

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving a New Sublease between the Tohono O'odham Gaming Enterprise
and the San Xavier Development Authority)

RESOLUTION NO. 07-301

1 **WHEREAS, the Legislative Council has provided in Section 301 of the Ordinance for Regulation of**
2 **Gaming Activities Within the Tohono O'odham Nation (the "Gaming Ordinance"),**
3 **which ordinance was adopted pursuant to Resolution No. 93-296 and amended by**
4 **Resolution 97-150, Resolution 97-168, Resolution 97-303, Resolution 99-206, and**
5 **Resolution No. 03-084, that all gaming activities conducted within the Nation shall be**
6 **owned entirely by the Nation and conducted and operated by a tribal enterprise; and**

7 **WHEREAS, the Legislative Council adopted the Charter of the Tohono O'odham Gaming**
8 **Enterprise, which formerly was known as the Tohono O'odham Gaming Authority (the**
9 **"Gaming Enterprise"), by Resolution No. 93-311 and amended the Charter by**
10 **Resolution 02-294, Resolution No. 03-231, and Resolution 04-513; and**

11 **WHEREAS, in accordance with its Charter, the Gaming Enterprise is the tribal enterprise**
12 **responsible for operating the Nation's gaming facilities and conducting gaming**
13 **activities in compliance with the requirements of the Gaming Ordinance; and**

14 **WHEREAS, under Section 5(d)(6) of its Charter, the Gaming Enterprise is authorized to negotiate**
15 **leases or subleases of real property, subject to approval of the Legislative Council; and**

16 **WHEREAS, the Gaming Enterprise proposes to enter into a new sublease with the San Xavier**
17 **Development Authority ("SXDA") for additional land within the San Xavier Business**
18 **Park, on which the Gaming Enterprise intends to construct a warehouse facility to**
19 **support its gaming facilities and its new hotel, subject to the approval of the**
20 **Legislative Council; and**

21 **WHEREAS, the Commerce Committee and the Natural Resources Committee of the Tohono**
22 **O'odham Legislative Council have reviewed the proposed sublease with the SXDA and**
23 **recommend that the Tohono O'odham Legislative Council approve the sublease.**

24 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves**
25 **and authorizes the following:**

- 26 **1. Pursuant to Section 5(d)(6) of the Charter of the Gaming Enterprise, the**
27 **Legislative Council hereby approves the terms of the proposed Sublease between**
28 **the Gaming Enterprise and the SXDA, as set forth in the Sublease that is attached**
29 **to this Resolution as Exhibit A.**

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21ST Day of MAY, 2007 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0- AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2)&(f) 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



Verlon M. Jose, Legislative Chairman

25 day of May, 2007

ATTEST:



Lucille Lopez, Acting Legislative Secretary

21 day of May, 2007.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 25 day of May, 2007 at 5:02 o'clock, P..M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL



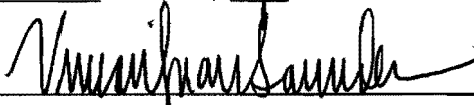
Verlon M. Jose, Legislative Chairman

APPROVED

on the 28 day of May, 2007

DISAPPROVED

at 3:30 o'clock, P..M.



VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 29 day of

May, 2007, at 9:18 o'clock, A.M.

Lucille Lopez
Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING A NEW SUBLEASE BETWEEN THE TOHONO O'ODHAM GAMING ENTERPRISE AND THE SAN XAVIER DEVELOPMENT AUTHORITY

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILWOMAN FELICIA NUNEZ

DATE: MAY 21, 2007

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (Vernon J. Smith)	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			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			X
GU VO 193.1	1. RAYMOND VICTOR ()	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN 167.4	1. SHIRLEY SANTOS-MOLINA ()	83.70	X			X
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			X
SAN LUCY 169.0	1. LORRAINE EILER ()	84.50	X			
	2. GLORIA RAMIREZ** ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	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 (Kimberly Listo)	210.50	X			
SIF Oidak 186.7	1. WAVALENE ROMERO (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Wilson)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[04]

**PASSED VOTES