

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving a Lease and Memorandum of Understanding for a Law Enforcement
Center at the Papago Farms Site)

RESOLUTION NO. 05-448

1 **WHEREAS, the Tucson Sector of the Border Patrol, under the Bureau of Customs and Border**
2 **Protection ("CBP") of the United States Department of Homeland Security, has**
3 **expressed a need for a Remote Processing Facility at a Papago Farms site that is**
4 **currently used as a Border Patrol camp, in order to more efficiently implement CBP**
5 **law enforcement duties related to border security between ports of entry on the**
6 **International Boundary; and**

7 **WHEREAS, the Tohono O'odham Police Department ("TOPD") also has a need for a police**
8 **substation at the same location to respond to and deter criminal activity in the**
9 **southern portion of Tohono O'odham Nation ("Nation") lands; and**

10 **WHEREAS, TOPD and CBP, in consultation with Chukut Kuk District, have designed a modular**
11 **building to be placed on an approximately one-acre site at the Papago Farms site**
12 **currently used as a Border Patrol camp, to be paid for and owned by the United States**
13 **and jointly operated as a Border Patrol Remote Processing Facility and a police**
14 **substation; and**

15 **WHEREAS, the Nation and CBP have negotiated a Lease Agreement and a Memorandum of**
16 **Understanding, each for a 10 year term with an option to renew for 5 years on terms**
17 **no less favorable to CBP than the original terms, to accomplish the purposes of the two**
18 **law enforcement agencies; and**

19 **WHEREAS, in consideration of the benefits that the Nation will obtain in joint use of the facility**
20 **for TOPD, Chukut Kuk District and its communities, the Nation has agreed to a rental**
21 **payment of one dollar (\$1.00) per year and has agreed to waive its right to an appraisal**
22 **to receive fair market rental for the land; and**

23 **WHEREAS, the Natural Resources Committee and the Domestic Affairs Committee have reviewed**
24 **the Lease Agreement and Memorandum of Understanding and recommend approval**
25 **by the Legislative Council; and**

26 **WHEREAS, the Nation previously endorsed and supported this proposal in Legislative Council**
27 **Resolution No. 05-068, and Chukut Kuk District has approved the proposal in Chukut**
28 **Kuk District Council Resolution No. 2002-48 and No. 2004-46.**

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1 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
2 **Lease Agreement and Memorandum of Understanding substantially in the form**
3 **attached hereto, and authorizes the Vice Chairman of the Nation to execute each**
4 **document and any further documents reasonably necessary to implement the intent**
5 **of this resolution.**

6 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04TH Day**
7 **of AUGUST, 2005 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0-**
8 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**
9 **Section 1 (f) & (i) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
10 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
11 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
12 **18, 1934 (48 Stat. 984).**

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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18 **Evelyn B. Juan Manuel, Legislative Chairwoman**

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20 11th day of August, 2005


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23 **ATTEST:**

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27 **Lucille Lopez, Acting Legislative Secretary**

28
29 11th day of August, 2005.

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31 **Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono**
32 **O'Odham Nation on the 11th day of August, 2005 at 9:35 o'clock, A.M.,**
33 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
34 **upon her approval or upon her failure to either approve or disapprove it within 48 hours of**
35 **submittal.**

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37 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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41 **Evelyn B. Juan Manuel, Legislative Chairwoman**

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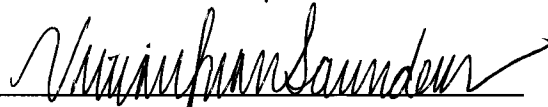
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APPROVED

on the 11 day of August, 2005

DISAPPROVED

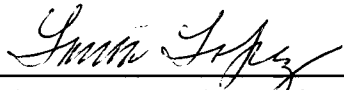
at 2:24 o'clock, P.M.



**VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 11th day of

August, 2005, at 2:30 o'clock, P.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING A LEASE AND MEMORANDUM OF UNDERSTANDING FOR A LAW ENFORCEMENT CENTER AT THE PAPAGO FARMS SITE

MOVED: COUNCILWOMAN DELMA GARCIA

SECOND: VICE CHAIRMAN VERLON JOSE

DATE: AUGUST 04, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL ()	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
GU VO 193.1	1. RAYMOND VICTOR ()	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			X
SAN LUCY 169.0	1. JOHN W. LAWSON, SR. ()	84.50	X			
	2. GLORIA RAMIREZ ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			X
	2. OLIVIA VILLEGAS-LISTON ()	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. DENNIS E. JOSE ** ()	210.50	X			
	2. EVELYN B. JUAN MANUEL ()	210.50	X			
SIF OIDAK 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Martinez)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[02]

**PASSED VOTES