

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2022 Tohono O'odham Nation Health Care Casa Grande Clinic
Budget and Authorizing Purchase Offers for a Health Care Clinic and Vacant Lot)**

RESOLUTION NO. 21-473

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation ("Nation") vests the Legislative
2 Council with the authority to "promote, protect and provide for public health,
3 peace, morals, education and general welfare of the Tohono O'odham Nation and
4 its members" and "to purchase or otherwise acquire property." (Constitution,
5 Article VI, Section 1(c)(2) and 1(i)(3)); and

6 **WHEREAS,** the Tohono O'odham Legislative Council is authorized "to manage any funds
7 within the exclusive control of the Tohono O'odham Nation . . . and to appropriate
8 these funds for the benefit of the nation and its members" provided that "[a]ll
9 expenditures of these funds shall be pursuant to appropriations or budgets"
10 authorized by resolution or ordinance (Constitution of the Tohono O'odham
11 Nation, Article VI, Section 1(d)(2)); and

12 **WHEREAS,** the Nation compacts with the U.S. Indian Health Service ("IHS") through P.L. 93-
13 638, the Indian Self-Determination and Education Assistance Act, as amended, to
14 administer health care services to eligible members; and

15 **WHEREAS,** there currently are no Nation health care clinics in or near the Nation's northern
16 reservation area and tribal members must travel an average of 70 miles to access
17 the Nation's existing health care services located at the Santa Rosa Clinic, the San
18 Simon Health Center, the San Xavier Health Center, and the Sells Hospital; and

19 **WHEREAS,** a community of approximately 717 tribal members reside both on and off-
20 reservation in the communities of Casa Grande, Arizona City, Eloy, Florence, and
21 Maricopa and must travel these lengthy distances to obtain Purchased Referred
22 Care ("PRC") services when an Indian Health Service or tribal facility is not
23 available, or does not provide the required care, necessitating a referral to a
24 private health care provider; and

25 **WHEREAS,** by Resolution No. 19-178, the Legislative Council accepted an IHS Small
26 Ambulatory Program ("SAP") Grant in the amount of \$900,000, which was granted
27 to fund the purchase and renovation of a Nation's health care clinic in Casa
28 Grande, Arizona to provide ambulatory care and a full spectrum of family
29 medicine, urgent care, pharmacy and referral services; and

30 **WHEREAS,** at the time of the award, the facility in the Nation's SAP grant application was sold,
31 delaying the action of entering into an actual grant contract with IHS to receive

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1 the funds until a new written proposal could be submitted to IHS for approval;
2 and

3 **WHEREAS,** IHS notified the Nation that the SAP grant will be rescinded if the Nation does not
4 submit a new project proposal by January 26, 2022, however, if an acceptable
5 project proposal is received by the deadline, IHS will finalize the award contract
6 and transfer the funds; and

7 **WHEREAS,** in 2017, the Sonosky, Chambers, Sachse, Endreson & Perry, LLP law firm donated
8 \$100,000 to the Nation, in the memory of Richard Ramirez who passed away
9 February 14, 2017, to fund a new Casa Grande clinic; and

10 **WHEREAS,** an additional \$1,500,000 (beyond the \$900,000 from the SAP grant and the
11 \$100,000 from Sonosky) will be required from Nation's funds to purchase the
12 health clinic and vacant lot; and

13 **WHEREAS,** the Tohono O'odham Nation Healthcare ("TONHC") Governing Body was
14 delegated the authority to review and approve all TONHC budgets and budgets
15 expending health self-governance funds, including budgets expending such
16 funds for supporting programs within the Nation's departments, subject to
17 Legislative Council oversight committee review and final approval by Legislative
18 Council resolution (Tohono O'odham Nation Healthcare Governing Body Bylaws,
19 Section 9403(A)); and

20 **WHEREAS,** the Tohono O'odham Nation Health Care has prepared and submitted for review
21 and approval its FY 2022 Casa Grande Clinic Budget, which is incorporated by this
22 reference, in the amount of \$2,500,000; and

23 **WHEREAS,** the Tohono O'odham Nation Health Care is seeking authorization to negotiate
24 and execute a purchase offer for the following property that can be used as the
25 TONHC Casa Grande Health Care Clinic ("Clinic"):

- 26 1. Pinal County Assessor Parcel Number 505-82-0150, with a physical address
27 at 1876 E Sabin Drive, Casa Grande, Arizona 85122, which is a contiguous
28 +/- 6,065 square foot medical/office space within a +/-9,134 multi-tenant
29 office project

30 ; and
31 **WHEREAS,** the Tohono O'odham Nation Health Care is also seeking authorization to
32 negotiate and execute a purchase offer for the following vacant lot that may
33 potentially be used as the parking lot for a TONHC Casa Grande Health Care Clinic
34 ("Vacant Lot"):

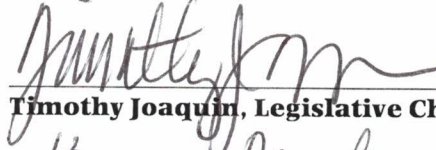
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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH day of DECEMBER, 2021 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by, Article VI, Section 1(c)(2) and 1(i)(3) and 1(d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

13 day of December, 2021

ATTEST:

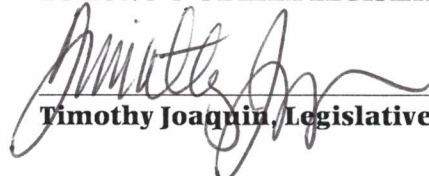


Evonne Wilson, Legislative Secretary

13 day of December, 2021

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 13 day of December, 2021 at 2:35 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL



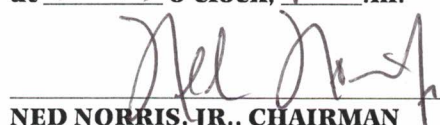
Timothy Joaquin, Legislative Chairman

APPROVED

on the 13 day of December, 2021

DISAPPROVED

at 2:43 o'clock, P.M.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 13 day of

December, 2021, at 2:46 o'clock, p.m.



Evonne Wilson, Legislative Secretary

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ACTION: APPROVING FY 2022 TOHONO O'ODHAM NATION HEALTH CARE CASA GRANDE CLINIC BUDGET AND AUTHORIZING PURCHASE OFFERS FOR A HEALTH CARE CLINIC AND VACANT LOT

MOVED: COUNCILMAN DANIEL L.A. PRESTON III

SECOND: COUNCILWOMAN JANICE FELIX

DATE: DECEMBER 09, 2021

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (<i>Absent</i>)	122.8	X			
	(Ann M. Garcia) (<i>Present</i>)	122.8	X			
SELLS 556.5	2. LUCINDA ALLEN (Francis Homewytewa)					
	1. ARTHUR WILSON ()	278.25	X			
SCHUK TOAK 190.5	2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25	X			
	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
SAN XAVIER 242.6	2. DELISA M. RAMON (<i>Absent</i>) (Sharon A. Francisco) (<i>Present</i>)	95.25	X			
	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
SAN LUCY 243.8	2. JANICE FELIX (Adam P. Andrews)	121.3	X			
	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			X
PISINEMO 232.7	2. ROGER MANUEL (Christina Andrews)	121.9	X			
	1. MARIETTA MARTIN ()	116.35	X			
HICKIWAN 216.6	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
	1. LOUIS R. LOPEZ ()	108.3	X			
GU VO 270.7	2. SANDRA D. ORTEGA (<i>Absent</i>) (Delma M. Garcia) (<i>Present</i>)	108.3	X			
	1. GRACE MANUEL ()	135.35	X			
GU ACHI 278.5	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
	1. TIMOTHY L. JOAQUIN ()	139.25	X			
CHUKUT KUK 351.6	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
BABOQUIVARI 388.9	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
TOTAL		3,218.0	3,218.0	-0-	-0-	[01]