

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending Tribal Land Assignment for the Far West Valley Area and
Amended and Restated Statement of Terms)**

RESOLUTION NO. 24-169

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Tohono O'odham
2 Legislative Council with the power to acquire and administer land (Constitution,
3 Article VI, Section 1(i)); and

4 **WHEREAS,** Article XVI, Section 1 of the Nation's Constitution provides

5
6 The unallotted lands of the Tohono O'odham Nation and all lands
7 hereafter acquired by the nation, or held for the use of the nation or its
8 members, are a valuable public resource and shall be held as national
9 lands forever. Control and management thereof are vested in the Tohono
10 O'odham Council, which may enact laws governing the use, assignment,
11 permit, lease or other disposition of lands, interests in land and resources
12 of the nation consistent with Federal law.

13 ; and

14 **WHEREAS,** in 1986, the United States Congress enacted the Gila Bend Indian Reservation
15 Lands Replacement Act to "facilitate replacement of reservation lands with lands
16 suitable for sustained economic use which is not principally farming and do not
17 require Federal outlays for construction, and promote the economic self-
18 sufficiency of the O'odham Indian people." (Pub. L. 99-503, Section 1(4)); and

19 **WHEREAS,** pursuant to the Section 6 (d) of the Gila Bend Indian Reservation Lands
20 Replacement Act, the Nation acquired title to 110.3 acres of land in
21 unincorporated Maricopa County near the intersection of the Northern Parkway
22 and Arizona State Route 303 (the "Far West Valley Area") which was subsequently
23 taken into trust by the United States for the benefit of the Tohono O'odham
24 Nation; and

25 **WHEREAS,** the Tohono O'odham Gaming Enterprise (the "Gaming Enterprise") is a wholly
26 owned tribal government enterprise established pursuant to Article VI, Section
27 I(e) of the Nation's Constitution and is responsible for planning, constructing,
28 and operating the Nation's gaming facilities and conducting gaming activities
29 (Charter of the Gaming Enterprise ("Charter"), 16 Tohono O'odham Code Chapter
30 2); and

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RESOLUTION NO. 24-169

(Amending Tribal Land Assignment for the Far West Valley Area and Amended and Restated Statement of Terms)

Page 2 of 4

- 1 **WHEREAS,** Section 5(d)(6) of the Charter vests the Gaming Enterprise Management Board
2 with authority to "Utilize, improve, maintain, operate and manage, in the
3 ordinary course of business, all interests in real property held by the Enterprise,
4 including negotiation of leases or subleases of real property subject to approval
5 of the Legislative Council; provided however, that nothing in this Charter shall be
6 construed as authorizing the Enterprise to mortgage or encumber trust or
7 restricted real property of the Nation without the prior consent of the Legislative
8 Council"; and
- 9 **WHEREAS,** Section 5(d)(3) of the Charter further vests the Gaming Enterprise Management
10 Board with authority to "Manage and maintain all existing gaming facilities and
11 amenities and be responsible for the planning, construction and management of
12 all new or additional gaming facilities and related amenities"; and
- 13 **WHEREAS,** in May 2022 the Nation and the Gaming Enterprise entered into a Tribal Land
14 Assignment for the Far West Valley Area Land whereby the Nation granted the
15 Gaming Enterprise a tribal land assignment of 80 acres within the Far West Valley
16 Area in accordance with the assignment authority vested by Article VI, Section I
17 and Article XVI, Section I of the Constitution of the Tohono O'odham Nation for
18 the purpose of development and construction of the Nation's newest Gaming
19 Facility and related amenities; and
- 20 **WHEREAS,** in addition to the Gaming Enterprise's Land Assignment, the Nation reserved the
21 remaining 30.3 acres of the Far West Valley Area land for the San Lucy District (the
22 "District") to use for general economic and community development purposes;
23 and
- 24 **WHEREAS,** the Gaming Enterprise has determined that the optimal placement for it to erect
25 a large pylon sign with digital display advertising the Far West Valley Area gaming
26 facility and future development would be immediately adjacent to Arizona State
27 Route 303 which falls within the 30.3 acres reserved for the District's
28 development purposes; and
- 29 **WHEREAS,** the Gaming Enterprise and the District met and discussed this proposal and
30 subsequently agreed that the Gaming Enterprise would erect the pylon sign in
31 exchange for agreeing to provide the District with shared usage of the pylon sign
32 digital display; and
- 33 **WHEREAS,** in order to provide the Gaming Enterprise with authority to construct the pylon
34 sign, the Nation must first amend the Gaming Enterprise's Tribal Land

RESOLUTION NO. 24-169

(Amending Tribal Land Assignment for the Far West Valley Area and Amended and Restated Statement of Terms)

Page 3 of 4

1 Assignment for the Far West Valley Area and the Amended and Restated
2 Statement of Terms with the San Lucy District (collectively, "2024 Signage
3 Amendments," which are incorporated by this reference); and

4 **WHEREAS,** the Economic Development Delegation recommends that the Legislative Council
5 approve the 2024 Signage Amendments.

6 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves the
7 2024 Signage Amendments; provided that nothing in this Resolution constitutes
8 an encumbrance of the Far West Valley Area.

9 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05TH
10 day of JUNE 2024 at a meeting at which a quorum was present with a vote of 3,005.7 FOR; 257.6
11 AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by
12 Article VI, Section 1(e) and 1(i); Article XVI, Section 1 of the Constitution of the Tohono O'odham
13 Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting
14 Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section
15 16 of the Act of June 18, 1934 (48 Stat.984).

17 TOHONO O'ODHAM LEGISLATIVE COUNCIL

18 *Wavalene M. Saunders*
19 *Legis. Chairwoman*
20 *Legis. Chairwoman*

21 Wavalene M. Saunders, Legislative Chairwoman

22 *6th* day of *June*, 2024

26
27 ATTEST:

28 *Evonne Wilson*
29 _____

30 Evonne Wilson, Legislative Secretary

31
32 *6* day of *June*, 2024

33 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
34 O'odham Nation on the *6th* day of *June*, 2024 at *3:36* o'clock, *1* .m.,
35 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
36 effective upon his approval or upon his failure to either approve or disapprove it within 48
37 hours of submittal.

38
39 TOHONO O'ODHAM LEGISLATIVE COUNCIL

40 *Wavalene M. Saunders*
41 *Legis. Chairwoman*
42 *Legis. Chairwoman*

43 Wavalene M. Saunders, Legislative Chairwoman

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RESOLUTION NO. 24-169

(Amending Tribal Land Assignment for the Far West Valley Area and Amended and Restated Statement of Terms)

Page 4 of 4

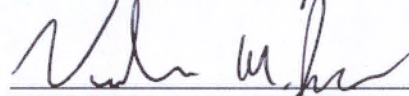
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APPROVED

on the 10 day of June, 2024

DISAPPROVED

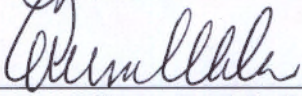
at 2:50 o'clock, P. .m.



VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 10 day of

June, 2024, at 3:08 o'clock, P. .m.



Evonne Wilson, Legislative Secretary

ACTION: AMENDING TRIBAL LAND ASSIGNMENT FOR THE FAR WEST VALLEY AREA AND AMENDED AND RESTATED STATEMENT OF TERMS

MOVED: COUNCILWOMAN EVELYN JUAN MANUEL

SECOND: COUNCILWOMAN VICTORIA HOBBS

DATE: JUNE 05, 2024

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 394.2	1. LEANDER MASE (Francine Schooling) 2. JESSE NAVARRO (Alberta J. Ray)	197.1 197.1	X X			
CHUKUT KUK 354.7	1. VIVIAN JUAN-SAUNDERS (Cornelius Antone) 2. MARLAKAY HENRY ()	177.35 177.35	X X			
GUACHI 282.7	1. VICTORIA HOBBS (Tonya L. Joaquin) 2. JEROME F. JOAQUIN ()	141.35 141.35	X X			
GU VO 276.0	1. DALLAS LEWIS () 2. LESLIE LUNA (Grace Manuel)	138.0 138.0	X X			
HICKIWAN 220.5	1. DELMA M. GARCIA () 2. LOUIS R. LOPEZ (Loretta A. Ortega)	110.25 110.25	X X			X
PISINEMO 236.2	1. EDWARD D. MANUEL (Monica Morgan) 2. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	118.1 118.1	X X			
SAN LUCY 257.6	1. ROGER MANUEL (<i>Absent</i>) (Christina Andrews) (<i>Present</i>) 2. GLORIA M. RAMIREZ (Lorraine M. Eller)	128.8 128.8		X X		
SAN XAVIER 244.5	1. JANICE FELIX () 2. DANIEL L.A. PRESTON III ()	122.25 122.25	X X			
SCHUK TOAK 191.8	1. DELISA M. RAMON (Sharon A. Francisco) 2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9 95.9	X X			
SELLS 558.0	1. EVELYN JUAN-MANUEL (Arvada Liston) 2. JANET B. ELEANDO ()	279.0 279.0	X X			
SIF OIDAK 247.1	1. LUCINDA ALLEN (Francis Homewytewa) 2. WAVALENE M. SAUNDERS (<i>Absent</i>) (Mary Lopez) (<i>Present</i>)	123.55 123.55	X X			
	TOTAL	3,263.30	3,005.7	257.6	-0-	[01]