

**RESOLUTION OF THE TOHONO O’ODHAM LEGISLATIVE COUNCIL
(Approving Lease Agreement for the Glendale Property)**

RESOLUTION NO. 22-188

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WHEREAS, the Tohono O’odham Nation (the “Nation”) is a federally recognized Indian tribe organized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 987; 25 U.S.C. § 476), which exercises sovereignty over both its members and its lands; and

WHEREAS, the Constitution of the Tohono O’odham Nation vests the Tohono O’odham Legislative Council with the power to acquire and administer land (Constitution, Article VI, Section 1(i)); and

WHEREAS, Article XVI, Section 1 of the Nation’s Constitution provides

The unallotted lands of the Tohono O’odham Nation and all lands hereafter acquired by the nation, or held for the use of the nation or its members, are a valuable public resource and shall be held as national lands forever. Control and management thereof are vested in the Tohono O’odham Council, which may enact laws governing the use, assignment, permit, lease or other disposition of lands, interests in land and resources of the nation consistent with Federal law.

; and

WHEREAS, the Tohono O’odham Gaming Enterprise (the “Gaming Enterprise”) is a wholly owned tribal government enterprise of the Nation established pursuant to Article VI, Section 1(e) of the Nation’s Constitution and operated pursuant to the Charter of the Gaming Enterprise (“Charter”), 16 Tohono O’odham Code Chapter 2; and

WHEREAS, Section 5(d)(6) of the Charter vests the Gaming Enterprise Management Board with authority to “Utilize, improve, maintain, operate and manage, in the ordinary course of business, all interests in real property held by the Enterprise, including negotiation of leases or subleases of real property subject to approval of the Legislative Council; provided however, that nothing in this Charter shall be construed as authorizing the Enterprise to mortgage or encumber trust or restricted real property of the Nation without the prior consent of the Legislative Council”; and

WHEREAS, in 2018, the Nation purchased approximately 11.168 acres of land located at 9219 West Northern Avenue, Glendale, Arizona (“Glendale Property”), which lands are not held in trust by the United States; and

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(Approving Lease Agreement for the Glendale Property)
Page 2 of 3

1 **WHEREAS, the Nation and the Gaming Enterprise propose to enter into a Lease Agreement**
2 **for Glendale Property ("Lease Agreement"), which is incorporated by this**
3 **reference; and**

4 **WHEREAS, the Commerce and Agricultural and Natural Resources Committees have**
5 **reviewed the Lease Agreement and recommend that it be approved.**

6 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council**

7 **(1) approves the Lease Agreement for Glendale Property in substantially the form**
8 **incorporated herein; provided that the Enterprise shall not conduct gaming**
9 **activities, as that term is defined in 16 T.O.C. Chapter 1, Section 201(j), on the**
10 **Property, and**

11 **(2) authorizes and directs the Nation's chairperson to execute the Agreement.**

12 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18TH**
13 **day of MAY, 2022 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0-**
14 **AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by,**
15 **Article VI, Section 1(e) and 1(i) and Article XVI, Section 1 of the Constitution of the Tohono**
16 **O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by**
17 **the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant**
18 **to Section 16 of the Act of June 18, 1934 (48 Stat.984).**

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21 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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25 **Timothy Joaquin, Legislative Chairman**

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27 19 day of May, 2022

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30 **ATTEST:**

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33 **Evonne Wilson, Legislative Secretary**

34 19 day of May, 2022

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37 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
38 **O'odham Nation on the 19 day of May, 2022 at 12:14 o'clock, P.m.,**
39 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
40 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
41 **hours of submittal.**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL




Timothy Joaquin, Legislative Chairman

APPROVED

on the 23rd day of May, 2022

DISAPPROVED

at 12:05 o'clock, P.m.



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

Returned to the Legislative Secretary on the 23 day of

May, 2022, at 12:13 o'clock, P.m.



Evonne Wilson, Legislative Secretary

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ACTION: APPROVING LEASE AGREEMENT FOR THE GLENDALE PROPERTY**MOVED: COUNCILWOMAN JANICE FELIX****SECOND: COUNCILWOMAN GRACE MANUEL****DATE: MAY 18, 2022**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDA 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON ()	278.25	X			X
	2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
	2. JANICE FELIX (Adam P. Andrews)	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			X
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			X
	2. DELMA M. GARCIA ()	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (<i>Absent</i>) (Billman Lopez) (<i>Present</i>)	175.8	X			X
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
TOTAL		3,218.0	3,218.0	-0-	-0-	[04]