

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending Section 5 of the Desert Diamond Mobile LLC Limited
Liability Company Agreement)**

RESOLUTION NO. 22-386

1 **WHEREAS,** the Legislative Council is vested with the power to “promote, protect and provide
2 for public health, peace, morals, education and general welfare of the Tohono
3 O’odham Nation and its members” (Constitution of the Tohono O’odham Nation,
4 Article VI, Section 1(c)(2)); and

5 **WHEREAS,** the Nation has formed Desert Diamond Mobile LLC as a subordinate economic
6 enterprise of the Nation pursuant to Article VI, Section 1(c) of the Constitution,
7 and as an exercise by the Nation of rights of self-government under the
8 Constitution, to pursue the goal of economic self-sufficiency, to establish a
9 financially self-sustaining and successful tribal enterprise that will provide a
10 source of funding for the Nation’s governmental services, and to promote tribal
11 and economic development, including through providing training and
12 employment opportunities for members of the Nation, through the operation of
13 mobile event wagering in the State of Arizona as the Nation’s fully owned event
14 wagering operator; and

15 **WHEREAS,** by Resolution No. 21-256, the Tohono O’odham Legislative Council approved the
16 Desert Diamond Mobile LLC Limited Liability Company Agreement (the
17 “Agreement”); and

18 **WHEREAS,** the Commerce Committee and Nation’s chairman recommend amending Section
19 5 of the Agreement in accordance with the “October 2022 Amendment,” which is
20 incorporated by this reference, to address the composition, appointment, and
21 qualifications of the Board of Managers; and

22 **WHEREAS,** it is in the Nation’s best interest to approve the October 2022 Amendment.

23 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O’odham Legislative Council approves the
24 **October 2022 Amendment to Section 5 of the Desert Diamond Mobile LLC Limited**
25 **Liability Company Agreement.**

26 **The foregoing Resolution was passed by the Tohono O’odham Legislative Council on the 14TH**
27 **day of OCTOBER, 2022 at a meeting at which a quorum was present with a vote of 3,101.65 FOR;**
28 **116.35 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council**
29 **by, Article VI, Section 1(b), 1(c)(2), 1(e), and Section 1(l) of the Constitution of the Tohono**
30 **O’odham Nation, adopted by the Tohono O’odham Nation on January 18, 1986; and approved by**
31 **the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant**
32 **to Section 16 of the Act of June 18, 1934 (48 Stat.984).**
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

17 day of October, 2022

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

17 day of October, 2022

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 17 day of October, 2022 at 10:15 o'clock, a.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

Timothy Joaquin, Legislative Chairman

APPROVED

on the 19 day of October, 2022

DISAPPROVED

at 8:00 o'clock, a.m.

Ned Norris, Jr.

NED NORRIS, JR., CHAIRMAN

TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19 day of October, 2022, at 8:20 o'clock, a.m.

Evonne Wilson

Evonne Wilson, Legislative Secretary

ACTION: AMENDING SECTION 5 OF THE DESERT DIAMOND MOBILE LLC LIMITED LIABILITY COMPANY AGREEMENT

MOVED: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILMAN DANIEL L.A. PRESTON III

DATE: OCTOBER 14, 2022

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF ODAK 245.6	1. MARY LOPEZ (Ann M. Garcia) 2. LUCINDA ALLEN (Francis Homewytewa)	122.8 122.8	X X			
SELLS 556.5	1. ARTHUR WILSON (<i>Absent</i>) (Shelia Espino) (<i>Present</i>) 2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25 278.25	X X			X
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza) 2. DELISA M. RAMON (Sharon A. Francisco)	95.25 95.25	X X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner) 2. JANICE FELIX (Adam P. Andrews)	121.3 121.3	X X			
SAN LUCY 243.8	1. JANA MONTANA (<i>Absent</i>) (Lorraine M. Eiler) (<i>Present</i>) 2. ROGER MANUEL (Christina Andrews)	121.9 121.9	X X			
PISINEMO 232.7	1. MARIETTA MARTIN () 2. EDWARD D. MANUEL (Monica Morgan)	116.35 116.35	X	X		
HICKIWAN 216.6	1. LOUIS R. LOPEZ () 2. DELMA M. GARCIA ()	108.3 108.3	X X			
GU VO 270.7	1. GRACE MANUEL () 2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35 135.35	X X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN () 2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25 139.25	X X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (<i>Absent</i>) (Billman Lopez) (<i>Present</i>) 2. VIVIAN JUAN-SAUNDERS (<i>Absent</i>) (Cornelius Antone) (<i>Present</i>)	175.8 175.8	X X			X
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone) 2. LEANDER MASE (Francine Schooling)	194.45 194.45	X X			
	TOTAL	3,218.0	3,101.65	116.35	-0-	[02]