

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting Baboquivari Unified School District's Temporary and Non-Possessory
Access to Nation's Land for the Continued Operation of Indian Oasis
Intermediate School Pending Approval of New Lease)

DEFEATED
RESOLUTION NO. 25-036

1 **WHEREAS,** “[t]he sovereign powers, authority and jurisdiction of the Tohono O’odham
2 Nation and of its government shall extend to all lands within the boundaries of
3 the Tohono O’odham Nation” (Constitution of the Tohono O’odham Nation,
4 Article I, Section 1); and
5 **WHEREAS,** “[t]he unallotted lands of the Tohono O’odham Nation and all lands hereafter
6 acquired by the nation, or held for the use of the nation or its members, are a
7 valuable public resource and shall be held as national lands forever. Control and
8 management thereof are vested in the Tohono O’odham Council, which may
9 enact laws governing the use, assignment, permit, lease or other disposition of
10 lands, interests in land and resources of the nation consistent with Federal law.”
11 (Constitution, Article XVI, Section 1); and
12 **WHEREAS,** the Tohono O’odham Legislative Council is further vested with the power “to
13 manage, protect, preserve and regulate the use of the property, wildlife, land...”
14 and resources of the Nation and “to manage and lease or otherwise deal with
15 lands, or interests in land . . . of the Tohono O’odham Nation” subject to applicable
16 federal law and approval, when required (Constitution of the Tohono O’odham
17 Nation, Article VI, Section 1(i)(2) and Section 2(d)); and
18 **WHEREAS,** by Resolution Nos. 33-68 and No. 25-69, the Papago Council approved a 25-year
19 lease between the Papago Tribe and Indian Oasis School District No. 40 (now
20 known as the Baboquivari Unified School District) for an approximately 52-acre
21 parcel currently occupied by the Indian Oasis Intermediate School (the “Master
22 Lease”); and
23 **WHEREAS,** the Master Lease was renewed for an additional 25 years and expired on August 8,
24 2019 (Resolution No. 95-119); and
25 **WHEREAS,** the lease parties are negotiating a new lease for the property; and
26 **WHEREAS,** it is in the Nation, Baboquivari Unified School District, and the public’s interest
27 to support the School District’s continued operation of Indian Oasis Intermediate
28 School and related uses on the expired leasehold pending approval of a new lease;
29 and
30

DEFEATED RESOLUTION NO. 25-036

(Supporting Baboquivari Unified School District's Temporary and Non-Possessory Access to Nation's Land for the Continued Operation of Indian Oasis Intermediate School Pending Approval of New Lease)

Page 2 of 2

1 **WHEREAS,** the Baboquivari Unified School District also supports the Legislative Branch's
2 temporary use of approximately 0.68 acres of the expired leasehold, as identified
3 in Exhibit 1 – Temporary Legislative Office Site Legal Description dated January
4 28, 2025, which is incorporated by this reference, for temporary offices pending
5 construction of the replacement Legislative Branch building; and

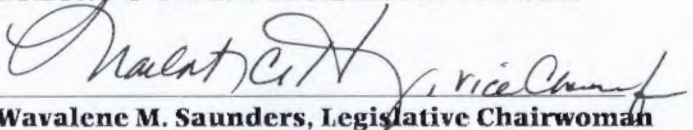
6 **WHEREAS,** the Agricultural and Natural Resources and Human Resources Development
7 Committees support the Baboquivari Unified School District's access to the
8 expired leasehold for continued operation of the Indian Oasis Intermediate
9 School pending approval of a new lease, subject to the provisions of this
10 resolution.

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

- 12 (1) directs the Baboquivari Unified School District and Office of the Attorney
13 General to submit the new lease application to the Sells District for its
14 recommendation consistent with the Nation's Constitution and laws; and
15 (2) approves the Legislative Branch's use of the area identified in Exhibit 1 for
16 temporary offices pending construction of a replacement Legislative
17 Branch building.

18 The foregoing Resolution was defeated by the Tohono O'odham Legislative Council on the 11TH
19 day of JANUARY, 2025 at a meeting at which a quorum was present with a vote of 1,199.2 FOR;
20 2,064.1 AGAINST; [03] NOT VOTING and [01] ABSENT, pursuant to the powers vested in the Council
21 by Article I, Section 1; Article VI, Section 1(i)(2); Section 2(d) and Article XVI, Section 1 of the
22 Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on
23 January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs
24 (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

25
26
27 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

28
29 
30 Wavalene M. Saunders, Legislative Chairwoman

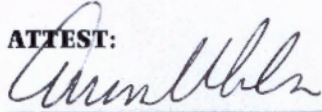
31
32
33 on st day of February, 2025
34
35
36
37
38
39
40
41

DEFEATED RESOLUTION NO. 25-036

(Supporting Baboquivari Unified School District's Temporary and Non-Possessory Access to Nation's Land for the Continued Operation of Indian Oasis Intermediate School Pending Approval of New Lease)

Page 3 of 3

ATTEST:



Evonne Wilson, Legislative Secretary

21 day of February, 2025

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
48
49
50

ACTION: SUPPORTING BABOQUIVARI UNIFIED SCHOOL DISTRICT'S TEMPORARY AND NON-POSSESSORY ACCESS TO NATION'S LAND FOR THE CONTINUED OPERATION OF INDIAN OASIS INTERMEDIATE SCHOOL PENDING APPROVAL OF NEW LEASE

MOVED: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILMAN DANIEL L.A. PRESTON III

DATE: FEBRUARY 11, 2025

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|----------------------|---|------------------|----------------|----------------|-------------|-------------|
| BABOQUIVARI 394.2 | 1. LEANDER MASE (Francine Schooling) 2. JESSE NAVARRO (Alberta J. Ray) | 197.1 197.1 | X | X | | |
| CHUKUT KUK 354.7 | 1. VIVIAN JUAN-SAUNDERS (Cornelius Antone) 2. MARLAKAY HENRY () | 177.35 177.35 | X | X | | |
| GU ACHI 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 | X | |
| HICKIWAN 220.5 | 1. DELMA M. GARCIA () 2. LOUIS R. LOPEZ (Loretta A. Ortega) | 110.25 110.25 | X X | | | X |
| PISINEMO 236.2 | 1. EDWARD D. MANUEL () 2. PAMELA J. BENAVIDEZ (Nora J. Ruelas) | 118.1 118.1 | X X | | | |
| SAN LUCY 257.6 | 1. ROGER MANUEL (Christina Andrews) 2. GLORIA M. RAMIREZ (Lorraine M. Eiler) | 128.8 128.8 | | X 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 | | |
| SIF OIDAK 247.1 | 1. FRANCIS HOMEWYTEWA () 2. WAVALENE M. SAUNDERS (Mary Lopez) | 123.55 123.55 | X | X | | |
| TOTAL | | 3,263.30 | 1,199.2 | 2,064.1 | [03] | [01] |