

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving FY 2019 San Xavier Allottees Association, Inc. 9B Farm Cashout Fund Budget)**

**RESOLUTION NO. 18-286**

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 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 Allottees**  
30 **Association, Inc. 9B Farm Cashout Fund Budget, which is incorporated by this**  
31 **reference, in the amount of \$670,130.51 to be funded from the 9B Farm Cashout**  
32 **Fund (Resolution No. SXDC 07-18-06); and**

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

35

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

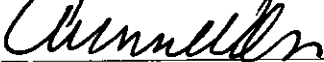
- (1) approves the FY 2019 San Xavier Allottees Association, Inc. 9B Farm Cashout Fund Budget effective October 1, 2018 in the amount of \$670,130.51 to be funded by 9B Farm, provided that any amendments or modifications shall be submitted for prior approval by the San Xavier District Council and the Tohono O'odham Legislative Council; and**
- (2) approves the expenditure of SAWRSA Amendments 9B Farm Cashout Funds in accordance with the FY 2019 San Xavier Allottees Association, Inc. 9B Farm Cashout Fund Budget.**

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07<sup>TH</sup> day of AUGUST, 2018 at a meeting at which a quorum was present with a vote of 3,084.6 FOR; -0- AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(f), 1(j), and 1(l) 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  
10 day of August, 2018

**ATTEST:**

  
\_\_\_\_\_  
Evonne Wilson, Legislative Secretary  
9 day of August, 2018

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 10 day of August, 2018 at 9:56 o'clock, a.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. 18-286**

**(Approving FY 2019 San Xavier Allottees Association, Inc. 9B Farm Cashout Fund Budget)**

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**APPROVED**

on the 13 day of August, 2018

**DISAPPROVED**

at 5:20 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 FY 2019 SAN XAVIER ALLOTTEES ASSOCIATION, INC. 9B FARM CASHOUT FUND BUDGET**

**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. <i>(Absent)</i> (Teresa F. Donahue) <i>(Present)</i>	92.85	X			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 (Roberta 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>[02]</b>