

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving a Land Lease for Educational Purposes Between Pisinemo District
and the Tohono O'odham Community College)

RESOLUTION NO. 07-205

1 **WHEREAS, by Resolution No. 98-006 and Resolution No. 98-328 the Tohono O'odham Nation**
2 **approved the establishment of Tohono O'odham Community College (TOCC) in 1998;**
3 **and**

4 **WHEREAS, the TOCC is located in temporary facilities on the Indian Oasis-Baboquivari School**
5 **District campus in Sells; and**

6 **WHEREAS, the current facilities are inadequate in terms of the following:**

- 7 • **Classrooms to accommodate projected enrollment**
- 8 • **Science Labs**
- 9 • **Parking**
- 10 • **Daycare**
- 11 • **Dormitories**
- 12 • **Cafeteria**
- 13 • **Library; and**

14 **WHEREAS, a permanent campus is required for accreditation by the North Central**
15 **Association/Higher Learning Commission; and**

16 **WHEREAS, the Pisinemo District Council designated 30 acres of land within the District's**
17 **economic corridor located on the southeast corner of the Intersection of Highway**
18 **86 and Pisinemo Road for construction of the Tohono O'odham Community College**
19 **satellite campus; and**

20 **WHEREAS, by Resolution No. 04-282 the Tohono O'odham Legislative Council approved setting**
21 **aside \$6,000,000 to fund the first phase of construction for Tohono O'odham**
22 **Community College's permanent campus and satellite center in Pisinemo District;**
23 **and**

24 **WHEREAS, given the early and continued interest by Pisinemo District in having the TOCC**
25 **satellite campus located within its boundaries, the TOCC Board of Trustees has also**
26 **recommended that the College establish a satellite center at this location to serve**
27 **Tohono O'odham Nation members in the western part of the Tohono O'odham**
28 **Nation; and**

29 **WHEREAS, the Constitution of the Tohono O'odham Nation provides, in Article XVI, Section 5,**
30 **that districts of the Nation may lease lands of the Nation which are not under use,**
31 **permit, lease or other disposition authorized by the Tohono O'odham Legislative**
32 **Council, provided that such leases must divide the proceeds of the lease one-half to**
33 **the Nation and one-half to the District; and**

RESOLUTION NO. 07-205

(Approving a Land Lease for Educational Purposes Between Pisinemo District and the Tohono O'odham Community College)

Page 2 of 3

1 **WHEREAS, Pisinemo District and TOCC have negotiated a land lease for the 30 acres for the**
2 **nominal rental fee of \$1.00 per year, intending that there not be any lease proceeds**
3 **which must be divided equally between the Nation and the District; and**
4 **WHEREAS, any payments which TOCC chooses to make to Pisinemo District to defray the costs**
5 **which the District may incur in hosting the satellite campus within the District may**
6 **be arranged by other agreement between the parties; and**
7 **WHEREAS, Article XVI, Section 5, also provides that leases by districts to non-members, such as**
8 **the TOCC, are subject to the approval of the Tohono O'odham Legislative Council;**
9 **and**
10 **WHEREAS, the 30 acres identified for a satellite campus of TOCC in Pisinemo District are lands**
11 **not under use, permit, lease or other disposition authorized by the Tohono O'odham**
12 **Legislative Council, and are therefore available for lease by Pisinemo District.**
13 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
14 **Land Lease for Educational Purposes between Pisinemo District and TOCC**
15 **substantially in the form attached hereto, and authorizes the Chairwoman of the**
16 **Nation to sign an approval line on the Lease to indicate the Nation's approval of the**
17 **lease terms.**

18 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH. Day**
19 **of APRIL, 2007 at a meeting at which a quorum was present with a vote of 1,852.4 FOR; -0- AGAINST;**
20 **588.4 NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section 5 of**
21 **Article XVI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham**
22 **Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
23 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**
24

25 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

26
27
28 
29 **Verlon M. Jose, Legislative Chairman**

30
31 4 day of May, 2007

32
33
34 **ATTEST:**

35
36 
37
38 **Lucille Lopez, Acting Legislative Secretary**

39
40 12 day of April, 2007.
41
42

RESOLUTION NO. 07-205

(Approving a Land Lease for Educational Purposes Between Pisinemo District and the Tohono O'odham Community College)

Page 3 of 3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'odham Nation on the 4 day of May, 2007 at 10:09 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 4 day of May, 2007

DISAPPROVED

at 5:32 o'clock, P.M.


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 07 day of

May, 2007, at 8:46 o'clock, A.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING A LAND LEASE FOR EDUCATIONAL PURPOSES BETWEEN PISINEMO DISTRICT AND THE TOHONO O'ODHAM COMMUNITY COLLEGE

MOVED: COUNCILMAN TIMOTHY JOAQUIN

SECOND: COUNCILWOMAN PHYLLIS JUAN

DATE: APRIL 12, 2007

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (Vernon J. Smith)	155.40	X			
	2. FRANCES G. ANTONE <i>(Absent)</i> (Lucilda J. Valenzuela (Norris)) <i>(Present)</i>	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			X
HICKIWAN 167.4	1. SHIRLEY SANTOS-MOLINA ()	83.70			X	
	2. SANDRA ORTEGA ()	83.70			X	X
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. LORRAINE EILER ()	84.50	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			
	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	
SIF OIDAK 186.7	1. WAVALENE ROMERO (Isidro Lopez)	93.35	X			
	2. DARLENÉ ANDREW (Rita Wilson)	93.35	X			X
TOTAL		2,440.80	1,852.4	-0-	588.4	[03]

**PASSED VOTES