

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Intergovernmental Agreement between the City of Peoria and the  
Tohono O'odham Nation)**

**RESOLUTION NO. 15-430**

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

20 **WHEREAS,** the Tohono O’odham Gaming Enterprise is responsible for the development of  
21 the West Valley Resort located within the Settlement Property (Resolution No.  
22 14-565 (Approving Tribal Land Assignment for the West Valley Area) and 16  
23 Tohono O’odham Code, Chapter 2, Section 5(d)(6)); and

24 **WHEREAS,** by Resolution No. 13-446 the Legislative Council delegated to the Economic  
25 Development Delegation authority to negotiate with the City of Peoria the terms  
26 of an agreement designed to ensure the efficient provision of important public  
27 services within the boundaries and jurisdictions of the Nation and the City of  
28 Peoria; and

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1 **WHEREAS, the Commerce, Domestic Affairs, and Agricultural and Natural Resource**  
2 **Committees of the Legislative Council have reviewed the Agreement and**  
3 **recommend that the Nation enter into an agreement with the City of Peoria on**  
4 **terms that are substantially the same as those set forth in the Agreement.**

5 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves**  
6 **the Intergovernmental Agreement with the City of Peoria and authorizes the**  
7 **Nation's Chairman to execute the agreement in substantially the form**  
8 **presented to the Legislative Council provided that the Tohono O'odham Gaming**  
9 **Enterprise shall be responsible for performing the Nation's obligations under**  
10 **the Agreement.**

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

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20 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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23 \_\_\_\_\_  
24 **Timothy Joaquin, Legislative Chairman**

25 13 day of November, 2015

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28 **ATTEST:**

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31 **Evonne Wilson, Legislative Secretary**

32 10 day of November, 2015

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35 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**  
36 **O'odham Nation on the 13 day of November, 2015 at 4:45 o'clock, P .m.,**  
37 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**  
38 **effective upon his approval or upon his failure to either approve or disapprove it within 48**  
39 **hours of submittal.**  
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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
\_\_\_\_\_  
**Timothy Joaquin, Legislative Chairman**

**APPROVED**

on the 16 day of November, 2015

**DISAPPROVED**

at 2:44 o'clock, P.m.

  
\_\_\_\_\_  
**EDWARD D. MANUEL, CHAIRMAN**  
**TOHONO O'ODHAM NATION**

**Returned to the Legislative Secretary on the 14 day of**

November, 2015, at 2:07 o'clock, P.m.

  
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**Evonne Wilson, Legislative Secretary**

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**ACTION: APPROVING INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PEORIA AND THE TOHONO O'ODHAM NATION**

**Moved: COUNCILMAN BILLMAN LOPEZ**

**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			X
	2. MONICA K. MORGAN ( )	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ( )	113.25	X			
	2. JANA MONTANA (Gloria Ramlrez)	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
<b>TOTAL</b>		<b>3,021.4</b>	<b>3,021.4</b>	<b>-0-</b>	<b>-0-</b>	<b>[04]</b>