

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Designating Nation's Representatives for Negotiations)

RESOLUTION NO. 13-446

1 **WHEREAS, the Tohono O'odham Nation has exercised its right under the Gila Bend Indian**
2 **Reservation Lands Replacement Act, Pub. L. No. 99-503, 100 Stat. 1798 (1986) to**
3 **request that the Secretary of the United States Department of the Interior hold**
4 **in trust for the Nation's benefit certain replacement lands within**
5 **unincorporated Maricopa County (Resolutions No. 09-049, No. 09-397, and No.**
6 **10-094); and**

7 **WHEREAS, the Tohono O'odham Nation has appointed an Economic Development**
8 **Delegation consisting of the Chairperson of the Nation and the Chairpersons of**
9 **the Tohono O'odham Legislative Council Commerce Committee, Agricultural**
10 **and Natural Resources Committee and the Budget and Finance Committee to**
11 **address issues relating to the Nation's ownership, use of, and request to place in**
12 **trust with the United States replacement land situated near the corner of 91st**
13 **and Northern Avenues in Maricopa County, Arizona ("West Valley Resort**
14 **Property"); and**

15 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to "consult,**
16 **negotiate and conclude agreements and contracts on behalf of the Tohono**
17 **O'odham Nation with Federal, State and local governments and other Indian**
18 **tribes or their departments, agencies, or political subdivisions, or with private**
19 **persons or organizations on all matters within the authority of the Tohono**
20 **O'odham Council" (Constitution of the Tohono O'odham Nation, Article VI,**
21 **Section 1(f)); and**

22 **WHEREAS, the Legislative Council has created the Tohono O'odham Gaming Enterprise to**
23 **"[c]onduct gaming activities in gaming facilities in accordance with the terms**
24 **and conditions of the Gaming Ordinance," and has vested its Management**
25 **Board with responsibility "for the planning, construction and management of**
26 **all new or additional gaming facilities" and authority to "[e]nter into, make,**
27 **perform and carry out or cancel and rescind contracts for any lawful purpose**
28 **pertaining to the Enterprise's business," (16 Tohono O'odham Code Chapter 2,**
29 **Charter of the Tohono O'odham Gaming Enterprise, Section 1(b)(1), Section**
30 **5(d)(3) and 5(d)(10)); and**

31 **WHEREAS, the development of the West Valley Resort will require the Nation and the**
32 **Gaming Enterprise to conclude agreements and contracts within the scope of**
33 **their respective authorities; and**

1 WHEREAS, it is in the Nation's best interest to delegate to the Economic Development
2 Delegation authority to represent the Nation in negotiations.

3 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council delegates to
4 the Economic Development Delegation authority to consult and negotiate
5 agreements on the Tohono O'odham Nation's behalf with state and local
6 governments or with private persons or organizations on matters within the
7 Nation's authority and relating to the Nation's ownership, use of, and request to
8 place in trust with the United States the West Valley Resort Property; provided
9 that:

- 10 1. The Economic Development Delegation shall consult with the Legislative
11 Council oversight committees on specific issues within the committees'
12 respective areas of jurisdiction; and
- 13 2. Any resulting agreement shall not be effective unless and until it is
14 approved by Legislative Council resolution.

15 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05TH
16 day of NOVEMBER, 2013 at a meeting at which a quorum was present with a vote of 2,705.50
17 FOR; ~~0~~ AGAINST; [01] NOT VOTING; and 241.0[06] ABSENT, pursuant to the powers vested in
18 the Council by Article VI, Section 1 (f) of the Constitution of the Tohono O'odham Nation,
19 adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting
20 Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section
21 16 of the Act of June 18, 1934 (48 Stat.984).

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24 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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28 Timothy Joaquin, Legislative Chairman

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30 13 day of November, 2013

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34 ATTEST:

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37 Evonne Wilson, Legislative Secretary

38 8 day of November, 2013
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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 13 day of November, 2013 at 2:34 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


Timothy Joaquin, Legislative Chairman

APPROVED

on the 15 day of November, 2013

DISAPPROVED

at 9:10 o'clock, A .m.


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

Returned to the Legislative Secretary on the 15 day of

November, 2013, at 11:00 o'clock, A .m.


Evonne Wilson, Legislative Secretary

ACTION: DESIGNATING NATION'S REPRESENTATIVES FOR NEGOTIATIONS

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILMAN BILLMAN LOPEZ

DATE: NOVEMBER 05, 2013

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ()	112.1	X			
SELLS 502.0	1. ARTHUR WILSON (Kimberly Mull)	251.0	X			
	2. BARBARA HAVIER ()	251.0	X			
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1	X			
SAN XAVIER 224.2	1. HILARION CAMPUS ()	112.1	X			X
	2. ADAM ANDREWS (Rachael Vilson-Stoner)	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			
	2. JANA MONTANA ()	109.8	X			X
PISINEMO 210.6	1. CHESTER ANTONE (Tony Murrietta)	105.3	X		X	
	2. EDWARD MANUEL, SR. ()	105.3	X			
HICKIWAN 196.9	1. LOUIS R. LOPEZ (Michelle Ortega)	98.45	X			
	2. SANDRA ORTEGA (Manuel Osequeda, Jr.)	98.45	X			
HIA CED 19.6	1. LORRAINE EILER (Jolene Garcia)	9.8	X			
	2. MICHAEL FLORES ()	9.8	X			X
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5	X			X
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			X
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ()	128.65	X			
	2. LORETTA LEWIS (Louis Johnson)	128.65	X			
CHUKUT KUK 319.2	1. ETHEL GARCIA <i>(Absent)</i> (Marlakay C. Henry) <i>(Present)</i>	159.6	X			X
	2. BILLMAN LOPEZ ()	159.6	X			
BABOQUIVARI 357.7	1. FRANCES MIGUEL (Roberta Harvey)	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
TOTAL		2,946.5	2,705.5	-0-	[01]	241.0 [06]