

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Ratification and Renewal of Lease of Land to the Tohono O'odham  
Gaming Enterprise)**

RESOLUTION NO. 12-032

1 **WHEREAS, the Legislative Council is vested with the power to “enact laws governing the use,**  
2 **assignment, permit, lease, or other disposition of lands, interests in land and**  
3 **resources of the Nation consistent with Federal law” (Constitution of the Tohono**  
4 **O’odham Nation, Article XVI, Section 1); and**

5 **WHEREAS, the Tohono O’odham Gaming Enterprise (the “Gaming Enterprise”), which formerly**  
6 **was known as the Tohono O’odham Gaming Authority, is a tribal governmental**  
7 **enterprise of the Nation established pursuant to Article VI of the Nation’s Constitution**  
8 **as the tribal enterprise responsible for operating the Nation’s gaming facilities and**  
9 **conducting gaming activities; and**

10 **WHEREAS, by Resolution No. 99-467, the Legislative Council approved a business lease (“Business**  
11 **Lease”) between the Nation and the Gaming Enterprise for the construction and**  
12 **operation of a gaming facility on the Nation’s trust land adjacent to Interstate 19 at the**  
13 **Pima Mine Road exit; and**

14 **WHEREAS, the Business Lease is for a term of ten years, which term expired on August 30, 2009;**  
15 **and**

16 **WHEREAS, pursuant to the terms of the Business Lease, provided that the Gaming Enterprise is**  
17 **not in default, the Business Lease may be renewed for a term of five years at the option**  
18 **of the Gaming Enterprise, subject to the approval of the Nation and the United States**  
19 **Secretary of the Interior; and**

20 **WHEREAS, the Gaming Enterprise desires to renew the Business Lease and is not in default; and**

21 **WHEREAS, the Agriculture and Natural Resources Committee and Commerce Committee**  
22 **recommend that the Business Lease be ratified and renewed as of August 30, 2009 in**  
23 **the form of the attached Business Lease Ratification and Renewal Agreement; and**

24 **WHEREAS, it is in the best interests of the Tohono O’odham Nation that the Business Lease be**  
25 **ratified and renewed.**

26 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O’odham Legislative Council hereby approves**  
27 **the Business Lease Ratification and Renewal Agreement, substantially in the form**  
28 **attached hereto.**

29 **BE IT FINALLY RESOLVED that the Tohono O’odham Legislative Council hereby authorizes and**  
30 **directs the Nation’s Chairperson to execute the Business Lease Ratification and**  
31 **Renewal Agreement.**

32

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12<sup>TH</sup> Day of JANUARY, 2012 a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section 1 of Article XVI 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

*Timothy Joaquin*

Timothy Joaquin, Legislative Chairman

17 day of January, 2012

ATTEST:

*Evonne Wilson*

Evonne Wilson, Legislative Secretary

13 day of January, 2012.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 17 day of January, 2012 at 9:41 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 17 day of January, 2012

DISAPPROVED

at 9:58 o'clock, a.M.

*Ned Norris, Jr.*

NED NORRIS, JR., CHAIRMAN

TOHONO O'ODHAM NATION

**RESOLUTION NO. 12-032**

**(Approving Ratification and Renewal of Lease of Land to the Tohono O'odham Gaming Enterprise)**

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Returned to the Legislative Secretary on the 17 day of

January, 2012, at 10:42 o'clock, A.M.

*Evonne Wilson*  
Evonne Wilson, Legislative Secretary

**ACTION: APPROVING RATIFICATION AND RENEWAL OF LEASE OF LAND TO THE TOHONO O'ODHAM GAMING ENTERPRISE**

**MOVED: COUNCILWOMAN FRANCES MIGUEL**

**SECOND: COUNCILWOMAN LORRAINE EILER**

**DATE: JANUARY 12, 2012**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			X
<b>CHUKUT KUK</b> 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ( )	151.10	X			
<b>GU ACHI</b> 244.9	1. TIMOTHY L. JOAQUIN (Rose Johnson Antone)	122.45	X			
	2. CYNTHIA E. MANUEL ( <i>Absent</i> ) (Louis L. Johnson) ( <i>Present</i> )	122.45	X			
<b>GU VO</b> 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Roselda Lewis)	113.35	X			
<b>HICKIWAN</b> 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			
<b>PISINEMO</b> 200.7	1. CHESTER ANTONE (Tony Murrietta)	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
<b>SAN LUCY</b> 204.6	1. LORRAINE EILER ( )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
<b>SAN XAVIER</b> 215.8	1. HILARION CAMPUS ( )	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
<b>SCHUK TOAK</b> 169.8	1. FRANCES B. CONDE ( )	84.90	X			X
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
<b>SELLS</b> 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL ( )	237.85	X			
<b>SIF OIDAK</b> 211.9	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			X
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,780.60</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>