

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Granting a Temporary Use Permit to the Bureau of Indian Affairs for operation  
of the Santa Rosa Ranch School)**

**RESOLUTION NO. 19-036**

1 **WHEREAS, the Tohono O'odham Legislative Council is authorized "to manage, protect,**  
2 **preserve and regulate the use of the property...of the Tohono O'odham Nation"**  
3 **and "to manage...or otherwise deal with lands, or interests in land...of the**  
4 **Tohono O'odham Nation..." (Constitution of the Tohono O'odham Nation, Article**  
5 **VI, Section 1(i)(2) and Section 2(d)); and**

6 **WHEREAS, Resolution No. 1205 adopted in 1961 approved the application of the U.S. Bureau**  
7 **of Indian Affairs to lease 11.51 acres of land within the Schuk Toak District**  
8 **("District") of the Tohono O'odham Nation ("Nation") to construct a new school**  
9 **building and living quarters for the Santa Rosa Ranch School; and**

10 **WHEREAS, The BIA constructed the Santa Rosa Ranch School on the leased premises in the**  
11 **early 1960's and has operated a school serving grades K-8 on the site for over fifty**  
12 **years; and**

13 **WHEREAS, In December of 2018, BIA personnel inspected school buildings that had been**  
14 **damaged by rain and identified significant problems with the buildings,**  
15 **including the presence of potential asbestos-containing materials and lead; and**

16 **WHEREAS, On December 18, 2018, the Assistant Secretary - Indian Affairs, Ms. Tara Sweeney,**  
17 **visited the school and decided to close the existing school buildings, temporarily**  
18 **relocate students to the Santa Rosa Day School, bring portable classroom to the**  
19 **Santa Rosa Ranch School site ; and undertake and effort to replace the buildings**  
20 **at the Santa Rosa Ranch School; and**

21 **WHEREAS, In the process of planning for the installation of portable classrooms at the Santa**  
22 **Rosa Ranch School, the BIA learned that no documents relating to the 1961 lease**  
23 **of the School site could be located other than Resolution No. 1205; and**

24 **WHEREAS, The Nation and the BIA have searched their records and cannot locate any other**  
25 **documents concerning the lease, which would have expired in 2011; and**

26 **WHEREAS, The BIA does not currently have a lease or permit to use the Santa Rosa Ranch**  
27 **School site, but the Nation and the BIA desire to have the BIA continue operation**  
28 **of the school at the site; and**

29 **WHEREAS, The BIA intends to place portable classrooms on the site in March of 2019 and**  
30 **eventually replace the existing school buildings; and**

31 **WHEREAS, The Nation and the BIA intend to negotiate a new lease for the site in compliance**  
32 **with current Federal regulations; and**

33 **WHEREAS, In order to allow school operations to continue while the process for negotiating**  
34 **and documenting a new lease for the school site is ongoing, the Tohono O'odham**

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1 Nation has prepared the attached Temporary Use Permit to allow the BIA to  
2 continue school operations at the site for twenty-four (24) months; and  
3 **WHEREAS,** the Agricultural and Natural Resources and Human Resources Development  
4 Committees have reviewed the proposed Temporary Use Permit and recommend  
5 its approval by the Legislative Council.

6 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves and  
7 authorizes the issuance of the attached Temporary Use Permit to the Bureau of  
8 Indian Affairs for operation of the Santa Rosa Ranch School.

9 **BE IT FINALLY RESOLVED** that the Nation's chairperson, or his designee, is authorized to execute  
10 any documents reasonably necessary to implement this resolution.

11 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 14<sup>TH</sup>  
12 day of JANUARY, 2019 at a meeting at which a quorum was present with a vote of 3,084.6 FOR; -0-  
13 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by  
14 Article VI, Section 1(i)(2) and Section 2(d) of the Constitution of the Tohono O'odham Nation,  
15 adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy  
16 Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the  
17 Act of June 18, 1934 (48 Stat.984).

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19 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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21   
22 Timothy Joaquin, Legislative Chairman

23  
24 17 day of January, 2019

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29 **ATTEST:**

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32 Evonne Wilson, Legislative Secretary

33  
34 16 day of January, 2019

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36 Said Resolution was submitted for approval to the office of the Chairman of the Tohono  
37 O'odham Nation on the 17 day of January, 2019 at 3:30 o'clock, P.M.,  
38 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
39 effective upon his approval or upon his failure to either approve or disapprove it within 48  
40 hours of submittal.

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43 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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46 Timothy Joaquin, Legislative Chairman

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**APPROVED**

**DISAPPROVED**

on the 29 day of January, 2019

at 9:23 o'clock, A.m.

**EXCEEDED 48 HOURS**

  
EDWARD D. MANUEL, CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 29 day of

January, 2019, at 9:40 o'clock, a.m.

  
Evonne Wilson, Legislative Secretary

**ACTION: GRANTING A TEMPORARY USE PERMIT TO THE BUREAU OF INDIAN AFFAIRS FOR OPERATION OF THE SANTA ROSA RANCH SCHOOL**

**Moved: COUNCILMAN BILLMAN LOPEZ**

**SECOND: COUNCILMAN LOUIS R. LOPEZ**

**DATE: JANUARY 14, 2019**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ( )	117.9	X			
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel)	263.6	X			
	2. ADRIANNE TILLER (Idaleen Reyes)	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	92.85	X			
	2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III ( <i>Absent</i> ) (Felicia Nunez) ( <i>Present</i> )	116.15	X			X
	2. JANICE FELIX ( )	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel)	115.55	X			
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55	X			
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	112.95	X			
	2. MONICA K. MORGAN ( )	112.95	X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (Shirley Molina)	104.5	X			
	2. SANDRA D. ORTEGA ( )	104.5	X			X
GU VO 256.9	1. GRACE MANUEL ( )	128.45	X			
	2. DALLAS LEWIS (Nacho Flores)	128.45	X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X			
	2. LORETTA LEWIS ( <i>Absent</i> ) (Victoria Hobbs) ( <i>Present</i> )	135.45	X			X
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			
	2. LEANDER MASE (Francine Schooling)	186.05	X			
TOTAL		3,084.6	3,084.6	-0-	-0-	[03]