

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving a Letter of Intent Between the Tohono O'odham Nation and Cyprus  
Tohono Corporation Regarding Addendum No. 5 to the Mining Lease and  
Resumption of Mining Operations)**

**RESOLUTION NO. 20-306**

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to "manage and**  
2 **lease or otherwise deal with lands, or interests in land, and resources of the**  
3 **Tohono O'odham Nation, including the use, permit or lease of lands for mining**  
4 **purposes" and "to consult, negotiate and conclude agreements and contracts on**  
5 **behalf of the Tohono O'odham Nation with Federal, State and local governments**  
6 **and other Indian tribes or their departments, agencies, or political subdivisions,**  
7 **or with private persons or organizations..." (Constitution of the Tohono O'odham**  
8 **Nation, Article VI, Section 2(d) and Section 1(f)); and**

9 **WHEREAS, the Tohono O'odham Nation ("Nation") has been in negotiations with the Cyprus**  
10 **Tohono Corporation/Freeport-McMoRan ("CTC") regarding the resumption of**  
11 **operations at its CTC mine in Sif Oidak District for a number of years; and**

12 **WHEREAS, CTC requires more time to examine the viability of resuming operations at the**  
13 **CTC Mine; and**

14 **WHEREAS, the Office of Attorney General has negotiated a Letter of Intent with CTC that**  
15 **provides financial incentives to the Nation for the Nation to allow CTC more time**  
16 **to examine the viability of resuming operations at the CTC Mine; and**

17 **WHEREAS, the Agricultural and Natural Resources Committee has reviewed the Letter of**  
18 **Intent and recommends its approval.**

19 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it approves**  
20 **the Letter of Intent Between the Tohono O'odham Nation and Cyprus Tohono**  
21 **Corporation Regarding Addendum No. 5 to the Mining Lease and Resumption of**  
22 **Mining Operations, substantially in the form attached, provided that any revenue**  
23 **generated from this Letter of Intent shall not be allocated until after consultation**  
24 **between the Nation and the Sif Oidak District.**

25 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham**  
26 **Nation chairperson or any designated official is authorized to execute the Letter**  
27 **of Intent and any related documents provided that any amendments shall be**  
28 **submitted for prior approval by the Tohono O'odham Legislative Council.**

29 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 17<sup>TH</sup>**  
30 **day of SEPTEMBER, 2020 at a meeting at which a quorum was present with a vote of 2,251.7 FOR;**  
31 **376.9 AGAINST; 547.1 NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council**  
32 **by Article VI, Section 1(f) and 2(d) of the Constitution of the Tohono O'odham Nation, adopted by**  
33 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
34 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
35 **18, 1934 (48 Stat.984).**  
36

**RESOLUTION NO. 20-306**

**(Approving a Letter of Intent Between the Tohono O'odham Nation and Cyprus Tohono Corporation Regarding Addendum No. 5 to the Mining Lease and Resumption of Mining Operations)**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

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

18 day of September, 2020

ATTEST

  
\_\_\_\_\_  
Evonne Wilson, Legislative Secretary

17 day of September, 2020

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 18 day of September, 2020 at 2:07 o'clock, P.m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

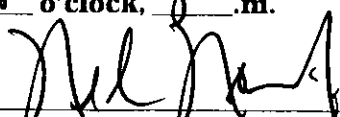
  
\_\_\_\_\_  
Timothy Joaquin, Legislative Chairman

APPROVED

on the 21 day of September, 2020


DISAPPROVED

at 3:08 o'clock, P.m.

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

Returned to the Legislative Secretary on the 21 day of

September, 2020, at 4:00 o'clock, P.m.

  
\_\_\_\_\_  
Evonne Wilson, Legislative Secretary

**ACTION: APPROVING A LETTER OF INTENT BETWEEN THE TOHONO O'ODHAM NATION AND CYPRUS TOHONO CORPORATION REGARDING ADDENDUM NO. 5 TO THE MINING LEASE AND RESUMPTION OF MINING OPERATIONS**

**Moved: COUNCILWOMAN MARLAKAY HENRY**

**SECOND: COUNCILWOMAN MARY LOPEZ**

**DATE: SEPTEMBER 17, 2020**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling)	192.40	X			
	2. ALBERTA J. RAY (Frances G. Antone)	192.40	X			
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer)	173.75	X			
	2. MARLAKAY HENRY (Billman Lopez)	173.75	X			
GUACHI 279.3	1. VICTORIA HOBBS ( )	139.65	X			
	2. TIMOTHY L. JOAQUIN (Louis L. Johnson)	139.65		X		
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			
	2. GRACE MANUEL ( )	132.25	X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA ( )	106.90	X		X	
	2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90	X			
PISINEMO 230.7	1. MONICA K. MORGAN ( )	115.35	X			
	2. MARIETTA MARTIN ( )	115.35	X			
SAN LUCY 235.6	1. GLORIA RAMIREZ ( )	117.80		X		
	2. JANA MONTANA (Lorraine M. Eiler)	117.80	X			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	119.45		X		
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ( )	273.55			X	
	2. ARTHUR WILSON ( )	273.55			X	
SIF Oidak 244.5	1. LUCINDA ALLEN (Yolonda Garcia)	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
<b>TOTAL</b>		<b>3,175.7</b>	<b>2,251.7</b>	<b>376.9</b>	<b>547.1</b>	<b>-0-</b>