



Council of the Cherokee Nation

Cherokee Nation Tribal Council
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Legislation Details (With Text)

File #: 23-054 **Version:** 1 **Name:** N/A
Type: Resolution **Status:** Withdrawn
File created: 8/30/2023 **In control:** HEALTH COMMITTEE
On agenda: **Final action:** 9/11/2023
Enactment date: **Enactment #:**

Title: A RESOLUTION AUTHORIZING BUSINESS LEASE(S) TO U. S. DEPARTMENT OF VETERANS AFFAIRS (VA) INSIDE HEALTH CENTER(S) LOCATED ON LAND(S) HELD USA IN TRUST FOR CHEROKEE NATION

Sponsors: Victoria Vazquez, Mike Shambaugh, Dora Patzkowski, Mike Dobbins, Johnny Kidwell

Indexes: Health, Health Care Clinics, Health Facility, Lease, Veteran

Code sections: N/A - Not Applicable

Attachments:

Date	Ver.	Action By	Action	Result
9/11/2023	1	HEALTH COMMITTEE	Withdrawn	Pass

A RESOLUTION AUTHORIZING BUSINESS LEASE(S) TO U. S. DEPARTMENT OF VETERANS AFFAIRS (VA) INSIDIE HEALTH CENTER(S) LOCATED ON LAND(S) HELD USA IN TRUST FOR CHEROKEE NATION

WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people;

WHEREAS, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America;

WHEREAS, the U. S. Department of Veterans Affairs (VA) wishes to obtain Business Lease(s) inside health center(s) located on portions of lands held USA in Trust for Cherokee Nation inside of the Cherokee Nation Reservation boundary. The lease(s) will be for a term of 10 years, with an option to renew for an additional 10 years, beginning upon the date of approval, subject to the terms and conditions set forth within said lease(s);

WHEREAS, Cherokee Nation requests the Tribal Council to issue a waiver of said regulation requiring bond(s) for said business lease(s) on lands held USA in Trust for Cherokee Nation pursuant to regulations contained in **25 CFR §162.434(f)(g)**. Cherokee Nation has determined that a waiver of performance bond or alternative form of security is in the best interest of the tribe, and;

WHEREAS, Cherokee Nation requests the Tribal Council to issue a waiver of insurance for lease(s) on lands held USA in Trust for Cherokee Nation pursuant to regulations contained in **25 CFR §162.437(c)**. Cherokee Nation has determined that a waiver is in the best interest of the tribe, and;

WHEREAS, Cherokee Nation requests a Waiver of Valuation and that the Negotiated Value between the Cherokee Nation and VA be used pursuant to **25 CFR §162.420(a)**.

1. Cherokee Nation has negotiated compensation satisfactory to the tribe,
2. Cherokee Nation waives valuation, and
3. Cherokee Nation has determined that accepting such negotiated compensation and waiving valuation is in the best interest of the Cherokee Nation;

WHEREAS, Cherokee Nation has determined that not having compensation reviews and/or adjustments is in the best interest of the tribe pursuant to **Title 25 CFR §162.428(a)**;

BE IT RESOLVED BY THE CHEROKEE NATION, that the Principal Chief of Cherokee Nation, Chuck Hoskin Jr., and/or his authorized designee(s) be authorized to enter into the above described leases, with the negotiated compensation, no compensation review and waiver of appraisal, insurance and bond, in accordance with 25 CFR § 162 and the Bureau of Indian Affairs policy and procedure for leasing of land owned by United States of America in Trust for Cherokee Nation.