

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving and Authorizing the Tohono O'odham Nation to Enter Into A 50 Year Master Lease with the Tohono O'odham Ki:Ki Association for Parcels of Real Property Located Within the Pisinemo and Bahoquivari Districts for the Development, Construction, and Operation of Newly-Constructed Public Housing Units)

RESOLUTION NO. 24-384

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Tohono O'odham
2 Legislative Council with the power to enact laws "to promote, protect and provide
3 for public health, peace, morals, education and general welfare of the Tohono
4 O'odham Nation and its members" and to enact laws "governing the use,
5 assignment, permit, lease or other disposition of lands, interests in land and
6 resources of the nation consistent with Federal law" (Constitution, Article VI,
7 Section 1(c)(2) and Article XVI, Section 1); and

8 **WHEREAS,** the Tohono O'odham Ki:Ki Association ("TOKA") is established and designated by
9 the Tohono O'odham Nation as the Nation's Tribally Designated Housing Entity in
10 accordance with the Native American Housing Assistance and Self-
11 Determination Act of 1996, § 25 U.S.C. § 4101, et seq., P.L. 104-330, 110 Stat. 4016
12 and is authorized to receive and administer the Nation's Indian Housing Block
13 Grants, and whose purpose is to provide well-constructed and affordable homes
14 for the Nation's members, as well as maintaining the Nation's current assisted
15 stock of home ownership homes and rental homes, and to operate and develop
16 low income housing for the Nation and its members (Ordinance No. 98-03, Tohono
17 O'odham Ki:Ki Association Ordinance; 18 Tohono O'odham Code Chapter 1); and

18 **WHEREAS,** the Tohono O'odham Nation and TOKA desire to enter into a Master Lease by and
19 Between the Tohono O'odham Nation and the Tohono O'odham Ki:Ki Association
20 for TOKA Residential Public Housing Projects (Located within the Pisinemo and
21 Bahoquivari Districts of the Tohono O'odham Nation) (the "Master Lease"), which
22 is incorporated by this reference, for lease of parcels of the Nation's trust lands,
23 located within the Nation's reservation boundaries within the communities of (1)
24 Pisinemo of the Nation's Pisinemo District (the "Pisinemo District Parcel"), as
25 legally described in Exhibit A-1 in the Master Lease and (2) Topawa of the Nation's
26 Bahoquivari District (the "Bahoquivari District Parcel"), as legally described in
27 Exhibit A-2 in the Master Lease, for the construction, development, and operation
28 of one or more public housing projects, including but not limited to, a project
29 financed by TOKA through its use of one or more funding sources, including but
30 not limited to Low Income Housing Tax Credits ("LIHTC") (the "TOKA Homes VI
31 Project"); and

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Page 2 of 3

1 **WHEREAS, in order for TOKA to proceed with the financing, development, and construction**
2 **of the TOKA Homes VI Project, TOKA must secure and maintain site control of the**
3 **Pisinemo District Parcel and Baboquivari District Parcel; and**

4 **WHEREAS, for such purposes, it is necessary for TOKA and the Nation to enter into the Master**
5 **Lease for a term of fifty (50) years beginning on the date the Master Lease is**
6 **approved by the Secretary of the Interior, as required by law; and**

7 **WHEREAS, TOKA believes that the Master Lease for the construction, development, and**
8 **operation of one or more public housing projects, including but not limited to,**
9 **the TOKA Homes VI Project, is in the best interests of the Nation in order to**
10 **address and serve the housing needs of the Nation's members; and**

11 **WHEREAS, the Tohono O'odham Ki:Ki Association Board of Directors approved Resolution**
12 **Number 10-02-24, "Approving and Authorizing the Tohono O'odham Ki:Ki**
13 **Association to Enter Into a 50 Year Master Lease with the Tohono O'odham Nation**
14 **for Parcels of Real Property Located Within the Pisinemo and Baboquivari**
15 **Districts for the Development, Construction and Operation of Newly-Constructed**
16 **Public Housing Units for TOKA Homes VI Project;" and**

17 **WHEREAS, the Pisinemo and Baboquivari Districts each support the TOKA Board of**
18 **Directors request for the Master Lease in order for TOKA to qualify and satisfy any**
19 **applicable public housing program and funding eligibility requirements,**
20 **including but not limited to the Arizona Department of Housing's LIHTC**
21 **program, related to the TOKA Homes VI Project; and**

22 **WHEREAS, the Housing Committee has reviewed the Master Lease and recommend approval.**

23 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:**

- 24 **1. authorizes and approves the Master Lease by and Between the Tohono**
25 **O'odham Nation and Tohono O'odham Ki:Ki Association for TOKA Residential**
26 **Public Housing Projects (Located within the Pisinemo and Bahoquivari**
27 **Districts of the Tohono O'odham Nation), in substantially the form attached,**
28 **for a term of fifty (50) years and effective on the date of approval by the**
29 **Secretary of the Interior; and**
- 30 **2. authorizes the Nation's chairperson or any designated official to execute the**
31 **Master Lease, together with any and all documents or instruments necessary**
32 **or that may be required in order to implement and carry out the intent of this**

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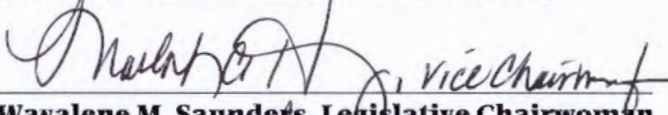
Page 3 of 3

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resolution and the TOKA Homes VI Project, subject to approval by the Secretary of the Interior, as required by applicable law.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH day of NOVEMBER 2024 at a meeting at which a quorum was present with a vote of 3,263.3 FOR; -0- AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(c)(2) and Article XVI, Section 1 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

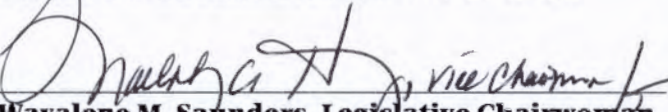

Wavalene M. Saunders, Legislative Chairwoman
22nd day of November, 2024

ATTEST:


Evonne Wilson, Legislative Secretary
21 day of November, 2024

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 22nd day of November, 2024 at 12:40 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


Wavalene M. Saunders, Legislative Chairwoman

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Page 4 of 4

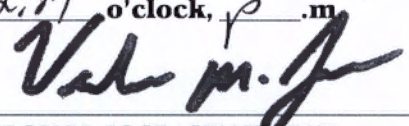
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APPROVED

on the 22nd day of November, 2024

DISAPPROVED

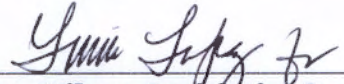
at 2:07 o'clock, p.m.



VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 22 day of

November, 2024, at 2:00 o'clock, p.m.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING AND AUTHORIZING THE TOHONO O'ODHAM NATION TO ENTER INTO A 50 YEAR MASTER LEASE WITH THE TOHONO O'ODHAM KI:KI ASSOCIATION FOR PARCELS OF REAL PROPERTY LOCATED WITHIN THE PISINEMO AND BABOQUIVARI DISTRICTS FOR THE DEVELOPMENT, CONSTRUCTION, AND OPERATION OF NEWLY-CONSTRUCTED PUBLIC HOUSING UNITS

Moved: COUNCILWOMAN VICTORIA HOBBS

Second: COUNCILMAN LESLIE LUNA

DATE: NOVEMBER 13, 2024

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 394.2	1. LEANDER MASE (Francine Schooling) 2. JESSE NAVARRO (<i>Absent</i>) (Alberta J. Ray) (<i>Present</i>)	197.1 197.1	X X			X
CHUKUT KUK 354.7	1. VIVIAN JUAN-SAUNDERS (Cornelius Antone) 2. MARLAKAY HENRY ()	177.35 177.35	X X			
GUACHI 282.7	1. VICTORIA HOBBS (Tonya L. Joaquin) 2. JEROME F. JOAQUIN ()	141.35 141.35	X X			
GU VO 276.0	1. DALLAS LEWIS () 2. LESLIE LUNA ()	138.0 138.0	X X			
HICKIWAN 220.5	1. DELMA M. GARCIA () 2. LOUIS R. LOPEZ (<i>Absent</i>) (Loretta A. Ortega) (<i>Present</i>)	110.25 110.25	X X			
PISINEMO 236.2	1. EDWARD D. MANUEL () 2. PAMELA J. BENAVIDEZ (Nora J. Ruclas)	118.1 118.1	X X			
SAN LUCY 257.6	1. ROGER MANUEL (Christina Andrews) 2. GLORIA M. RAMIREZ (<i>Absent</i>) (Lorraine M. Eiler) (<i>Present</i>)	128.8 128.8	X X			
SAN XAVIER 244.5	1. JANICE FELIX () 2. DANIEL L.A. PRESTON III ()	122.25 122.25	X X			
SCHUK TOAK 191.8	1. DELISA M. RAMON (Sharon A. Francisco) 2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9 95.9	X X			X
SELLS 558.0	1. EVELYN JUAN MANUEL (Arvada Liston) 2. JANET B. ELEANDO ()	279.0 279.0	X X			X
SIF OIDAK 247.1	1. FRANCIS HOMEWYTEWA () 2. WAVALENE M. SAUNDERS (Mary Lopez)	123.55 123.55	X X			X
	TOTAL	3,263.30	3,263.3	-0-	-0-	[04]