

## RESOLUTION NO. 2023-23

A RESOLUTION superseding Resolution 2013-68 and declaring a position of conditional neutrality regarding the Coquille Indian Tribe's fee-to-trust application to the United States Department of the Interior.

WHEREAS, on May 3, 2013, City Council adopted Resolution 2013-68, opposing the Coquille Indian Tribe's fee-to-trust application;

WHEREAS circumstances have changed significantly since 2013 in multiple respects and City Council may always revisit past resolutions as needed;

WHEREAS, Resolution 2013-68 was based in significant part on a lack of information at that time about the Coquille Tribe's proposal, noting "the City recognizes that it does not have sufficient information about the Tribe's proposal at this time to reach a final conclusion. Without such information, however, the City cannot take a position in support of the proposed development, and therefore opposes it," but that concern raised in 2013 has been alleviated by a number of subsequent events, most notably the November 25, 2022 publishing of a 1,919-page draft environmental impact statement for the project;

WHEREAS, City Council also now has the benefit of additional practical information above and beyond the aforementioned, including the nature of Coquille Indian Tribe's substantial investment in the Compass by Margaritaville Hotel adjacent to the property at issue, which provides practical insights as to the nature and quality of development that the Coquille Indian Tribe intends to construct on the property at issue;

WHEREAS, Resolution 2013-68 was based upon legal advice that the lands at issue did not qualify for gaming, but on January 19, 2017, the Department of the Interior's Office of Indian Gaming issued a determination that the lands were indeed eligible for gaming under the Indian Gaming Regulatory Act and would be evaluated through the restored lands exception instead of the two-part determination process;

WHEREAS, Resolution 2013-68 was based in part upon concerns about problem gambling, and City Council recognizes that concern, but also notes that significant avenues for gambling (such as Oregon Lottery video poker establishments) exist in the City of Medford regardless of whether this free-to-trust application is approved;

WHEREAS, City Council recognizes that concerns have been raised by some individuals regarding the question of historical claims to the lands and region at issue, but City Council also believes that this complex and important question should be resolved by persons directly affected and with appropriate expertise in the matter through proceedings before the federal government, and City Council does not believe its role is to steer the federal government's determination of those issues; and

WHEREAS, the loss of local regulatory power that inherently occurs when lands are placed into trust can be mitigated through execution of a municipal services agreement with terms acceptable to the City, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON:

Section 1. City Council declares that Resolution 2013-68 no longer reflects the will and position of City Council on the Coquille Tribe's fee-to-trust application.

Section 2. City Council hereby adopts a position of neutrality toward the Coquille Indian Tribe's fee-to-trust application to the United States Department of the Interior, conditioned on execution of a municipal services agreement with terms acceptable to the City of Medford.

Section 3. This Resolution shall become effective immediately upon its passage by the Council and approval by the Mayor.

PASSED by the Council and signed by me in authentication of its passage this 2<sup>nd</sup> day of March, 2023.

ATTEST: Winnie Shepard  
City Recorder

[Signature]  
Mayor Randy Sparacino

APPROVED: March 2, 2023

[Signature]  
Mayor Randy Sparacino