

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Authorizing the Chairman and Supporting the Superintendent-Papago Agency to Sign  
a Five Year Lease Between the U.S. Postal Service and the Tohono O'odham Nation)**

**RESOLUTION NO. 22-032**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**  
2 **the authority to "administer land and other public property, and by law,**  
3 **ordinance or resolution . . . to manage, protect, preserve and regulate the use of**  
4 **the property, wildlife, land, air and natural resources (including surface and**  
5 **ground waters) of the Tohono O'odham Nation" (Constitution, Article VI, Section**  
6 **1(i)(2)); and**

7 **WHEREAS, in 2009 by Resolution No. 09-130, the Tohono O'odham Nation ("Nation") leased a**  
8 **21,603.1 sq. ft. site in Topawa, Arizona, on the west side of Highway 19 to the U.S.**  
9 **Postal Service; and**

10 **WHEREAS, the site contains a 1,325 sq. ft. building which belongs to the U.S. Postal Service;**  
11 **and**

12 **WHEREAS, the lease was for \$2,400.00 per year for five years and expired on February 28,**  
13 **2014, and**

14 **WHEREAS, thereafter the U.S. Postal Service exercised a renewal option provided under the**  
15 **original ground lease to extend the ground lease for 5 years, from 2014 to 2019,**  
16 **for an annual rent of \$3,000; and**

17 **WHEREAS, the U.S. Postal Service then issued two self-executing holdover amendments**  
18 **extending the ground lease first for a 1-year period, from 2019 through 2020, for**  
19 **an annual rent of \$3,600 and then for a 2-year period, from 2020 through February**  
20 **2022, also for an annual rent of \$3,600 annually, both which did not require the**  
21 **Nation's signature to become effective according to U.S. Postal Service policies;**  
22 **and**

23 **WHEREAS, the Nation and the U.S. Postal Service have agreed to a new lease for five years,**  
24 **which will automatically renew for three additional five-year terms for a total of**  
25 **twenty years ("Lease") and which is incorporated by this reference; and**

26 **WHEREAS, the annual rent is \$8,710.00 for the first five years and will increase by 15% for**  
27 **each additional five-year term; and**

28 **WHEREAS, the Agricultural and Natural Resources, Commerce, and Budget and Finance**  
29 **Committees have reviewed the proposed Lease and recommend approval.**

30 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**  
31 **Lease between the U.S. Postal Service and the Tohono O'odham Nation.**  
32

RESOLUTION NO. 22-032

(Authorizing the Chairman and Supporting the Superintendent-Papago Agency to Sign a Five Year Lease Between the U.S. Postal Service and the Tohono O'odham Nation)

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BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes the Chairman of the Nation to execute the Lease.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13<sup>TH</sup> day of JANUARY, 2022 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 (i)(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*

Timothy Joaquin, Legislative Chairman

18 day of January, 2022

ATTEST:

*Evonne Wilson*

Evonne Wilson, Legislative Secretary

13 day of January, 2022

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 14 day of January, 2022 at 4:25 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*

Timothy Joaquin, Legislative Chairman

APPROVED

on the 18 day of January, 2022

DISAPPROVED

at 5:20 o'clock, P.M.

*Ned Norris, Jr.*

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

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**(Authorizing the Chairman and Supporting the Superintendent-Papago Agency to Sign a Five Year Lease Between the U.S. Postal Service and the Tohono O'odham Nation)**

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Returned to the Legislative Secretary on the 19 day of

January, 2022, at 8:51 o'clock, A.m.

  
Evonne Wilson, Legislative Secretary

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**ACTION: AUTHORIZING THE CHAIRMAN AND SUPPORTING THE SUPERINTENDENT-PAPAGO AGENCY TO SIGN A FIVE YEAR LEASE BETWEEN THE U.S. POSTAL SERVICE AND THE TOHONO O'ODHAM NATION**

**MOVED: COUNCILWOMAN JANICE FELIX**

**SECOND: COUNCILWOMAN MARLAKAY HENRY**

**DATE: JANUARY 13, 2022**

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