

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Amendments to Tribal-State Gaming Compact)

RESOLUTION NO. 09-014

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,**
3 **State and local governments and other Indian tribes or their departments, agencies,**
4 **or political subdivisions, or with private persons or organizations on all matters**
5 **within the authority of the Tohono O’odham Council” (Constitution of the Tohono**
6 **O’odham Nation, Article VI, Section 1(f)); and**

7 **WHEREAS, by Resolution No. 02-562, the Tohono O’odham Nation approved, and authorized the**
8 **Nation’s Chairman to enter into, a new Gaming Compact between the Tohono**
9 **O’odham Nation and the State of Arizona (the “Compact”); and**

10 **WHEREAS, on December 4, 2002, the Nation’s Chairman entered into the Compact with the State**
11 **of Arizona; and**

12 **WHEREAS, by Resolution No. 07-431, the Legislative Council authorized the Chairperson of the**
13 **Nation and members of the Legislative Commerce Committee to serve on the Tohono**
14 **O’odham Nation Gaming Negotiating Committee (“Gaming Negotiating Committee”)**
15 **in order to negotiate amendments to the Compact with the State of Arizona, provided**
16 **that such amendments be submitted to the Legislative Council for final approval; and**

17 **WHEREAS, the Gaming Negotiating Committee, with the advice and assistance of the Nation’s**
18 **Office of Attorney General, Tohono O’odham Gaming Office, and Tohono O’odham**
19 **Gaming Enterprise, recommends that the Nation enter into amendments to the**
20 **Compact by way of the *Agreement to Amend Compact Between the Tohono O’odham***
21 ***Nation and the State of Arizona* (“Agreement to Amend the Compact”) substantially**
22 **in the form attached hereto, and to enter into a memorandum of understanding**
23 **ancillary to the Agreement to Amend the Compact, the *Memorandum of***
24 ***Understanding Between the Tohono O’odham Nation and Arizona Department of***
25 ***Gaming* (“Memorandum of Understanding”) substantially in the form attached**
26 **hereto.**

27 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O’odham Legislative Council hereby approves**
28 **the Agreement to Amend the Compact with the State of Arizona.**

29

BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that it hereby authorizes and directs the Nation's Chairperson:

- 1. To timely enter into the Agreement to Amend the Compact with the State of Arizona, and to take all other actions consistent with this Resolution that are necessary to achieve full execution of the Compact Amendments; provided that no further approval, consent, notice, or filing shall be required from the Legislative Council for the Chairperson of the Nation to enter into the Compact Amendments.**
- 2. To timely enter into the Memorandum of Understanding with the Arizona Department of Gaming, and to take all other actions consistent with this Resolution that are necessary to achieve full execution of the Memorandum of Understanding; provided that no further approval, consent, notice, or filing shall be required from the Legislative Council for the Chairperson of the Nation to enter into the Memorandum of Understanding.**

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH Day of JANUARY, 2009 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0- AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Section 1 (f) 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



Verlon M. Jose, Legislative Chairman

8 day of January, 2009

ATTEST:



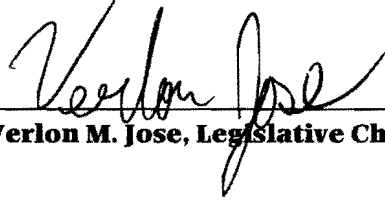
Lucille Lopez, Acting Legislative Secretary

07 day of January, 2009.

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 8 day of January, 2009 at 3:46 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




Verlon M. Jose, Legislative Chairman

APPROVED

on the 08 day of January, 2009

DISAPPROVED

at 3:55 o'clock, P..M.



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

Returned to the Legislative Secretary on the 08 day of

January, 2009, at 4:00 o'clock, P..M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING AMENDMENTS TO TRIBAL-STATE GAMING COMPACT

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILWOMAN FRANCES CONDE

DATE: JANUARY 07, 2009

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|-----------------------------|---|----------------|----------------|------------|------------|-------------|
| BABOQUIVARI 316.9 | 1. FRANCES MIGUEL (Roberta Harvey) | 158.45 | X | | | |
| | 2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>) | 158.45 | X | | | |
| CHUKUT KUK 264.8 | 1. ETHEL GARCIA () | 132.40 | X | | | X |
| | 2. VERLON M. JOSE () | 132.40 | X | | | |
| GU ACHI 227.9 | 1. TIMOTHY L. JOAQUIN (Louis L. Johnson) | 113.95 | X | | | |
| | 2. CYNTHIA E. MANUEL () | 113.95 | X | | | X |
| GU VO 199.2 | 1. GRACE MANUEL () | 99.60 | X | | | |
| | 2. RAYMOND VICTOR () | 99.60 | X | | | X |
| HICKIWAN 172.0 | 1. MICHELLE ORTEGA () | 86.00 | X | | | |
| | 2. SANDRA ORTEGA () | 86.00 | X | | | X |
| PISINEMO 182.4 | 1. CHESTER ANTONE (Tony Murrietta) | 91.20 | X | | | |
| | 2. GERALD FAYUANT () | 91.20 | X | | | |
| SAN LUCY 181.1 | 1. LORRAINE EILER () | 90.55 | X | | | |
| | 2. GLORIA RAMIREZ () | 90.55 | X | | | |
| SAN XAVIER 196.5 | 1. FELICIA NUÑEZ (Adam P. Andrews) | 98.25 | X | | | |
| | 2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez) | 98.25 | X | | | |
| SCHUK TOAK 154.6 | 1. FRANCES B. CONDE (Frederick Jose) | 77.30 | X | | | |
| | 2. PHYLLIS CACHORA (Agnes Joaquin) | 77.30 | X | | | |
| SELLS 444.7 | 1. KIMBERLY LISTO () | 222.35 | X | | | |
| | 2. EVELYN B. JUAN MANUEL () | 222.35 | X | | | X |
| SIF OIDAK 194.4 | 1. WAVALENE ROMERO () | 97.20 | X | | | |
| | 2. MARY LOPEZ () | 97.20 | X | | | |
| TOTAL | | 2,534.5 | 2,534.5 | -0- | -0- | [05] |

**PASSED VOTES