

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving a lease of land to the Tohono O'Odham Gaming Authority)**

**RESOLUTION NO. 95-534**

**WHEREAS, by Resolution No. 93-296, the Legislative Council enacted the Ordinance for the Regulation of Gaming Activities within the Nation, which authorizes the conduct of gaming activities within the Nation; and**

**WHEREAS, by Resolution No. 93-311, the Legislative Council adopted the Charter of the Tohono O'Odham Gaming Authority as the entity of the Nation charged with developing, operating and maintaining the Nation's gaming facilities; and**

**WHEREAS, pursuant to Section 4(d) of the Charter of the Gaming Authority, the Gaming Authority is required to produce the maximum economic return to the Nation consistent with the fair and reasonable expectations of gaming activity patrons; and**

**WHEREAS, by Resolution No. 94-467, the Legislative Council directed the Gaming Authority to develop additional class III gaming facilities within the Nation taking into account the recommendations of the feasibility study; and**

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3 **WHEREAS,** the Gaming Authority recommends the location of a second gaming  
4 facility on the Nation's trust land located within the San Xavier  
5 District; and  
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8 **WHEREAS,** pursuant to Section 5(d)(6) of the Charter, the Legislative Council  
9 must approve leases or subleases of real property by the Gaming  
10 Authority; and  
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13 **WHEREAS,** the Gaming Authority proposes to lease approximately 80 acres of  
14 the Nation's trust land located within the San Xavier District for  
15 purposes of locating a second gaming facility thereon, in accordance  
16 with the terms of the Business Lease attached hereto and  
17 incorporated herein by reference; and  
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20 **WHEREAS,** the Gaming Authority proposes a nominal annual rental for the  
21 leased premises due to the requirement of Section 7(d) of the  
22 Charter that the Gaming Authority pay to the Nation as a  
23 distribution all available cash at the end of each month of  
24 operation, and that no payment bond be required; and  
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**WHEREAS, the Natural Resources Committee recommends approval of the Business Lease in the form attached hereto.**

**NOW, THEREFORE, BE IT RESOLVED THAT:**

- 1. The above-stated justification for the nominal rental fee and the waiver of the payment bond is hereby accepted.**
- 2. The Business Lease in the form attached hereto is hereby approved.**
- 3. The Gaming Authority, its employees, agents, representatives, contractors, and sub-contractors shall comply with all applicable laws of the Nation in the performance of the duties and obligations under the Business Lease and in the construction, operation and maintenance of its gaming facilities.**

**The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 8TH. day of NOVEMBER, 1995 at a meeting at which a quorum was present with a vote of 1,353.0 FOR; 418.0 AGAINST; -0- NOT VOTING; and 105.0 [03] ABSENT, pursuant to the powers vested in the Council by Section 1(i), Section 2(d) of Article VI and Article XVI - Section 1 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).**

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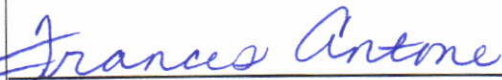
**TOHONO O'ODHAM LEGISLATIVE COUNCIL**



**Dennis Ramon, Legislative Chairman**

16<sup>th</sup> day of November, 1995

**ATTEST:**



**Frances Antone, Legislative Secretary**

15<sup>th</sup> day of November, 1995

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 16<sup>th</sup> day of November, 1995 at 10:45 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**



**Dennis Ramon, Legislative Chairman**


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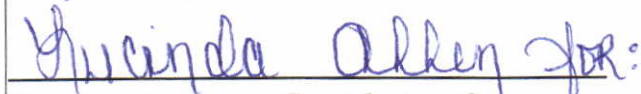
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**APPROVED** on the 17<sup>th</sup> day of November, 1995  
 **DISAPPROVED** at 5:00 o'clock, P.M.

  
EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 20<sup>th</sup> day of  
November, 1995, at 10:40 o'clock, A.M.

  
Frances Antone, Legislative Secretary

ACTION: APPROVING A LEASE OF LAND TO THE TOHONO O'ODHAM GAMING AUTHORITY

MOVED: COUNCILWOMAN RITA MARTINEZ

SECOND: COUNCILMAN WILLARD ANITA

DATE: NOVEMBER 8, 1995

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 160.0	1. MARY ANN ANTONE (Nellie Miguel)	80.0	X			
	2. RITA MARTINEZ (Maxine Norris)	80.0	X			
SELLS 314.0	1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	157.0	X			
	2. LUCILLE ENCINAS (Cynthia Chico)	157.0	X			
SCHUK TOAK 117.0	1. KENNETH J. ANTONE ( )	58.5	X			
	2. MARY JANE JUAN-MOORE ( )	58.5	X			
SAN XAVIER 142.0	1. DENNIS RAMON ( )	71.0		X		
	2. TONY BURRELL ( )	71.0		X		
BABOQUIVARI 257.0	1. EDWARD KISTO ( Idella Stanley)	128.5	X			
	2. FRANCES MIGUEL (Kenneth Chico, Sr.)	128.5	X			
GU ACHI 187.0	1. ALEX J. RAMON (Marian Johnson)	93.5	X			X
	2. WILLARD ANITA (Louis Johnson)	93.5	X			
PISINEMO 135.0	1. JOHNSON JOSE (Roseleen Antone)	67.5	X			
	2. BARBARA SALVICIO ( )	67.5	X			
SAN LUCY 105.0	1. ALBERT MANUEL, JR. ( )	52.5				X
	2. JOHN RENO (Mary Hoffman)	52.5				X
GU VO 134.0	1. MICHAEL FLORES ( )	67.0		X		
	2. FERN SALCIDO (Larry Montana)	67.0		X		
HICKIWAN 142.0	1. LLOYD FRANCISCO ( )	71.0		X		
	2. ALEX JOSE ( )	71.0		X		
CHUKUT KUK 183.0	1. KENNETH WILLIAMS ( )	91.5	X			
	2. DAVID GARCIA (Marvin Thomas)	91.5	X			
TOTAL		1,876.0	1,353.0	418.0	-0-	105.0 [03]

\*\*PASSED VOTES