

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving a 25-Year Business Lease between the U.S. Bureau of Indian Education**  
**and the Tohono O'odham Nation for the Santa Rosa Ranch School)**

**RESOLUTION NO. 23-313**

1 **WHEREAS, the Tohono O'odham Legislative Council is authorized "to manage, protect,**  
2 **preserve and regulate the use of the property . . . of the Tohono O'odham Nation"**  
3 **and "to manage . . . or otherwise deal with lands, of interest in land . . . of the**  
4 **Tohono O'odham Nation" (Constitution of the Tohono O'odham Nation, Article VI,**  
5 **Sections 1(i)(2), 2(d)); and**

6 **WHEREAS, the Tohono O'odham ("Nation") and the U.S. Bureau of Indian Education**  
7 **("Bureau") have negotiated a 25-year Business Lease ("Business Lease") where the**  
8 **Bureau shall lease certain real property from the Nation, commonly known as the**  
9 **Santa Rosa Ranch School (hereinafter, "Leased Premises"), consisting of**  
10 **approximately 11.52 acres within Section 13, Township 15 South, and Range 6 East**  
11 **and Section 18, Township 15 South, Range 7 East, subject to all existing**  
12 **easements, encroachments and rights- of-way; and**

13 **WHEREAS, the Bureau shall use the Leased Premises to conduct public education for grades**  
14 **K through 8, and shall construct, operate, maintain, and repair any**  
15 **improvements as necessary. The Bureau shall permit use of the Leased Premises**  
16 **for other public, social and sporting activities in the gymnasium, cafeteria,**  
17 **playgrounds and other exterior grounds, by individuals and organizations,**  
18 **provided such uses do not interfere with the Bureau's public education purposes;**  
19 **and**

20 **WHEREAS, all activities conducted on the Leased Premises shall be subject to terms and**  
21 **conditions contained in the Business lease, attached hereto and incorporated**  
22 **herein as Exhibit A, as well as the laws of the Nation and applicable federal law,**  
23 **including, without limitation, Article XVI of the Nation's Constitution and the**  
24 **provisions of the Act of August 9, 1955, 69 Stat. 539, as amended, 25 U.S.C. §415, and**  
25 **supplemented by Title 25, Part 162, of the Code of Federal Regulations, and any**  
26 **amendments thereto; and**

27 **WHEREAS, when it becomes effective, the Business Lease shall effect a termination of the**  
28 **February 2019 Special Use Permit for the Leased Premises that was granted by the**  
29 **Nation to the Bureau, after the initial lease agreement expired, in order to permit**  
30 **the Bureau to install temporary modular school buildings after the school's**  
31 **original buildings were shuttered due to unsafe conditions; and**  
32

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1 **WHEREAS, during the term of the Business Lease, the Secretary shall undertake an effort to**  
2 **construct a new Santa Rosa Ranch School that will replace the temporary**  
3 **modular buildings; and**

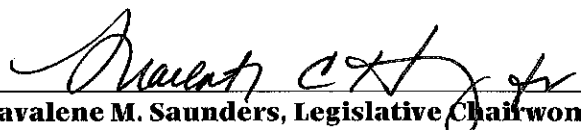
4 **WHEREAS, the Agricultural and Natural Resources and the Human Resources Development**  
5 **Committees have reviewed the 25-Year Business Lease and recommend its**  
6 **approval by the Legislative Council.**

7 **NOW, THEREFORE, BE IT RESOLVED the Tohono O'odham Legislative Council approves and**  
8 **authorizes the 25-Year Business Lease for Santa Rosa Ranch School.**

9 **BE IT FURTHER RESOLVED that the Nation's Chairperson, or his/her designee, is authorized to**  
10 **execute the Business Lease and any documents reasonably necessary to**  
11 **implement this resolution, provided that any further amendments or**  
12 **modifications shall be submitted for prior approval by the Tohono O'odham**  
13 **Legislative Council.**

14 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09<sup>TH</sup>**  
15 **day of AUGUST 2023 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;**  
16 **-0- AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by,**  
17 **Article VI, Section 1(i)(2), 2(d) of the Constitution of the Tohono O'odham Nation, adopted by the**  
18 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
19 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
20 **18, 1934 (48 Stat.984).**

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22 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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26 **Wavalene M. Saunders, Legislative Chairwoman**

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28 16<sup>th</sup> day of August, 2023

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32 **ATTEST:**

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35 **Evonne Wilson, Legislative Secretary**

36 14 day of August, 2023

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39 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**  
40 **O'odham Nation on the 16<sup>th</sup> day of August, 2023 at 4:00 o'clock, p.m.,**  
41 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**  
42 **effective upon his approval or upon his failure to either approve or disapprove it within 48**  
43 **hours of submittal.**  
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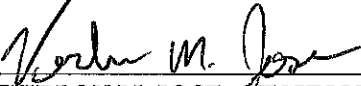
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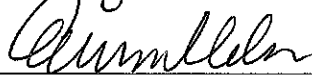
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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
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Wavalene M. Saunders, Legislative Chairwoman

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10  **APPROVED** on the 17 day of August, 2023  
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12  **DISAPPROVED** at 6:19 o'clock, p. .m.  
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17 **VERLON M. JOSE, CHAIRMAN**  
18 **TOHONO O'ODHAM NATION**  
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22 **Returned to the Legislative Secretary on the** 18 **day of**  
23 August, 2023, at 10:55 o'clock, a .m.  
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27 **Evonne Wilson, Legislative Secretary**  
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**ACTION: APPROVING A 25-YEAR BUSINESS LEASE BETWEEN THE U.S. BUREAU OF INDIAN EDUCATION AND THE TOHONO O'ODHAM NATION FOR THE SANTA ROSA RANCH SCHOOL**

**Moved: COUNCILWOMAN MARLAKAY HENRY**

**SECOND: COUNCILMAN ROGER MANUEL**

**DATE: AUGUST 09, 2023**

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. SHEILA ESPINO ( )	278.25	X			
	2. EVELYN JUAN MANUEL (Arvada Liston)	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 ( )	121.3	X			
	2. JANICE FELIX ( )	121.3	X			
SAN LUCY 243.8	1. LORRAINE M. EILER ( )	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ( )	116.35	X			X
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ( )	108.3	X			
	2. DELMA M. GARCIA ( )	108.3	X			
GU VO 270.7	1. GRACE MANUEL ( )	135.35	X			X
	2. 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>[02]</b>