

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Lease Agreement between the Tohono O'odham Legislative Branch**  
**and United Way Capital Corporation)**

**RESOLUTION NO. 25-388**

- 1   **WHEREAS,**    the Tohono O'odham Constitution vests the Legislative Council with the power "to  
2                   consult, negotiate, and conclude agreements and contracts on behalf of the  
3                   Tohono O'odham Nation with Federal, State and local governments and other  
4                   Indian tribes or their departments, agencies, or political subdivisions, or with  
5                   private persons or organizations on all matters within the authority of the  
6                   Tohono O'odham Council" (Constitution, Article VI, Section 1(f)); and
- 7   **WHEREAS,**    the Tohono O'odham Legislative Branch wants to enter into a Lease Agreement  
8                   with the United Way Capital Corporation ("Landlord"), which is incorporated by  
9                   this reference, for approximately 9,800 square feet of temporary office space  
10                  located at 340 N. Commerce Park Loop, Suite 100, Tucson, Arizona 85745 (the  
11                  "Lease Agreement"); and
- 12   **WHEREAS,**   the Lease Agreement shall be for an initial 16-month term beginning upon its  
13                  execution and approval by United Way Capital Corporation, with options for up to  
14                  three consecutive 6-month renewals; and
- 15   **WHEREAS,**   the rent, projected taxes, and operating costs payments for the initial term, and  
16                  one renewal of the Lease Agreement are identified in the attached cost  
17                  breakdown and exceed the \$100,000.00 limitation on the Legislative Council  
18                  chairperson's contract approval authority; and
- 19   **WHEREAS,**   the Lease Agreement will be funded by the FY 2025-2027 Legislative Branch  
20                  Legislative Replacement Building Supplemental Budget Amendment No. 1, which  
21                  was approved by Resolution No. 25-386; and
- 22   **WHEREAS,**   Section 7.1 of the Lease Agreement requires the Legislative Branch to "indemnify,  
23                  defend and hold harmless Landlord from and against any claim, liability,  
24                  expense, lawsuit, loss or other damage, including reasonable attorneys' fees,  
25                  arising from or relating to Tenant's use of the Premises or Tenant's activities  
26                  within the Property"; and
- 27   **WHEREAS,**   Section 19 of the Lease Agreement requires that in the event of a dispute  
28                  concerning the condemnation or eminent domain applicable to more than 20%  
29                  of the rentable floor area of the premises, or an attempted assignment or  
30                  sublease of the premises by the Legislative Branch, the controversy shall be  
31                  settled by arbitration; and
- 32

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**WHEREAS, Chairwoman Wavalene M. Saunders is vested by Legislative Order No. 06-047 with authority over Branch buildings and control and management of authorized expenditures from the approved Legislative Branch budgets as amended and recommends that the Legislative Council approve the Lease Agreement.**

**NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the Lease Agreement between the Tohono O'odham Legislative Branch and United Way Capital Corporation, for office space in Tucson as referenced in the attached document and authorizes the Legislative Council chairperson to execute the Lease Agreement.**

**BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council grants a limited waiver of the Legislative Branch's sovereign immunity solely in accordance with Section 19 of the Lease Agreement.**

**The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15<sup>TH</sup> day of OCTOBER 2025 at a meeting at which a quorum was present with a vote of 1,681.8 FOR; 1,639.3 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(f) 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  
22<sup>nd</sup> day of OCTOBER, 2025

**ATTEST:**

  
Evonne Wilson, Legislative Secretary

22 day of OCTOBER, 2025

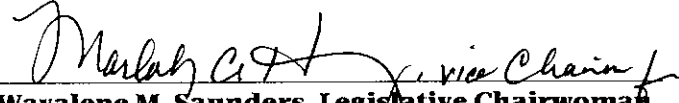
**Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 22<sup>nd</sup> day of OCTOBER, 2025 at 4:33 o'clock, p.m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.**

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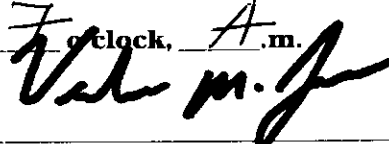
**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
Wavalene M. Saunders, Legislative Chairwoman

☒ **APPROVED**

on the 24 day of October, 2025

☐ **DISAPPROVED**

at 7 o'clock, A.m.  


**VERLON M. JOSE, CHAIRMAN  
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 24 day of  
October, 2025, at 8:10 o'clock, A.m.

  
Evonne Wilson, Legislative Secretary

**ACTION: APPROVING LEASE AGREEMENT BETWEEN THE TOHONO O'ODHAM LEGISLATIVE BRANCH AND UNITED WAY CAPITAL CORPORATION****Moved: VICE CHAIRWOMAN MARLAKAY HENRY****SECOND: COUNCILMAN LUCIUS E. LOPEZ****DATE: OCTOBER 15, 2025**

| DISTRICT                    | LEGISLATIVE REPRESENTATIVES  | # OF VOTES       | FOR            | AGAINST        | NOT VOTING | ABSENT      |
|-----------------------------|--|------------------|----------------|----------------|------------|-------------|
| <b>SIF OIDAK</b><br>251.2   | 1. WAVALENE M. SAUNDERS<br>(Mary Lopez)<br>2. FRANCIS HOMEWYTEWA<br>( )                    | 125.6<br>125.6   | X<br>X         |                |            | X           |
| <b>SELLS</b><br>565.7       | 1. JANET B. ELEANDO<br>( )<br>2. EVELYN JUAN MANUEL<br>(Juan Buendia)                      | 282.85<br>282.85 | X<br>X         |                |            |             |
| <b>SCHUK TOAK</b><br>195.3  | 1. THEORIA CAMPILLO<br>(Rebecca Ann Valentine)<br>2. DELISA M. RAMON<br>(Quintin C. Lopez) | 97.65<br>97.65   | X<br>X         |                |            |             |
| <b>SAN XAVIER</b><br>249.8  | 1. DANIEL L.A. PRESTON III<br>( )<br>2. JANICE FELIX<br>( )                                | 124.9<br>124.9   |                | X<br>X         |            | X           |
| <b>SAN LUCY</b><br>266.3    | 1. GLORIA M. RAMIREZ<br>(Lorraine M. Eller)<br>2. ROGER MANUEL<br>(Christina Andrews)      | 133.15<br>133.15 |                | X<br>X         |            |             |
| <b>PISINEMO</b><br>240.3    | 1. PAMELA J. BENAVIDEZ<br>(Nora J. Ruelas)<br>2. NAOMI MONTE<br>(Edward D. Manuel)         | 120.15<br>120.15 |                | X<br>X         |            |             |
| <b>HICKIWAN</b><br>222.9    | 1. LOUIS R. LOPEZ<br>(Loretta A. Ortega)<br>2. DELMAM M. GARCIA<br>( )                     | 111.45<br>111.45 |                | X<br>X         |            |             |
| <b>GU VO</b><br>279.6       | 1. LESLIE LUNA<br>( )<br>2. BENNETT CHEWING<br>( )   | 139.8<br>139.8   |                | X<br>X         |            | X           |
| <b>GU ACHI</b><br>289.2     | 1. JEROME F. JOAQUIN<br>(Gloria Johnson)<br>2. LUCIUS E. LOPEZ<br>(Victoria A. Hobbs)      | 144.6<br>144.6   | X<br>X         |                |            |             |
| <b>CHUKUT KUK</b><br>361.9  | 1. MARLAKAY HENRY<br>( )<br>2. VIVIAN JUAN-SAUNDERS<br>(Cornelius Antone)                  | 180.95<br>180.95 | X              | X              |            |             |
| <b>BABOQUIVARI</b><br>398.9 | 1. JESSE NAVARRO<br>(Alberta J. Ray)<br>2. NED NORRIS, JR<br>(Leander Mase)                | 199.45<br>199.45 | X              | X              |            |             |
| <b>TOTAL</b>                |  | <b>3,321.1</b>   | <b>1,681.8</b> | <b>1,639.3</b> | <b>-0-</b> | <b>[03]</b> |