

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving a Business Lease between Baboquivari District  
and Indian Oasis-Baboquivari Unified School  
District No. 40)**

**RESOLUTION NO. 94-031**

**WHEREAS, pursuant to Article XVI, Section 5 of the Constitution of the Tohono O'Odham Nation, the Baboquivari District requests the approval of the Legislative Council of a Business Lease (a copy of which is attached hereto and incorporated herein by reference) for the lease of approximately 45 acres of tribal land located within the Baboquivari District; and**

**WHEREAS, the purpose of the proposed Business Lease is for the construction and operation of a public school and related facilities suitable for use by the proposed lessee, the Indian Oasis-Baboquivari Unified School District No. 40 (the "School District"); and**

**WHEREAS, the School District proposes to sublease approximately 6.5 acres of the premises to the Tohono O'Odham Utility Authority ("TOUA") for purposes of operating and maintaining the sewage treatment facility and water tank which will be constructed on the premises; and**

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**WHEREAS, pursuant to the Nation's Constitution the proposed Business Lease must be approved by the Legislative Council and by the Secretary of Interior; and**

**WHEREAS, the proposed Business Lease is in a form suggested by the Bureau of Indian Affairs for compliance with Department of Interior regulations for the leasing of tribal land; and**

**WHEREAS, the School District's Board has approved the terms of the proposed lease; and**

**WHEREAS, by District Council Resolution No. 94-004, the Baboquivari District approved the lease and requests the approval of the Legislative Council; and**

**WHEREAS, the Natural Resource Committee has reviewed the lease and supports Baboquivari District's request for approval of the Business Lease.**

**NOW, THEREFORE, BE IT RESOLVED THAT:**

- 1. The Legislative Council approves the Business Lease in the form attached hereto.**
- 2. The approval of the Business Lease includes the approval of the sublease to TOUA, subject to the conditions identified.**

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3. **The Nation's Chairman is authorized and directed to execute the Business Lease in the form attached hereto.**

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 10TH day of FEBRUARY, 1994 at a meeting at which a quorum was present with a vote of 1,504.0 FOR; -0- AGAINST; -0- NOT VOTING; and 259.0 [09] ABSENT, pursuant to the powers vested in the Council by Section 1(f) & (i) of Article VI and Section 5 of Article XVI 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**

Earl C. Francisco  
for **Alex J. Ramon, Legislative Chairman**

11 day of Feb., 1994

**ATTEST:**

Teresa M. Choyguha  
**Teresa M. Choyguha, Legislative Secretary**

11<sup>th</sup> day of February, 1994.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 11 day of Feb, 1994 at 3:23 o'clock, P.M., pursuant to the

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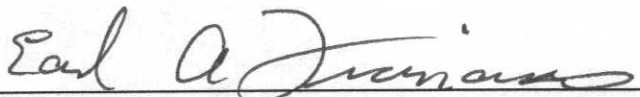
**(Approving a Business Lease between Baboquivari District and Indian Oasis-Baboquivari Unified School**

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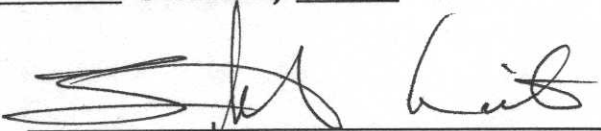
**provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.**

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

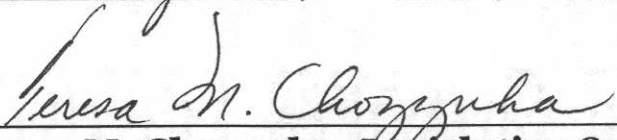
  
701. **Alex J. Ramon, Legislative Chairman**

**APPROVED** on the 11 day of February, 1994

**DISAPPROVED** at 5:54 o'clock, P..M.

  
**SYLVESTER LISTO, Chairman**  
**TOHONO O'ODHAM NATION**

**Returned to the Legislative Secretary on the 14<sup>th</sup> day of February, 1994, at 9:09 o'clock, A.M.**

  
**Teresa M. Choyguha, Legislative Secretary**

**ACTION:** APPROVING A BUSINESS LEASE BETWEEN BABOQUIVARI DISTRICT AND INDIAN OASIS-BABOQUIVARI UNIFIED SCHOOL DISTRICT NO. 40

**MOVED:** COUNCILMAN ANDREW PATRICIO

**SECOND:** COUNCILWOMAN FRANCES MIGUEL

**DATE:** FEBRUARY 10, 1994

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF OIDAK</b> 151.0	1. WILLARD JUAN, SR. (Delbert Thomas)	75.5	X			
	2. MARY ANN ANTONE (Nellie Miguel)	75.5	X			
<b>SELLS</b> 290.0	1. ANDREW M. PATRICIO (Lucille Encinas)	145.0	X			
	2. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	145.0	X			X
<b>SCHUK TOAK</b> 113.0	1. FRANCES FRANCISCO ( )	56.5	X			X
	2. KENNETH J. ANTONE ( )	56.5	X			
<b>SAN XAVIER</b> 135.0	1. EUGENE ENIS, SR. ( )	67.5				X
	2. DENNIS RAMON ( )	67.5				X
<b>BABOQUIVARI</b> 230.0	1. FRANCES MIGUEL ( )	115.0	X			
	2. EARL A. FRANCISCO ( )	115.0	X			
<b>GU ACHI</b> 180.0	1. WILLARD ANITA ( )	90.0	X			
	2. ALEX J. RAMON (Marian Johnson)	90.0	X			X
<b>PISINEMO</b> 128.0	1. CHESTER ANTONE (Fernando Valentine)	64.0	X			X
	2. JOHNSON M. JOSE (Roseleen Antone)	64.0	X			
<b>SAN LUCY</b> 98.0	1. JOHN RENO ( )	49.0	X			
	2. ALBERT MANUEL, JR. (Ernestine Marquez)	49.0	X			
<b>GU VO</b> 124.0	1. EMILIO LEWIS ( )	62.0				X
	2. MICHAEL FLORES (Fern Salcido)	62.0				X
<b>HICKIWAN</b> 136.0	1. MANUEL OSEQUEDA, JR. ( )	68.0	X			
	2. LLOYD FRANCISCO ( )	68.0	X			
<b>CHUKUT KUK</b> 178.0	1. ALBERTA M. LOPEZ (Berdella Jose)	89.0	X			X
	2. KENNETH WILLIAMS ( )	89.0	X			
<b>TOTAL</b>		<b>1,763.0</b>	<b>1,504.0</b>	<b>-0-</b>	<b>-0-</b>	<b>259.0</b> [09]

**\*\*PASSED VOTES**