

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Allocate the Solid Waste Management Program's revenue, held in a dedicated account**  
**(#000252452099), for the purchase of Solid Waste Equipment to help meet the growing**  
**work demands on the Program, in addition, create three new positions, and**  
**upgrade three temporary laborer positions to permanent)**

**RESOLUTION NO. 2000-309**

- 1 **WHEREAS, the Tohono O'odham Nation ("Nation"), in exercise of its sovereign authority, desires**  
2 **to manage and regulate the storage, collection, recycling, transportation and**  
3 **disposal of solid waste and certain hazardous waste on lands within the boundaries**  
4 **of the Nation in order to protect the environment, the natural resources, the political**  
5 **integrity and economic security of the Nation, and the health, safety and welfare of**  
6 **its members and persons present on the Nation's lands; and**
- 7 **WHEREAS, the Tohono O'odham Legislative Council ("Legislative Council") adopted the Solid**  
8 **Waste Management Code and Solid Waste Management Plan ("Plan") on February 12,**  
9 **1997, which in part, established the Solid Waste Management Program, ("SWMP");**  
10 **and**
- 11 **WHEREAS, SWMP has implemented the section of the Plan by creating weekly solid waste**  
12 **collection from 700 bins serving over 100 villages, businesses and agencies and**  
13 **hauling, on an average, 330 tons of solid waste per month to EPA permitted landfills**  
14 **located off of the Nation's lands; and**
- 15 **WHEREAS, SWMP originally serviced 9 of the 11 districts but now provides bulky waste removal**  
16 **for San Xavier District and is discussing the same services with San Lucy District; and**
- 17 **WHEREAS, SWMP has only four solid waste drivers, and only four solid waste collection trucks**  
18 **to pick-up all of the Nation's trash including household, commercial, bulky waste,**  
19 **construction debris, scrap metal, recyclable paper and tires; and**
- 20 **WHEREAS, SWMP relies on occasional laborers to do clean up and repair on 700 solid waste bins;**  
21 **and**
- 22 **WHEREAS, SWMP has contracted with TOUA for administrative services for solid waste billing**  
23 **and has been notified by TOUA that they want to stop providing the service as of**  
24 **October 01, 2000; and**
- 25 **WHEREAS, SWMP needs one additional office worker to help in the transition to in-house bill**  
26 **preparation and collecting overdue solid waste bills; and**
- 27 **WHEREAS, SWMP has collected fees for services and recycling revenue from the sale of**  
28 **recyclables and these funds have been deposited in a dedicated account**  
29 **#000252452099 with the Bank of America as directed in Resolution No. 98-236, and**  
30 **said resolution states that the funds are to be used for program expenditures; and**

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1 **WHEREAS, SWMP is finding that with both its assigned work and additional requests for**  
2 **expanded services, that SWMP can not complete everything it is asked to do.**

3 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves**  
4 **the use of program revenues, in the amount of \$285,000.65, for the purchase of**  
5 **additional equipment consisting of bin delivery truck, general service pick-up trucks,**  
6 **roll-off truck, bins and ancillary equipment as needed.**

7 **BE IT FURTHER RESOLVED that if the capital equipment is not deliverable by September 30, 2000**  
8 **the Chairman is authorized to roll forward funding for major capital equipment into**  
9 **FY-01 and make payments when equipment is received.**

10 **BE IT FINALLY RESOLVED that there is created three additional positions, (one supervisor, one**  
11 **solid waste driver, one accounts receivable clerk), and that three occasional laborer**  
12 **positions are upgraded to full time positions, and be funded by program revenues in**  
13 **the FY-00; and that the new and upgraded positions will become part of the SWMP's**  
14 **base budget and be funded by program revenues for FY 2000/2001.**

15 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11<sup>TH</sup>. Day**  
16 **of JULY, 2000 at a meeting at which a quorum was present with a vote of 2,165.5 FOR; -0- AGAINST;**  
17 **-0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2)**  
18 **& (3) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**  
19 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**  
20 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**  
21 **Stat. 984).**

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23 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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27 **Dennis Ramon, Legislative Chairman**

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29 12 day of July, 20 00

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31 **ATTEST:**

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35 **Julianna Saraficio, Acting Legislative Secretary**

36  
37 11 day of July, 20 00.

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1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham  
2 Nation on the 12 day of July, 20 00 at 4:28 o'clock, P.M.,  
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective  
4 upon his approval or upon his failure to either approve or disapprove it within 48 hours of  
5 submittal.

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7 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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10 **Dennis Ramon, Legislative Chairman**

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16  APPROVED

on the 14<sup>th</sup> day of July, 20 00

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18  DISAPPROVED

at 3:14 o'clock, P.M.

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22 **EDWARD D. MANUEL, Chairman**  
23 **TOHONO O'ODHAM NATION**

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29 Returned to the Legislative Secretary on the 14 day of

30 July, 20 00, at 3:59 o'clock, P.M.

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34 **Julianna Saraficio, Acting Legislative Secretary**  
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**ACTION:** ALLOCATE THE SOLID WASTE MANAGEMENT PROGRAM'S REVENUE, HELD IN A DEDICATED ACCOUNT (#000252452099), FOR THE PURCHASE OF SOLID WASTE EQUIPMENT TO HELP MEET THE GROWING WORK DEMANDS ON THE PROGRAM, IN ADDITION, CREATE THREE NEW POSITIONS, AND UPGRADE THREE TEMPORARY LABORER POSITIONS TO PERMANENT

**MOVED:** COUNCILWOMAN RITA MARTINEZ

**SECOND:** COUNCILWOMAN FERN SALCIDO

**DATE:** JULY 11, 2000

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF OIDAK</b> 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
<b>SELLS</b> 372.7	1. DENNIS E. JOSE ( )	186.35	X			
	2. EVELYN JUAN ( )	186.35	X			
<b>SCHUK TOAK</b> 133.4	1. MARY FLORES ( )	66.7	X			
	2. AMBROSE ENCINAS ( )	66.7	X			
<b>SAN XAVIER</b> 165.9	1. TONY BURRELL ( )	82.95	X			
	2. DENNIS RAMON ( )	82.95	X			
<b>BABOQUIVARI</b> 286.5	1. FRANCES MIGUEL ( )	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			
<b>GU ACHI</b> 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ( )	104.8	X			X
<b>PISINEMO</b> 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ( )	78.4	X			X
<b>SAN LUCY</b> 128.1	1. ALBERT MANUEL, JR. ( )	64.05	X			
	2. GLORIA RAMIREZ ( )	64.05	X			X
<b>GU VO</b> 160.0	1. FERN SALCIDO ( )	80.0	X			
	2. GLORIA MONTANA ** (Phillip Antone)	80.0	X			
<b>HICKIWAN</b> 158.1	1. SHIRLEY MOLINA ( )	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
<b>CHUKUT KUK</b> 222.6	1. KENNETH WILLIAMS ( )	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
<b>TOTAL</b>		<b>2,165.5</b>	<b>2,165.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>

\*\*PASSED VOTES