

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Lease of San Simon Health Center to United States)

RESOLUTION NO. 07-295

1 **WHEREAS, the Tohono O'odham Nation ("Nation") and the United States Indian Health Service**
2 **("IHS") have jointly been planning for new health center in the western portion of the**
3 **Nation's lands since about 1990; and**

4 **WHEREAS, in 1991 a west side health center which would provide a full range of ambulatory care**
5 **and community health services was listed in the Phase 1 and 2 IHS Construction**
6 **Priority System; and**

7 **WHEREAS, in March 1999 pursuant to Resolution No. 99-082 the Nation accepted and supported**
8 **the proposed construction of the Westside Health Center through the formal**
9 **submission of IHS planning documents which were jointly developed by the IHS**
10 **Tucson Area and the Tohono O'odham Health Facilities Planning Task Force; and**

11 **WHEREAS, in September 1999 a Program Justification document was prepared and approved by**
12 **the IHS for a Westside Health Center at San Simon; and**

13 **WHEREAS, by Resolution No. 99-444 the Nation appropriated \$11,233,514.00 for construction of**
14 **the facility; and**

15 **WHEREAS, in May 2000, pursuant to Resolution No. 2000-162, the Nation and the IHS entered into**
16 **a P.L. 93-638 Subpart J construction contract between the Nation and the IHS in which**
17 **the IHS agreed to provide \$350,000 for planning and design to be performed by the**
18 **Nation, and the Nation agreed to provide construction funding in the amount of**
19 **approximately \$11 million; and**

20 **WHEREAS, in May 2003, the Nation and the IHS entered into a Joint Venture Construction**
21 **Program Agreement pursuant to Resolution No. 01-071 and the Indian Health Care**
22 **Improvement Act, Section 818(e), P.L. 94-437, 25 U.S.C. 1680h(e), as amended by P.L.**
23 **102-573, which agreement addressed the design and construction schedule and the**
24 **plan for construction of staff housing, and committed the Nation to provide a 20 year,**
25 **no-cost, lease for the building and the land associated with the health center, and**
26 **committed the IHS to staff, operate, and maintain the health center for 20 years; and**

27 **WHEREAS, in 2006 the Nation and the IHS agreed that the health center would be named the San**
28 **Simon Health Center; and**

RESOLUTION NO. 07-295

(Approving Lease of San Simon Health Center to United States)

Page 2 of 3

1 **WHEREAS, construction of the San Simon Health Center has been completed and a lease has been**
2 **negotiated; and**

3 **WHEREAS, the lease is for 8.4158 acres of land and a building containing 28,191 square feet**
4 **together with associated parking lots, for twenty years at no cost to the IHS, with the**
5 **agreement that the Nation's specified health programs shall have use of a portion of**
6 **the building sufficient for eight personnel as explained in paragraph 23 of the lease**
7 **and as depicted in Exhibit C to the lease; and**

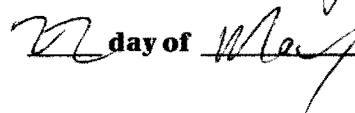
8 **WHEREAS, the Health and Human Services Committee, the Commerce Committee, and the**
9 **Natural Resources Committee have reviewed the lease and recommend approval by**
10 **the Legislative Council.**

11 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves**
12 **the United States Government Lease for Real Property, Lease No. 161-06-1003, for the**
13 **San Simon Health Center, substantially in the form attached hereto, and authorizes**
14 **the Chairperson of the Nation to execute it and to seek approval of the lease by the**
15 **Bureau of Indian Affairs.**

16 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21ST. Day**
17 **of MAY, 2007 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0-AGAINST;**
18 **-0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section 1 (f)&(i)**
19 **of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham**
20 **Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
21 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

22
23 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

24
25 
26 _____
27 **Verlon M. Jose, Legislative Chairman**

28
29  day of May, 2007

30 **ATTEST:**


31
32 
33 _____
34 **Lucille Lopez, Acting Legislative Secretary**

35
36 21 day of May, 2007.
37
38

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
46
47

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 22 day of May, 2007 at 2:54 o'clock, P.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 22 day of May, 2007

DISAPPROVED

at 3:55 o'clock, P.M.


VIVIAN JUAN SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 22 day of May, 2007, at 4:20 o'clock, P.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING LEASE OF SAN SIMON HEALTH CENTER TO UNITED STATES

MOVED: COUNCILWOMAN PHYLLIS JUAN

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: MAY 21, 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 (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			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			X
GU VO 193.1	1. RAYMOND VICTOR ()	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN 167.4	1. SHIRLEY SANTOS-MOLINA ()	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. 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. DARLENE ANDREW (Rita Wilson)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[03]

**PASSED VOTES