

**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 **previously appropriated \$3,365,850 for the proposed purchase of approximately**
3 **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**
26 **of the second parcel of 12,000 acres to the Office of Attorney General for legal review**
27 **in light of restrictions in Public Law 99-503.**

28 **NOW, THEREFORE, 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**

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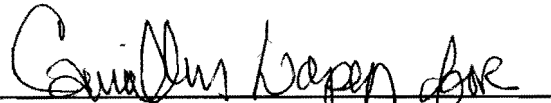
1 San Lucy District under the provisions of Public Law 99-503 to be used for housing
2 and economic and community development, with no current intention of utilizing
3 such lands for farming.

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 16TH Day
12 of MAY, 2002 at a meeting at which a quorum was present with a vote of 1,826.7 FOR; -0- AGAINST;
13 416.1 NOT VOTING; and 174.7[05] ABSENT, pursuant to the powers vested in the Council by Section
14 1 (i)(3) of Article VI and Section 9 of Article XVI 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 Act
17 of June 18, 1934 (48 Stat. 984).

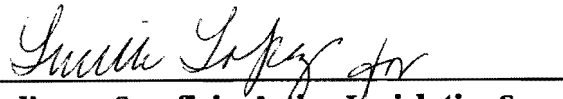
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21 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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25 Rita A. Martinez, Legislative Chairwoman

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27 17th day of May, 20 02

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30 ATTEST:

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34 Julianna Saraficio, Acting Legislative Secretary

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36 16th day of May, 20 02.

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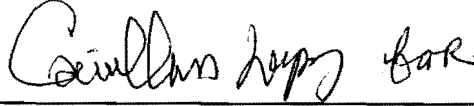
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1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham
2 Nation on the 17th day of May, 20 02 at 9:31 o'clock, A.M.,
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
4 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
5 submittal.

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8 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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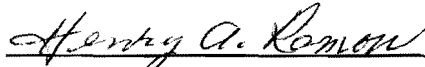
11 **Rita A. Martinez, Legislative Chairwoman**

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17 **APPROVED**

on the 20 day of May, 20 02

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19 **DISAPPROVED**

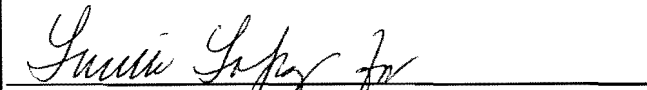
at 9:35 o'clock, A.M.

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23 **EDWARD B. MANUEL, Chairman**
24 **TOHONO O'ODHAM NATION**

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28 Returned to the Legislative Secretary on the 20th day of

29 May, 20 02, at 11:46 o'clock, A.M.

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34 **Julianna Saraficio, Acting Legislative Secretary**

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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 317.7	1. FRANCES MIGUEL ()	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
GU VO 188.3	1. FERN SALCIDO ()	94.15	X			
	2. EMILIO LEWIS (Michael Flores)	94.15	X			
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65	X			X
	2. SANDRA ORTEGA ()	83.65	X			
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35				X
	2. PATRICIA CRUZ (Johnson Jose)	87.35				X
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			
	2. GLORIA RAMIREZ ()	80.35	X			
SAN XAVIER 184.7	1. CRESCENCIO "TONY" ENCINAS ()	92.35	X			X
	2. DENNIS RAMON ()	92.35	X			
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			
SELLS 416.1	1. DENNIS E. JOSE** ()	208.05			X	
	2. EVELYN JUAN ()	208.05			X	
SIF OIDAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
TOTAL		2,417.5	1,826.7	-0-	416.1	174.7

****PASSED VOTES**