

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving the FY 2019 San Xavier Cooperative Association 9B Farm Cashout  
Budget and Expenditure of SAWRSA Amendments 9B Farm Cashout Fund)**

**RESOLUTION NO. 18-279**

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with  
2 the authority to "consult, negotiate and conclude agreements and contracts . . .  
3 with Federal, State, and local governments . . ." and to "consult with the Congress  
4 of the United States and appropriate federal agencies regarding federal activities  
5 that affect the Tohono O'odham Nation . . ." and to "enact laws, ordinances and  
6 resolutions necessary or incidental to the exercise of its legislative powers."  
7 (Constitution, Article VI, Section 1(f),1(j), and 1(l)); and

8 **WHEREAS,** on December 10, 2004, the United States Congress enacted the Arizona Water  
9 Settlement Act, P.L. 108-451, including Title III, the Southern Arizona Water  
10 Rights Settlement Act Amendment ("SAWRSA Amendments"), which authorized  
11 the San Xavier District to elect to receive \$18.3 million in lieu of the federal  
12 government's obligation to construct the proposed "9B Farm" (SAWRSA  
13 Amendments, Section 304 (c)(3)(A)(ii)); and

14 **WHEREAS,** the San Xavier District Council elected to receive the in lieu payment plus interest  
15 pursuant to SXDC Resolution #10-09-10 ("9B Farm Cashout Fund"); and

16 **WHEREAS,** expenditures from the 9B Cashout Fund must be authorized and approved in  
17 accordance with a budget authorized by the San Xavier District Council and  
18 approved by resolution of the Legislative Council (SAWRSA Amendments, Section  
19 304(f)(1)(B)(i) and (ii)); and

20 **WHEREAS,** the SAWRSA Amendments provide that the 9B Farm Cashout Fund may be  
21 expended for various designated purposes, including: subjugation of land,  
22 development of water resources, or construction, operation, maintenance or  
23 replacement of facilities within the San Xavier Reservation not required to be  
24 carried out by the United States under the SAWRSA Amendments; economic  
25 development loans and assistance; to provide benefits to allottees; and to pay any  
26 administrative costs incurred by the Nation or the San Xavier District in  
27 conjunction with any of these uses (SAWRSA Amendments, Section 304(f)(1)(C));  
28 and

29 **WHEREAS,** the San Xavier District Council has approved the FY 2019 San Xavier Cooperative  
30 Association 9B Farm Cashout Budget, which is incorporated by this reference, in  
31 the amount of \$1,937,443.84 to be funded from the 9B Farm Cashout Fund for  
32 farm operations and capital costs (Resolution No. SXDC 07-18-07); and

33 **WHEREAS,** the Budget and Finance Committee has reviewed the FY 2019 San Xavier  
34 Cooperative Association 9B Farm Cashout Budget and recommends approval.

RESOLUTION NO. 18-279

(Approving the FY 2019 San Xavier Cooperative Association 9B Farm Cashout Budget and Expenditure of SAWRSA Amendments 9B Farm Cashout Fund)

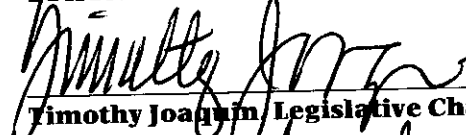
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1 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:

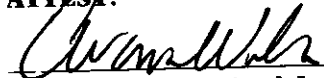
- 2 (1) approves the FY 2019 San Xavier Cooperative Association 9B Farm Cashout  
3 Budget in the amount of \$1,937,443.84, effective October 1, 2018, to be  
4 funded by the 9B Farm Cashout Fund, provided that any amendments or  
5 modifications shall be submitted for prior approval by the San Xavier  
6 District Council and the Tohono O'odham Legislative Council; and  
7 (2) approves the expenditure of SAWRSA Amendments 9B Farm Cashout  
8 Funds in accordance with the FY 2019 San Xavier Cooperative Association  
9 9B Farm Cashout Budget.

10 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07<sup>TH</sup>  
11 day of AUGUST, 2018 at a meeting at which a quorum was present with a vote of 3,084.6 FOR; -0-  
12 AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by  
13 Article VI, Section 1(f) 1(j) and 1(l) of the Constitution of the Tohono O'odham Nation, adopted by  
14 the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
15 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June  
16 18, 1934 (48 Stat.984).

17 TOHONO O'ODHAM LEGISLATIVE COUNCIL

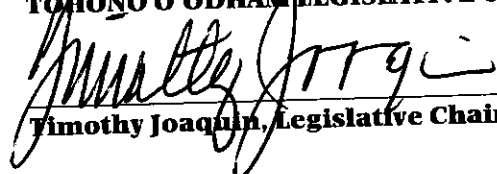
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22 Timothy Joaquin, Legislative Chairman  
23 10 day of August, 2018

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27 ATTEST:

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30 Evonne Wilson, Legislative Secretary  
31 9 day of August, 2018

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33  
34 Said Resolution was submitted for approval to the office of the Chairman of the Tohono  
35 O'odham Nation on the 10 day of August, 2018 at 9:54 o'clock, a .m.,  
36 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
37 effective upon his approval or upon his failure to either approve or disapprove it within 48  
38 hours of submittal.  
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40 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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44 Timothy Joaquin, Legislative Chairman  
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**RESOLUTION NO. 18-279**

**(Approving the FY 2019 San Xavier Cooperative Association 9B Farm Cashout Budget and Expenditure of SAWRSA Amendments 9B Farm Cashout Fund)**

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**APPROVED**

on the 13 day of August, 2018

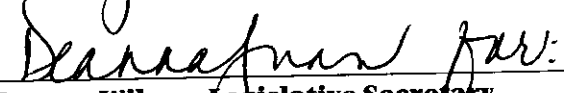
**DISAPPROVED**

at 5:15 o'clock, P.m.

  
EDWARD D. MANUEL, CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14 day of

August, 2018, at 9:25 o'clock, A.m.

  
Evonne Wilson, Legislative Secretary

**ACTION: APPROVING THE FY 2019 SAN XAVIER COOPERATIVE ASSOCIATION 9B FARM CASHOUT BUDGET AND EXPENDITURE OF SAWRSA AMENDMENTS 9B FARM CASHOUT FUND**

**Moved: COUNCILWOMAN JANICE FELIX**

**SECOND: COUNCILMAN DANIEL L.A. PRESTON III**

**DATE: AUGUST 07, 2018**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ( )	117.9	X			X
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel)	263.6	X			
	2. ADRIANNE TILLER (Idaleen Reyes)	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	92.85	X			
	2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez)	116.15	X			
	2. JANICE FELIX ( )	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel)	115.55	X			
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55	X			
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	112.95	X			
	2. MONICA K. MORGAN ( )	112.95	X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (Shirley Molina)	104.5	X			
	2. SANDRA D. ORTEGA ( )	104.5	X			
GU VO 256.9	1. GRACE MANUEL ( )	128.45	X			
	2. DALLAS LEWIS (Nacho Flores)	128.45	X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X			
	2. LORETTA LEWIS (Victoria Hobbs)	135.45	X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Robert E. Harvey)	186.05	X			
	2. LEANDER MASE (Francine Schooling)	186.05	X			
<b>TOTAL</b>		<b>3,084.6</b>	<b>3,084.6</b>	<b>-0-</b>	<b>-0-</b>	<b>[01]</b>