RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving an Intergovernmental Agreement for the installation of traffic signals near Desert Diamond Casino)

RESOLUTION NO. 95-197

WHEREAS, the Tohono O'odham Gaming Authority proposes that traffic signals be installed at the corner of Los Reales Road and Old Nogales Highway near the Desert Diamond Casino to improve traffic safety and convenience in and around the Casino property; and

WHEREAS, the Gaming Authority has presented a proposed Intergovernmental Agreement with the State of Arizona and the City of Tucson for the design, construction and maintenance of traffic signals and related road improvements (the "IGA"), a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to the IGA, the Nation would be required to provide the design plans and specifications for the bidding and construction and to reimburse the City of Tucson all costs associated with the project in excess of $95,000; and

WHEREAS, the Gaming Authority is prepared to undertake all obligations and duties of the Nation under the IGA and indemnify, defend and hold the Nation harmless for any and all liability arising out of the

RESOLUTION NO. <u>95-197</u>
(Approving an Intergovernmental Agreement for the installation
of traffic signals near Desert Diamond Casino)
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Nation's entering into the IGA; and

WHEREAS, it is in the Nation's interest to promote and protect the safety and welfare of its members, employees and patrons.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Legislative Council approves the Intergovernmental Agreement in the form attached hereto.

2. The Gaming Authority shall assume all responsibility for the rights, duties and obligations of the Nation under the IGA, and the Gaming Authority shall indemnify, defend and hold harmless the Nation for any and all liability arising out of the Nation's entering into the IGA.

3. The Nation's Chairman is authorized and directed to execute the IGA, provided that the Gaming Authority Board has approved and executed an agreement for the assumption of obligations and duties and indemnification of the Nation consistent with the requirements of this Resolution.

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The foregoing Resolution was passed by the Tohono O'Odham Legislative Council the 2ND, day of May, 1995 at a meeting at which a quorum was present with a vote of 1,763.0 FOR; -0- AGAINST; -0- NOT VOTING; and 05 ABSENT, pursuant to the powers vested in the Council by Section 1(c), (f) and (i) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).
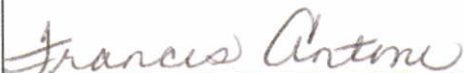
TOHONO O'ODHAM LEGISLATIVE COUNCIL

_____
Alex J. Ramon, Legislative Chairman

05 day of May , 19 95

ATTEST:

_____
Frances Antone, Legislative Secretary

8th day of May , 19 95

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 8th day of May , 19 95 at 337 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

_____
Alex J. Ramon, Legislative Chairman

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[X] **APPROVED**   on the _8_ day of _May_ _____, 19_95_

[ ] **DISAPPROVED**   at _4:17_ o'clock, _P._.M.

_____
SYLVESTER LISTO, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the _9th_ day of

May _____, 19_95_, at _8:31_ o'clock, _A_.M.

Frances Antone _____
Frances Antone, Legislative Secretary

ACTION: APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR THE INSTALLATION OF TRAFFIC SIGNALS NEAR DESERT DIAMOND CASINO

MOVED: COUNCILMAN EUGENE ENIS, SR.   **SECOND:** COUNCILMAN WILLARD ANITA

DATE: MAY 02, 1995

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 151.0	1. WILLARD JUAN, SR. (Delbert Thomas)	75.5	X			
	2. MARY ANN ANTONE (Nellie Miguel)	75.5	X			X
SELLS 290.0	1. ANDREW M. PATRICIO (Lucille Encinas)	145.0	X			X
	2. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	145.0	X			
SCHUK TOAK 113.0	1. FRANCES FRANCISCO ( )	56.5	X			
	2. KENNETH J. ANTONE ( )	56.5	X			
SAN XAVIER 135.0	1. EUGENE ENIS, SR. ( )	67.5	X			
	2. DENNIS RAMON ( )	67.5	X			
BABOQUIVARI 230.0	1. FRANCES MIGUEL ( )	115.0	X			
	2. EDWARD KISTO (Idella Stanley)	115.0	X			
GU ACHI 180.0	1. WILLARD ANITA ( )	90.0	X			
	2. ALEX J. RAMON (Marian Johnson)	90.0	X			
PISINEMO 128.0	1. VACANT (Vacant)	64.0	X			X
	2. JOHNSON M. JOSE (Roseleen Antone)	64.0	X			
SAN LUCY 98.0	1. JOHN RENO ( )	49.0	X			
	2. ALBERT MANUEL, JR. (Ernestine Marquez)	49.0	X			X
GU VO 124.0	1. EMILIO LEWIS ( )	62.0	X			X
	2. MICHAEL FLORES (Fern Salcido)	62.0	X			
HICKIWAN 136.0	1. MANUEL OSEQUEDA, JR. ( )	68.0	X			
	2. LLOYD FRANCISCO ( )	68.0	X			
CHUKUT KUK 178.0	1. MARILYN FRANCISCO	89.0	X			
	2. KENNETH WILLIAMS ( )	89.0	X			
TOTAL		**1,763.0**	**1,763.0**	**-0-**	**-0-**	**05**

**PASSED VOTES