address how the Nation will pay the Transfer
14		Fee.
15	NOW, THER	EFORE, BEITRESOLVEDthattheTohonoO'odhamLegislativeCouncilherebyamends
16		Resolution No. 06-110 by inserting the following clause:
17		"BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council
18		directs the Tohono O'odham Gaming Enterprise to make timely all
19		payments pursuant to the terms of the Transfer Agreement."
20	The foregoi	ng Resolution was passed by the Tohono O'odham Legislative Council on the <u>08TH.</u> Day
	of <u>JUNE, 200</u>	<u>06</u> at a meeting at which a quorum was present with a vote of <u>1,086.9</u> FOR; <u>-0-</u> AGAINST;
22	<u>1,167.2</u> NOT	I VOTING; and 186.7 [07] ABSENT, pursuant to the powers vested in the Council by
23	Section 1 (d)	(3) & (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the
24 25	Cocretary	Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
26	18, 1934 (48	
27	10, 1331 (10	TOHONO O'ODHAM LEGISLATIVE COUNCIL
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31		Evelyn B. Juan Manuel, Legislative Chairwoman
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33		Cday of Jean, 2006

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	Between the Navajo Nation and the Tohono O'odham Nation) Page 2 of 2
	1 age 2 vi 2
1	ATTEST:
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3 4	Marie Jahre
5	Lucille Lopez, Acting Legislative Secretary
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7	<u>08</u> day of <u>Funu</u> , 2006.
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9	Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
10	O'Odham Nation on the day of day of 2006 at 5'00 o'clock, M.,
11	pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
12 13	upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.
14	Submittali.
15	TOHONO O'ODHAM LEGISLATIVE COUNCIL
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18	- Valle ffr - fr
19	Evelyn B. Juan Manuel, Legislative Chairwoman
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23	APPROVED on the 12 day of
24	1.:10
25	[] DISAPPROVED at $(2 \cdot 1)$ o'clock, $(2 \cdot 1)$.M.
26 27	
28	/ Muan Man Sunda
29	VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
30	TOHONO O'ODHAM NATION
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33	Returned to the Legislative Secretary on the $\frac{3}{2}$ day of
34 35	Returned to the Legislative Secretary on the day of
36	Junu, 2006, at 9:34 o'clock, # .M.
37	, 2000, at 107 0 clock, 1
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39	Tulle Topa
40	Lucille Lopez, Acting Legislative Secretary
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ACTION: AMENDING RESOLUTION NO. 06-110, APPROVING GAMING DEVICE OPERATING RIGHTS TRANSFER

AGREEMENT BETWEEN THE NAVAJO NATION AND THE TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN FRANCES CONDE SECOND: COUNCILWOMAN MARLENE SARAFICIO-JUAN

DATE: JUNE 08, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI	1. FRANCES MIGUEL (Absent)	155.40	X	:		
310.8	(Vernon J. Smith) (Present) 2. FRANCES G. ANTONE (Absent) (Lucilda J. Valenzuela (Norris)) (Present)	155.40	X			
CHUKUT KUK	1. ETHEL GARCIA	129.35			X	X
258.7	2. VERLON M. JOSE (David Garcia)	129.35			X	
GU ACHI	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80			x	
221.6	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80			X	
GU VO	1. RAYMOND VICTOR	96.55	x			
193.1	2. MICHAEL FLORES (Grace Manuel)	96.55	X			x
HICKIWAN	1. DELMA GARCIA	83.70	X			
167.4	(Mary E. Sam) 2. SANDRA ORTEGA ()	83.70	X			
PISINEMO	1. BARBARA SALVICIO	85.90	X			
171.8	2. GERALD FAYUANT	85.90	X			x
SAN LUCY	1. JOHN W. LAWSON, SR.	84.50			x	
169.0	2. GLORIA RAMIREZ	84.50			x	X
SAN XAVIER	1. FELICIA NUÑEZ	96.90	X			
193.8	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90			x	
SCHUK TOAK	1. FRANCES B. CONDE	73.45	x			
146.9	2. PHYLLIS JUAN	73.45	X			
SELLS	1. MARLENE SARAFICIO-JUAN	210.50			X	X
421.0	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50			x	
SIF OIDAK	1. WAVALENE SAUNDERS	93.35				X
186.7	(Isidro Lopez) 2. DARLENE ANDREW (Rita Martinez)	93.35				x
	2,440.8	1,086.9	-0-	1,167.2	186.7 [07]	

^{**}PASSED VOTES