

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Transfer of Payments under 2012 SEAS MOU to Tohono O'odham
Gaming Enterprise)**

RESOLUTION NO. 13-014

1 **WHEREAS, the Legislative Council is vested with the power to “consult, negotiate and conclude**
2 **agreements and contracts on behalf of the Tohono O’odham Nation with Federal, State**
3 **and local governments and other Indian tribes or their departments, agencies, or**
4 **political subdivisions, or with private persons or organizations on all matters within**
5 **the authority of the Tohono O’odham Council” (Constitution of the Tohono O’odham**
6 **Nation, Article VI, Section 1(f)); and**

7 **WHEREAS, the Legislative Council is further vested with the power “to manage any funds within**
8 **the exclusive control of the Tohono O’odham Nation, including proceeds derived from**
9 **lands and resources of the Tohono O’odham Nation, and to appropriate these funds**
10 **for the benefit of the nation and its members. All expenditures of these funds shall be**
11 **pursuant to appropriations or budgets authorized under resolutions or in accordance**
12 **with ordinances of the Tohono O’odham Council...” (Constitution of the Tohono**
13 **O’odham Nation, Article VI, Section 1(d)(2)); and**

14 **WHEREAS, pursuant to Resolution No. 09-015, the Nation entered into a *Memorandum of***
15 ***Understanding Regarding SEAS Between the Tohono O’odham Nation and the State of***
16 ***Arizona* (the “SEAS MOU”) in order to implement the requirements and safeguards of**
17 **the Nation’s Tribal-State Gaming Compact with the State of Arizona with regard to**
18 **State access to the on-line electronic game management system at the Nation’s**
19 **Gaming Facilities; and**

20 **WHEREAS, pursuant to Resolution No. 12-285, the Nation entered into a new *Memorandum of***
21 ***Understanding Regarding SEAS Between the Tohono O’odham Nation and the State of***
22 ***Arizona* (the “2012 SEAS MOU”); and**

23 **WHEREAS, Under Section 9.7.1 of the 2012 SEAS MOU, the State is obligated to pay certain sums**
24 **to the Nation as repayment for costs relating to the construction and maintenance of**
25 **the telecommunications connection and the purchase, installation and maintenance**
26 **of the necessary hardware and software for the interface between the on-line game**
27 **management system and the telecommunications connections with the State**
28 **Electronic Access System; and**

29 **WHEREAS, the costs relating to the construction and maintenance of the telecommunications**
30 **connection and the purchase, installation and maintenance of the necessary**
31 **hardware and software for the interface between the on-line game management**

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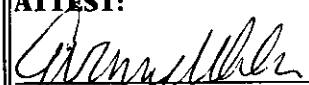
system and the telecommunications connections with the State Electronic Access System are borne almost entirely by the Tohono O'odham Gaming Enterprise; and WHEREAS, the Legislative Commerce and Budget and Finance Committees recommend that payments made to the Nation under Section 9.7.1 of the 2012 SEAS MOU be transferred to the Tohono O'odham Gaming Enterprise.

NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it authorizes the transfer of payments made to the Nation by the State under Section 9.7.1 of the 2012 SEAS MOU to the Tohono O'odham Gaming Enterprise.

BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Nation's Treasurer is authorized and directed to take all necessary actions consistent with this Resolution to facilitate the transfer of payments to the Tohono O'odham Gaming Enterprise.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH Day of JANUARY, 2013 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0- AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (d)(2) and (f) 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 Jagan, Legislative Chairman
14 day of January, 2013

ATTEST:

Evonne Wilson, Legislative Secretary
14 day of January, 2013.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 14 day of January, 2013 at 5:01 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.

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TOHONO O'ODHAM LEGISLATIVE COUNCIL




Timothy Joaquin, Legislative Chairman

APPROVED

on the 16 day of January, 2013

DISAPPROVED

at 11:49 o'clock, a.M.



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

Returned to the Legislative Secretary on the 16 day of

January, 2013, at 12:28 o'clock, p.M.



Evonne Wilson, Legislative Secretary

ACTION: AUTHORIZING TRANSFER OF PAYMENTS UNDER 2012 SEAS MOU TO TOHONO O'ODHAM GAMING ENTERPRISE

MOVED: COUNCILWOMAN LORRIANE EILER

SECOND: COUNCILWOMAN FRANCES B. STEPHENS

DATE: JANUARY 07, 2013

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|------------------------------------|---|-----------------|-----------------|------------|------------|-------------|
| BABOQUIVARI 342.0 | 1. FRANCES MIGUEL (Roberta Harvey) | 171.0 | X | | | X |
| | 2. FRANCES G. ANTONE <i>(Absent)</i> (Vernon Smith) <i>(Present)</i> | 171.0 | X | | | |
| CHUKUT KUK 302.2 | 1. ETHEL GARCIA (Sara Mae Williams) | 151.10 | X | | | |
| | 2. BILLMAN LOPEZ () | 151.10 | X | | | |
| GU ACHI 244.9 | 1. TIMOTHY L. JOAQUIN () | 122.45 | X | | | |
| | 2. CYNTHIA E. MANUEL (Louis L. Johnson) | 122.45 | X | | | X |
| GU VO 226.7 | 1. GRACE MANUEL (Floyd Flores) | 113.35 | X | | | X |
| | 2. PAMELA ANGHILL () | 113.35 | X | | | |
| HICKIWAN 186.3 | 1. LOUIS R. LOPEZ (Michelle Ortega) | 93.15 | X | | | |
| | 2. SANDRA ORTEGA () | 93.15 | X | | | |
| PISINEMO 200.7 | 1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i> | 100.35 | X | | | X |
| | 2. EDWARD MANUEL (Gerald Fayuant) | 100.35 | X | | | |
| SAN LUCY 204.6 | 1. LORRAINE EILER () | 102.30 | X | | | |
| | 2. JANA MONTANA (Gloria Ramirez) | 102.30 | X | | | |
| SAN XAVIER 215.8 | 1. HILARION CAMPUS (Racheal Vilson-Stoner) | 107.90 | X | | | |
| | 2. OLIVIA VILLEGAS-LISTON (Eugene Enis) | 107.90 | X | | | |
| SCHUK TOAK 169.8 | 1. FRANCES B. STEPHENS (Anthony J. Rios) | 84.90 | X | | | |
| | 2. FREDERICK JOSE (Phyllis Cachora) | 84.90 | X | | | |
| SELLS 475.7 | 1. ARTHUR WILSON (Kimberly Mull) | 237.85 | X | | | |
| | 2. MARIA ACKERMAN () | 237.85 | X | | | |
| SIF OIDAK 211.9 | 1. NICHOLAS JOSE () | 105.95 | X | | | |
| | 2. MARY LOPEZ () | 105.95 | X | | | |
| TOTAL | | 2,780.60 | 2,780.60 | -0- | -0- | [04] |