RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL (Appropriating Funds for Purchase of a 2,600 Acre Parcel as Replacement Lands for San Lucy District to be Purchased in Accordance with Public Law 99-503)

RESOLUTION NO. 02-234

1	WHEREAS	the Tohono O'odham Legislative Council, at the request of San Lucy District,
2	TTERES,	previously appropriated \$3,365,850 for the proposed purchase of approximately
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		1,181 acres of land at a price of \$2,850 per acre owned by the Gila Bend Investment
4		Group Limited Partnership as replacement lands under Public Law 99-503; and
5	WHEREAS,	after a due diligence evaluation of the 1,181 acre parcel, the Nation, at the request of
6		San Lucy District, withdrew from the proposed purchase of lands owned by Gila Bend
7		Investment Group Limited Partnership and recovered its escrow funds plus interest
8		from that proposed transaction; and
9	WHEREAS,	San Lucy District is now investigating the purchase of alternative parcels of land as
10		replacement lands, utilizing the services of Vi-ikam Doag Industries to identify and
11		research purchase possibilities; and
12	WHEREAS,	Vi-ikam Doag Industries ("VDI") and its wholly owned subsidiary Kimblewick Land,
13		L.L.C., have been instructed by the San Lucy District Council to evaluate certain
14		available lands for environmental problems and to assist the San Lucy District in
15		selecting lands for potential purchase as replacement lands; and
16	WHEREAS,	VDI has identified a 2,600 acre parcel of land for possible purchase for approximately
17		\$440 per acre, and a second parcel of 12,000 acres available for approximately \$162
18		per acre; and
19	WHEREAS,	San Lucy District has requested that the Legislative Council appropriate \$3,400,000
20		from the San Lucy Public Law 99-503 account for the purchase price of both parcels;
21		and
22	WHEREAS,	the Nation's Investment Committee and the Legislative Council's Natural Resources
23		Committee have reviewed the proposal and recommend appropriation of \$1,200,000
24		for purchase of the 2,600 acre parcel only, subject to the approval of the Chairman of
25		the Nation and the Legislative Council prior to closing, and have referred the matter
-c 26		of the second parcel of 12,000 acres to the Office of Attorney General for legal review
20 27		in light of restrictions in Public Law 99-503.
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28 20	NOW, THEF	REFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:
29		1. Appropriates \$1,200,000 for purchase of the 2,600 acre parcel described above for

	RESOLUTION NO. <u>02-234</u> (Appropriating Funds for Purchase of a 2,600 Acre Parcel as Replacement Lands for San Lucy District to be Purchased in Accordance with Public Law 99-503) Page 2 of 3
1	San Lucy District under the provisions of Public Law 99-503 to be used for housing
2	and economic and community development, with no current intention of utilizing
3	such lands for farming.
4	2. Authorizes the Chairman of the Tohono O'odham Nation to disburse funds from
5	the Public Law 99-503 account to pay the purchase price for the 2,600 acre parcel,
6	subject to the review and approval of the Natural Resources Committee and the
7	full Legislative Council prior to closing.
8	3. Rescinds the appropriation of \$3,365,850 in Resolution No. 01-500 for the
9	proposed purchase of the land owned by Gila Bend Investment Group Limited
10	Partnership.
11	The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the <u>16TH.</u> Day
12	of <u>MAY, 2002</u> at a meeting at which a quorum was present with a vote of <u>1,826.7</u> FOR; <u>-0-</u> AGAINST;
13	416.1 NOT VOTING; and 174.7[05] ABSENT, pursuant to the powers vested in the Council by Section
14 15	1 <u>(i)(3</u>) of Article VI and Section 9 of Article XVI 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
15 16	Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act
17	of June 18, 1934 (48 Stat. 984).
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21	TOHONO O'ODHAM LEGISLATIVE COUNCIL
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24 25	Rita A. Martinez, Legislative Chairwoman
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27 28	17 day of M24, 2002
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29 30	ATTEST:
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32	Junite Loka dor
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34	Julianna Saraficio, Acting Legislative Secretary
35	14th day of May , 20 02.
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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odhai Nation on the <u>17</u> th day of <u>Mach</u> , <u>20</u> <u>CR</u> , at <u>9</u> ⁽²⁾ <u>o</u> clock, <u>A</u> . <u>N</u> pursuant to the provisions of Science <u>5</u> <u>of</u> <u>Afficite</u> VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within <u>48</u> hours of submittal. TOHONO O'ODHAM LEGISLATIVE COUNCIL Gamma <u>Barna</u> Rita A. Martinez, Legislative Chairmana Interpret <u>Afficite</u> VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within <u>48</u> hours of submittal. Interpret <u>Afficite</u> VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within <u>48</u> hours of submittal. Interpret <u>Afficite</u> VII of the <u>Affic</u>		RESOLUTION NO. <u>02-234</u> (Appropriating Funds for Purchase of a 2,600 Acre Parcel as Replacement Lands for San Lucy District to be Purchased in Accordance with Public Law 99-503) Page 3 of 3	
Nation on the <u>17</u> ^M day of <u>May</u> , 20 <u>R</u> at <u>9</u> ¹ 3 ¹ o'clock, <u>A</u> <u>May</u> <u>pursuant to the provisions of Section 5 of Addicide 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 TOHONO O'ODHAM LEGISLATIVE COUNCIL Rita A. Martinez, Legislative Chairwoman Name Bark Rita A. Martinez, Legislative Chairwoman Hart A. Martinez, Legislative Chairman TOHONO O'ODHAM NATION Hart A. Martinez, Chairman Hart A. Martinez, Chairman Hart A. Martinez, Chairman Hart A. Martinez, Chairman Hart A. Martinez, 20 (D., at 11:4% o'clock, A. M. Hart A. Martinez, Artinez, Legislative Secretary Hart A. Martinez, Chairman Hart A. Martinez, Legislative Secretary Hart A. Martinez, Legislative Secretary Hart A. Martinez, Legislative Secretary</u>	1	Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham	
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EDWARD D. MANUEL, Chairman TOHONO O'ODHAM NATION Returned to the Legislative Secretary on the $\underline{AO^{H}}$ day of May , 20 \underline{O} , at $\underline{N'.44}$ o'clock, <u>A</u> .M. \underline{May} , 20 \underline{O} , at $\underline{N'.44}$ o'clock, <u>A</u> .M. <u>Julianna Saraficio, Acting Legislative Secretary</u> Julianna Saraficio, Acting Legislative Secretary	21		
EDWARD D. MANUEL, Chairman TOHONO O'ODHAM NATION Returned to the Legislative Secretary on the $\underline{AO^{H}}$ day of May , 20 \underline{O} , at $\underline{N'.44}$ o'clock, <u>A</u> .M. \underline{May} , 20 \underline{O} , at $\underline{N'.44}$ o'clock, <u>A</u> .M. <u>Julianna Saraficio, Acting Legislative Secretary</u> Julianna Saraficio, Acting Legislative Secretary	22	Henry a. Komon	
25 26 27 28 Returned to the Legislative Secretary on the <u>30^H</u> day of <u>May</u> , <u>20</u> , <u>at <u>11:44</u> o'clock, <u>A</u>.M. 31 32 <u>Julianna Saraficio, Acting Legislative Secretary 34 Julianna Saraficio, Acting Legislative Secretary 35 36 37 38 39 40 41 41 42 43</u></u>	23	EDWARD D. MANUEL, Chairman	
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ACTION: APPROPRIATING FUNDS FOR PURCHASE OF A 2,600 ACRE PARCEL AS REPLACEMENT LANDS FOR SAN LUCY DISTRICT TO BE PURCHASED IN ACCORDANCE WITH PUBLIC LAW 99-503

MOVED: COUNCILMAN ALBERT MANUEL

SECOND: COUNCILWOMAN GLORIA RAMIREZ

DATE: MAY 16, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI	1. FRANCES MIGUEL	158.85	x			
317.7	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	x			
CHUKUT KUK	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			х
248.1	(Juanta Honer) 2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI	1. CAMILLUS LOPEZ	115.35	х			
230.7	2. ALEX J. RAMON (Jerome Joaquin)	115.35	х			
GU VO	1. FERN SALCIDO	94.15	X			
188.3	2. EMILIO LEWIS (Michael Flores)	94.15	X			
HICKIWAN	1. SHIRLEY MOLINA	83.65	х			х
167.3	2. SANDRA ORTEGA	83.65	x			
PISINEMO	1. BARBARA SALVICIO (Alex Antone)	87.35				x
174.7	2. PATRICIA CRUZ (Johnson Jose)	87.35				x
SAN LUCY	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	х			
160.7	2. GLORIA RAMIREZ	80.35	х			
SAN XAVIER	1. CRESCENCIO"TONY"ENCINAS	92.35	х			x
184.7	2. DENNIS RAMON ()	92.35	x			
SCHUK TOAK	1. MARY FLORES	72.25	х			
144.5	() 2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	х			
SELLS	1. DENNIS E. JOSE**	208.05			x	
416.1	() 2. EVELYN JUAN ()	208.05			x	
SIF OIDAK	1. ISIDRO LOPEZ	92.35	x			
184.7	() 2. RITA MARTINEZ (Nicholas Jose)	92.35	x			
	FOTAL	2,417.5	1,826.7	-0-	416.1	174.7