

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving a 5-year Agricultural Lease between the Tohono O'odham Nation and
Secretary of the Interior (Co-Lessors), and the San Xavier Cooperative
Association, Inc. (Lessee))**

RESOLUTION NO. 20-022

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 and lease or otherwise deal with lands, or interests in land...of
4 the Tohono O'odham Nation...." (Constitution of the Tohono O'odham Nation,
5 Article VI, Section 1(i)(2) and Section 2(d)); and

6 **WHEREAS,** the Tohono O'odham Legislative Council is authorized "to manage any funds
7 within the exclusive control of the Tohono O'odham Nation . . . and to appropriate
8 these funds for the benefit of the Nation and its members" provided that "[a]ll
9 expenditures of these funds shall be pursuant to appropriations or budgets"
10 authorized by resolution or ordinance (Constitution of the Tohono O'odham
11 Nation, Article VI, Section 1(d)(2)); and

12 **WHEREAS,** the Tohono O'odham Legislative Council is authorized "to consult, negotiate and
13 conclude agreements and contracts on behalf of the Tohono O'odham Nation with
14 Federal, State and local governments and other Indian tribes or their
15 departments, agencies, or political subdivisions, or with private persons or
16 organizations on all matters within the authority of the Tohono O'odham Council
17 (Constitution of the Tohono O'odham Nation, Article VI, Section 1(f)); and

18 **WHEREAS,** the Tohono O'odham Nation ("Nation") supports the farming operations of the
19 San Xavier Cooperative Association, Inc. ("SXCA") on land in the San Xavier
20 District; and

21 **WHEREAS,** the SXCA farms on allotted lands; and

22 **WHEREAS,** the most recent lease between SXCA and the Bureau of Indian Affairs ("BIA")
23 expired on October 16, 2016; and

24 **WHEREAS,** the BIA requested that a new 5-year lease be entered into for the allotted lands, to
25 be approved by BIA, while an extension of the existing farm is designed;
26 environmental studies are conducted; and other administrative requirements
27 are met; and

28 **WHEREAS,** in addition to allotted lands, the SXCA is also using tribally-owned parcels of
29 land, which were leased under a separate lease that is signed by a representative
30 of the Nation; and

31 **WHEREAS,** the new 5-year lease will lease both the allotted lands and the tribally-owned
32 parcels to SXCA and require payments of fair market rent (based on an appraisal
33 obtained by the federal governments).

RESOLUTION NO. 20-022

(Approving a 5-year Agricultural Lease between the Tohono O'odham Nation and Secretary of the Interior (Co-Lessors), and the San Xavier Cooperative Association, Inc. (Lessee))

Page 2 of 3

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

- 1. Approves the attached 5-year Lease of Allotted Lands and Tribally-owned Parcels to the San Xavier Cooperative Association (the "Lease").**
- 2. Supports the approval and execution of the Lease by the Superintendent, Papago Agency, on behalf of the Department of the Interior as Co-Lessor.**
- 3. Authorizes the Nation's chairperson or any designated official to execute and administer the Lease, provided that any amendments or modifications shall be submitted for prior approval by the Tohono O'odham Legislative Council.**

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH day of JANUARY, 2020 at a meeting at which a quorum was present with a vote of 2,778.6 FOR; 117.8 AGAINST; -0- NOT VOTING; and 279.3 [08] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(d)(2) and 1(i)(2), and Section 2(d) 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



Timothy Joaquin, Legislative Chairman

21 day of January, 2020

ATTEST:

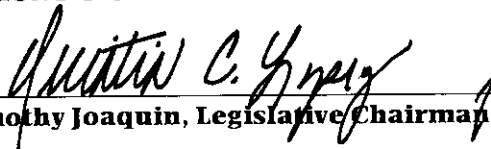


Evonne Wilson, Legislative Secretary

21 day of January, 2020

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 21 day of January, 2020 at 4:39 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



Timothy Joaquin, Legislative Chairman

RESOLUTION NO. 20-022

(Approving a 5-year Agricultural Lease between the Tohono O'odham Nation and Secretary of the Interior (Co-Lessors), and the San Xavier Cooperative Association, Inc. (Lessee))

Page 3 of 3

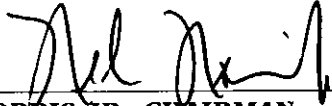
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

APPROVED

on the 21 day of January, 2020

DISAPPROVED

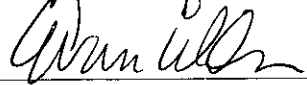
at 5:38 o'clock, P.m.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 22 day of

January, 2020, at 9:25 o'clock, a.m.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING A 5-YEAR AGRICULTURAL LEASE BETWEEN THE TOHONO O'ODHAM NATION AND SECRETARY OF THE INTERIOR (CO-LESSORS), AND THE SAN XAVIER COOPERATIVE ASSOCIATION, INC. (LESSEE)

MOVED: COUNCILMAN DANIEL L.A. PRESTON III

SECOND: COUNCILWOMAN JANICE FELIX

DATE: JANUARY 13, 2020

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (<i>Absent</i>) (Francine Schooling) (<i>Present</i>)	192.40	X			
	2. ALBERTA J. RAY (Frances G. Antone)	192.40	X			
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer)	173.75	X			
	2. MARLAKAY HENRY (Billman Lopez)	173.75	X			X
GUACHI 279.3	1. VICTORIA HOBBS ()	139.65				X
	2. TIMOTHY L. JOAQUIN (<i>Absent</i>) (Louis L. Johnson) (<i>Present</i>)	139.65				X
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			
	2. GRACE MANUEL ()	132.25	X			X
HICKIWAN 213.8	1. SANDRA D. ORTEGA ()	106.90	X			X
	2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90	X			
PISINEMO 230.7	1. MONICA K. MORGAN ()	115.35	X			X
	2. MARIETTA MARTIN ()	115.35	X			
SAN LUCY 235.6	1. GLORIA RAMIREZ ()	117.80		X		
	2. JANA MONTANA (Lorraine M. Eiler)	117.80	X			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL L.A. PRESTON III (Racheal Vilson-Stone)	119.45	X			
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ()	273.55	X			
	2. ARTHUR WILSON ()	273.55	X			X
SIF OIDAK 244.5	1. LUCINDA ALLEN (<i>Absent</i>) (Yolonda Garcia) (<i>Present</i>)	122.25	X			X
	2. MARY LOPEZ (<i>Absent</i>) (Ann M. Garcia) (<i>Present</i>)	122.25	X			
TOTAL		3,175.7	2,778.6	117.8	-0-	279.3 [08]