

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving "Joint Confidentiality and Cooperation Agreement" and "Agreement in Principle" and Authorizing Gaming Compact Negotiating Committee)**

**RESOLUTION NO. 07-431**

1 **WHEREAS, the Legislative Council is vested with the power to "consult, negotiate and conclude**  
2 **agreements and contracts on behalf of the Tohono O'odham Nation with Federal, State**  
3 **and local governments and other Indian tribes or their departments, agencies, or**  
4 **political subdivisions, or with private persons or organizations on all matters within**  
5 **the authority of the Tohono O'odham Council" (Constitution of the Tohono O'odham**  
6 **Nation, Article VI, Section 1(f)); and**

7 **WHEREAS, although the Tohono O'odham Nation has entered into a gaming compact with the**  
8 **State of Arizona authorizing the operation of class III gaming facilities on the Nation,**  
9 **Arizona Indian Gaming Association member-tribes are considering gaming compact**  
10 **amendments that may be negotiated with the State of Arizona; and**

11 **WHEREAS, in order to ensure that negotiation discussions, related documents, and information**  
12 **remain confidential, the Arizona Indian Gaming Association ("AIGA") has requested**  
13 **that all tribes participating in negotiations execute a "Joint Confidentiality and**  
14 **Cooperation Agreement," which is incorporated by this reference; and**

15 **WHEREAS, the AIGA is likewise requesting that all tribes participating in negotiations execute an**  
16 **"Agreement in Principle," which is incorporated by this reference, affirming that**  
17 **tribes will make a good faith effort to work cooperatively and to preserve tribal**  
18 **sovereignty and self determination; and**

19 **WHEREAS, it is in the Nation's best interest to enter into the Joint Confidentiality and Cooperation**  
20 **Agreement and the Agreement in Principle, and to delegate compact amendment**  
21 **negotiating authority to a committee of Nation's elected officials.**

22 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that the following**  
23 **elected officeholders of the Nation shall serve on the Tohono O'odham Nation Gaming**  
24 **Negotiating Committee:**

- 25 **1. Chairperson of the Tohono O'odham Nation.**
- 26 **2. Legislative Commerce Committee Members.**

27 **BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that it hereby delegates**  
28 **authority to the Tohono O'odham Nation Gaming Negotiating Committee to negotiate**  
29 **amendments to the Nation's gaming compact with the State of Arizona on behalf of the**

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1 Nation; provided that such amendments shall be submitted to the Legislative Council  
2 for final approval.

3 **BE IT FURTHER RESOLVED that the Chairperson of the Tohono O'odham Nation shall act as the**  
4 **Tohono O'odham Nation Gaming Negotiating Committee Chairperson.**

5 **BE IT FURTHER RESOLVED that the Gaming Negotiating Committee is authorized to consult with**  
6 **appropriate advisors as necessary.**

7 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council hereby:**

- 8 1. **Authorizes and directs the Nation's Chairperson and Attorney General to execute**  
9 **the Joint Confidentiality and Cooperation Agreement, which is hereby approved.**  
10 2. **Authorizes and directs the Nation's Chairperson to execute the Agreement in**  
11 **Principle, which is hereby approved .**

12 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10<sup>TH</sup>. Day**  
13 **of JULY, 2007 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0- AGAINST;**  
14 **-0-NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1 (f) of**  
15 **Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham**  
16 **Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**  
17 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

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19 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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21   
22 **Verlon M. Jose, Legislative Chairman**

23  
24 11<sup>th</sup> day of July, 2007

25  
26 **ATTEST:**

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30 **Lucille Lopez, Acting Legislative Secretary**

31  
32 10 day of July, 2007.

33 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**  
34 **Nation on the 11<sup>th</sup> day of July, 2007 at 8:57 o'clock, A.M.,**  
35 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**  
36 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**  
37 **submittal.**

38 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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42 **Verlon M. Jose, Legislative Chairman**

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APPROVED

on the 11 day of July, 2007

DISAPPROVED

at 11:20 o'clock, P.M.

  
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NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 11 day of

July, 2007, at 11:45 o'clock, A.M.

  
\_\_\_\_\_  
Lucille Lopez, Acting Legislative Secretary

**ACTION: APPROVING "JOINT CONFIDENTIALITY AND COOPERATION AGREEMENT" AND "AGREEMENT IN PRINCIPLE" AND AUTHORIZING GAMING COMPACT NEGOTIATING COMMITTEE**

**MOVED: COUNCILWOMAN FRANCES MIGUEL**

**SECOND: COUNCILWOMAN FRANCES ANTONE**

**DATE: JULY 10, 2007**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> <b>316.9</b>	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE ( )	158.45	X			
<b>CHUKUT KUK</b> <b>264.8</b>	1. ETHEL GARCIA ( )	132.40	X			
	2. VERLON M. JOSE ( )	132.40	X			X
<b>GU ACHI</b> <b>227.9</b>	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ( )	113.95	X			
<b>GU VO</b> <b>199.2</b>	1. GRACE MANUEL ( )	99.60	X			X
	2. MICHAEL FLORES ( )	99.60	X			
<b>HICKIWAN</b> <b>172.0</b>	1. MICHELLE ORTEGA ( )	86.00	X			X
	2. SANDRA ORTEGA ( )	86.00	X			
<b>PISINEMO</b> <b>182.4</b>	1. CHESTER ANTONE ( )	91.20	X			X
	2. GERALD FAYUANT ( )	91.20	X			
<b>SAN LUCY</b> <b>181.1</b>	1. LORRAINE EILER ( )	90.55	X			
	2. GLORIA RAMIREZ ( )	90.55	X			
<b>SAN XAVIER</b> <b>196.5</b>	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
<b>SCHUK TOAK</b> <b>154.6</b>	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
<b>SELLS</b> <b>444.7</b>	1. KIMBERLY LISTO ( )	222.35	X			
	2. EVELYN B. JUAN MANUEL** ( )	222.35	X			
<b>SIF OIDAK</b> <b>194.4</b>	1. WAVALENE ROMERO ( )	97.20	X			
	2. MARY LOPEZ ( )	97.20	X			
<b>TOTAL</b>		<b>2,534.5</b>	<b>2,534.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[04]</b>

\*\*PASSED VOTES