

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Tohono O'odham Gaming Enterprise's Lease of Warehouse Space)**

RESOLUTION NO. 08-239

1 **WHEREAS, the Tohono O'odham Legislative Council (the "*Legislative Council*") has enacted an**
2 **Ordinance for Regulation of Gaming Activities Within the Tohono O'odham Nation (the**
3 **"*Gaming Ordinance*",) which ordinance was adopted pursuant to Resolution No. 93-**
4 **296 and amended by Resolution No. 97-150, Resolution No. 97-168, Resolution No. 97-**
5 **303, Resolution No. 99-206, and Resolution No. 03-084; and**

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

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

13 **WHEREAS, to comply with its obligations under the Gaming Ordinance, the Gaming Enterprise is**
14 **required to archive a large quantity of documents; and**

15 **WHEREAS, the Gaming Enterprise requires additional warehouse space to archive the records it**
16 **is required to retain and therefore desires to lease warehouse space located at 8300**
17 **S. Nogales Highway on a short term basis that is adequate to archive those records;**
18 **and**

19 **WHEREAS, the Charter provides in Section 5(d)(6) that the Gaming Enterprise may enter into**
20 **leases of real property, subject to the approval of the Legislative Council; and**

21 **WHEREAS, the Gaming Enterprise has negotiated a recommends entering, a proposed lease of**
22 **warehouse space located at 8300 S. Nogales Highway, subject to the Legislative**
23 **Council's approval of the proposed lease, a copy of which is attached as Exhibit A (the**
24 **"*Proposed Lease*")' and**

25 **WHEREAS, the Commerce Committee of the Legislative Council has reviewed the lease and**
26 **recommends to the Legislative Council to approve the lease; and**

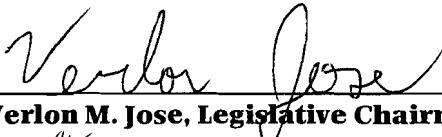
27 **WHEREAS, the property located at 8300 S. Nogales Highway is not on Indian lands, so that no**
28 **additional approvals are required for the Proposed Lease.**

29

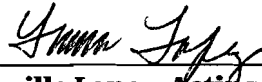
1 NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that, pursuant to
 2 Section 5(d)(6) of the Charter of the Gaming Enterprise, it hereby approves the terms
 3 of the Proposed Lease between the Gaming Enterprise and Otto P. and Patricia M. Fest
 4 for warehouse space located at 8300 S. Nogales Highway and authorizes the Gaming
 5 Enterprise to enter into a lease with the Fest's on terms that are substantially the same
 6 as those set forth in the Proposed Lease.

7 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH. Day
 8 of MAY, 2008 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0- AGAINST;
 9 -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section 1(d)(6)
 10 of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham
 11 Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs
 12 (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

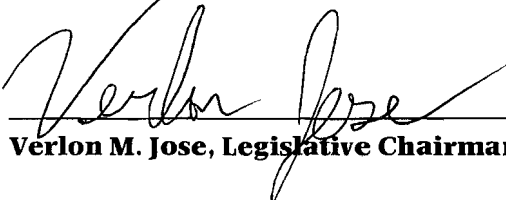
13
14
15
16
17
18
19
20
21
22

 Verlon M. Jose, Legislative Chairman
 19th day of May, 2008

ATTEST:

23
24
25
26
27
28
29

 Lucille Lopez, Acting Legislative Secretary
 08 day of May, 2008.

30 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham
 31 Nation on the 19th day of May, 2008 at 4:39 o'clock, P.M.,
 32 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
 33 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
 34 submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

35
36
37
38
39
40
41
42
43
44

 Verlon M. Jose, Legislative Chairman

RESOLUTION NO. 08-239

(Approving the Tohono O'odham Gaming Enterprise's Lease of Warehouse Space)

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
47
48

APPROVED

on the 21 day of May, 2008

DISAPPROVED

at 11:35 o'clock, h.M.



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

Returned to the Legislative Secretary on the 21 day of

May, 2008, at 11:50 o'clock, A.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING THE TOHONO O'ODHAM GAMING ENTERPRISE'S LEASE OF WAREHOUSE SPACE

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILWOMAN FRANCES CONDE

DATE: MAY 08, 2008

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	158.45	X			
CHUKUT KUK 264.8	1. ETHEL GARCIA ()	132.40	X			
	2. VERLON M. JOSE ()	132.40	X			
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ()	113.95	X			
GU VO 199.2	1. GRACE MANUEL ()	99.60	X			
	2. RAYMOND VICTOR ()	99.60	X			
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			
	2. SANDRA ORTEGA ()	86.00	X			X
PISINEMO 182.4	1. CHESTER ANTONE ()	91.20	X			
	2. GERALD FAYUANT ()	91.20	X			
SAN LUCY 181.1	1. LORRAINE EILER ()	90.55	X			
	2. GLORIA RAMIREZ ()	90.55	X			
SAN XAVIER 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			X
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
SCHUK TOAK 154.6	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
SELLS 444.7	1. KIMBERLY LISTO ()	222.35	X			
	2. EVELYN B. JUAN MANUEL ()	222.35	X			
SIF OIDAK 194.4	1. WAVALENE ROMERO ()	97.20	X			X
	2. MARY LOPEZ ()	97.20	X			
TOTAL		2,534.5	2,534.5	-0-	-0-	[03]

**PASSED VOTES