

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Designating 1.707 Acre Parcel as the Tohono O'odham Veterans' Memorial Park)

RESOLUTION NO. 06-749

- 1 **WHEREAS, Tohono O'odham men and women have served in all branches of the United States**
2 **Armed Forces in peace time and in combat from before World War I to the present**
3 **Iraq War; and**
- 4 **WHEREAS, Native Americans have served in the United States Armed Forces at higher per capita**
5 **rate than any other ethnic group; and**
- 6 **WHEREAS, there is a need for a Veterans' Memorial Park to honor all Tohono O'odham**
7 **veterans, especially those who made the supreme sacrifice; and**
- 8 **WHEREAS, in 1984 former Chairman of the Tohono O'odham Nation, the late Josiah Moore,**
9 **granted the Nation's veterans an area within Sells, Arizona to build a Veterans**
10 **Memorial Park; and**
- 11 **WHEREAS, the U.S. Department of Housing and Urban Development has granted the Tohono**
12 **O'odham Nation \$50,000.00 to build the Veterans' Memorial Park on the land**
13 **identified by Chairman Moore; and**
- 14 **WHEREAS, the Veterans' Memorial Park will cover an area of 1.707 acres north of Sells Main as**
15 **indicated in (1) the Veterans' Memorial Park - Sells, AZ map #17S04E36.tif ("Veterans'**
16 **Memorial Park Map"), (2) BLM Veterans' Park Legal Description 092506 ("Park Legal**
17 **Description"), and (3) BLM Veterans' Park GPS 092506 ("GPS Map"), which are**
18 **incorporated by this reference; and**
- 19 **WHEREAS, the Bureau of Indian Affairs ("BIA") Papago Agency supports the establishment of**
20 **the Veterans' Memorial Park on the parcel around the existing World War II**
21 **monument and has also indicated that the Papago Agency has no plans to develop the**
22 **land identified for the Park or to displace the Park, which is within the Agency**
23 **Reserve granted to the BIA in 1935; and**
- 24 **WHEREAS, the Constitution of the Tohono O'odham Nation provides that it is "the policy of the**
25 **Tohono O'odham Nation to seek the return to the Tohono O'odham Nation of lands**
26 **and natural resources, including minerals and water rights, within or adjacent to the**
27 **Tohono O'odham Nation, or which originally were a part of the historic Papagueria."**
28 **(Constitution, Article XVI, Section 9); and**
- 29 **WHEREAS, although the Council has repeatedly requested that the BIA restore the lands within**
30 **the Agency Reserve to the Nation, the BIA still reserves for Agency purposes 380 acres**

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1 **within the Sells District (Resolution No. 23a-80 and Resolution No. 178-88); and**
2 **WHEREAS, the Human Resources Development Committee has reviewed the status of the**
3 **Agency Reserve lands and referred the return of the Reserve lands to the Natural**
4 **Resources Committee for further action; and**
5 **WHEREAS, the Veterans' Memorial Park parcel includes buildings housing the Natural**
6 **Resources Department, Scholarship Office, and Papago Legal Services, Inc.; and**
7 **WHEREAS, Papago Legal Services, Inc. was granted permission to occupy its current location**
8 **within the proposed boundaries of the Veterans' Memorial Park rent-free until April**
9 **28, 2013 (Sells District Council Resolution #SD-14-88); and**
10 **WHEREAS, on February 9, 2006, the Sells District Council approved 1.78 acres for the**
11 **development of the Veterans' Memorial Park, to be located north of Main Street and**
12 **east of Papago Legal Services, Inc. (Sells District Council Resolution #SD-05-06).**

13 **NOW, THEREFORE, BE IT RESOLVED that pending the formal restoration of the lands within the**
14 **Papago Agency Reserve to the Tohono O'odham Nation, the Tohono O'odham**
15 **Legislative Council hereby designates the 1.707 acres identified on the Veterans'**
16 **Memorial Park Map, Park Legal Description, and GPS Map for the construction,**
17 **operation, and maintenance of the Tohono O'odham Veterans' Memorial Park,**
18 **provided that:**

- 19 **1. The existing Natural Resources Department and Scholarship Office structures**
20 **within the Park shall continue to be available to those programs until**
21 **replacement structures outside the Park boundaries are provided.**
22 **2. The land within the Papago Legal Services use permit shall be used for the**
23 **Veterans' Memorial Park upon expiration, termination, or abandonment of its**
24 **current use.**
25 **3. Any structures within the Veterans' Memorial Park that are vacated by the**
26 **Natural Resources Department, Scholarship Office, or Papago Legal Services,**
27 **Inc. may be used, transferred, conveyed, or disposed of by Legislative Council**
28 **resolution in accordance with the laws of the Nation.**

29 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15TH. Day**
30 **of NOVEMBER, 2006 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0-**
31 **AGAINST; -0- NOT VOTING; and [09] ABSENT, pursuant to the powers vested in the Council by**
32 **Section 1 (i)(1)(3)&(5) of Article VI and Section 9 of Article XVI of the Constitution of the Tohono**
33 **O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by**
34 **the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to**
35 **Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL


Verlon M. Jose, Legislative Chairman

28 day of November, 2006

ATTEST:


Lucille Lopez, Acting Legislative Secretary

15 day of November, 2006.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'odham Nation on the 28 day of November, 2006 at 11:35 o'clock, a. .M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

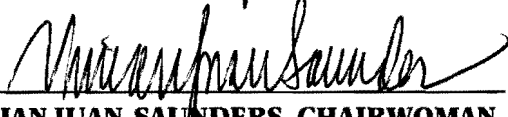

Verlon M. Jose, Legislative Chairman

APPROVED

on the 29 day of November, 2006

DISAPPROVED

at 4:19 o'clock, p. .M.


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 29 day of
November, 2006, at 4:28 o'clock, p. .M.


Lucille Lopez, Acting Legislative Secretary

ACTION: DESIGNATING 1.707 ACRE PARCEL AS THE TOHONO O'ODHAM VETERANS' MEMORIAL PARK

MOVED: COUNCILWOMAN OLIVIA LISTON-VILLEGAS

SECOND: COUNCILWOMAN PHYLLIS JUAN

DATE: NOVEMBER 15, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (Vernon J. Smith)	155.40	X			X
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			X
	2. VERLON M. JOSE (David Garcia)	129.35	X			
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			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			X
HICKIWAN 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			X
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. JOHN W. LAWSON, SR. ()	84.50	X			X
	2. GLORIA RAMIREZ ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			X
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. MARLENE SARAFICIO-JUAN ()	210.50	X			
	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50	X			X
SIF OIDAK 186.7	1. WAVALENE ROMERO (Isidro Lopez)	93.35	X			X
	2. DARLENE ANDREW (Rita Wilson)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[09]

**PASSED VOTES