

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the First Amendment to the Settlement Agreement Among the City of
Glendale, the Tohono O'odham Nation, and the Tohono O'odham Gaming Enterprise)

RESOLUTION NO. 15-421

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

8 **WHEREAS,** in 1986, the United States Congress enacted the Gila Bend Indian Reservation
9 Lands Replacement Act as Pub. L. No. 99-503 (the “Replacement Act”), which
10 authorized the Nation to acquire new lands to replace lands damaged by the
11 Painted Rock Dam and required the United States to hold eligible replacement
12 lands in trust for the benefit of the Nation; and

13 **WHEREAS,** pursuant to Resolution No. 09-049, as amended by Resolution No. 09-397, the
14 Legislative Council requested that the Secretary of the Interior acquire 134.88
15 acres of real property (the “Settlement Property”) in trust for the benefit of the
16 Nation under the terms of the Replacement Act; and

17 **WHEREAS,** a portion of the Settlement Property has been taken into trust by the Secretary
18 of the Interior under the terms of the Replacement Act and is National land; and

19 **WHEREAS,** by Resolution No. 13-446 the Legislative Council delegated to the Economic
20 Development Delegation authority to negotiate with the City of Glendale the
21 terms of an agreement designed to build a cooperative and mutually beneficial
22 relationship between the Nation and the City of Glendale; and

23 **WHEREAS,** pursuant to Resolution No. 14-317, the Legislative Council approved a
24 settlement agreement with the City of Glendale; and

25 **WHEREAS,** the purpose of the First Amendment to the Settlement Agreement Among the
26 City of Glendale, the Tohono O’odham Nation, and the Tohono O’odham Gaming
27 Enterprise (“First Amendment to the Settlement Agreement”) is to amend the
28 settlement agreement so that the Nation’s obligation to make annual payments

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1 to the City of Glendale will be triggered by the Nation operating either Class II
2 Gaming or Class III Gaming at the West Valley Resort; and

3 **WHEREAS,** the Budget and Finance, Commerce, and Agricultural and Natural Resource
4 Committees of the Legislative Council have reviewed the First Amendment to the
5 Settlement Agreement and recommend that the Nation enter into the First
6 Amendment to the Settlement Agreement on terms that are substantially the
7 same as those set forth in the Agreement.

8 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves
9 the First Amendment to the Settlement Agreement and authorizes the Nation's
10 Chairman to execute the agreement in substantially the form presented to the
11 Legislative Council.

12 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05TH
13 day of **NOVEMBER, 2015** at a meeting at which a quorum was present with a vote of **3,021.4 FOR;**
14 **-0- AGAINST; -0- NOT VOTING;** and **[04] ABSENT,** pursuant to the powers vested in the Council by
15 Article VI, Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the
16 Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
17 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of
18 June 18, 1934 (48 Stat.984).

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20 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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24 **Timothy Joaquin, Legislative Chairman**

25 13 day of November, 2015

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29 **ATTEST:**

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32 **Evonne Wilson, Legislative Secretary**

33 10 day of November, 2015

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36 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
37 O'odham Nation on the 13 day of November, 2015 at 4:43 o'clock, p .m.,
38 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
39 effective upon his approval or upon his failure to either approve or disapprove it within 48
40 hours of submittal.
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



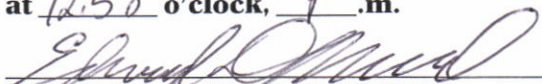
Timothy Joaquin, Legislative Chairman

APPROVED

on the 17 day of November, 2015

DISAPPROVED

at 12:58 o'clock, P.m.



EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 17 day of

November, 2015, at 2:18 o'clock, P.m.



Evonne Wilson, Legislative Secretary

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ACTION: APPROVING THE FIRST AMENDMENT TO THE SETTLEMENT AGREEMENT AMONG THE CITY OF GLENDALE, THE TOHONO O'ODHAM NATION, AND THE TOHONO O'ODHAM GAMING ENTERPRISE

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILWOMAN ETHEL GARCIA

DATE: NOVEMBER 05, 2015

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			
	2. VERNON J. SMITH (Absent) (Gloria Zazueta) (Present)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ()	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			
	2. SANDRA ORTEGA ()	102.90	X			X
PISINEMO 219.9	1. CHESTER ANTONE ()	109.95	X			
	2. MONICA K. MORGAN ()	109.95	X			X
SAN LUCY 226.5	1. DIANA MANUEL ()	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ()	114.30	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.30	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	90.30	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.30	X			X
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ()	256.75	X			
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ()	115.80	X			X
TOTAL		3,021.4	3,021.4	-0-	-0-	[04]