

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Payment or Reimbursement of Programs of the Nation by the Indian Health  
Service Under Future Memorandums of Agreement or Amendments to Existing  
Memorandums of Agreement)**

**RESOLUTION NO. 01-313**

1 **WHEREAS, the Tohono O'odham Nation ("Nation") established the Water Resources Study**  
2 **Program("Water Resources Program") in 1986 to conduct a comprehensive inventory**  
3 **of the quantity and quality of the Nation's underground and surface waters ("water**  
4 **inventory"); and**

5 **WHEREAS, the Water Resources Program within the Nation's Department of Natural Resources**  
6 **is funded by a P.L. 93-638 grant from the Bureau of Reclamation ("BOR") in the United**  
7 **States Department of the Interior to perform the Nation's water inventory; and**

8 **WHEREAS, the Indian Health Service ("IHS") in the United States Department of Health and**  
9 **Human Services currently installs community water supply systems in the**  
10 **communities of the Nation under Memorandums of Agreement between the IHS, the**  
11 **Tohono O'odham Utility Authority ("TOUA") and the Nation; and**

12 **WHEREAS, it is in the best interests of the Nation for the Water Resources Program to perform**  
13 **groundwater/surface water investigations and related duties for the IHS, and to seek**  
14 **funding from IHS for these services; and**

15 **WHEREAS, the IHS has agreed to pay or reimburse the Nation for services of the Water Resources**  
16 **Program including but not limited to contracting well drilling, pump testing, water**  
17 **quality testing and other problem solving and has proposed amending existing**  
18 **Memorandums of Agreement and entering into future Memorandums of Agreement**  
19 **between the Indian Health Service, TOUA and the Nation to provide for payment to**  
20 **the Nation for these services; and**

21 **WHEREAS, the Nation anticipates that the IHS will pay the Nation in advance for 85 percent of the**  
22 **projected cost of the services that the Water Resources Program plans to provide to**  
23 **the IHS, and will pay the remainder as reimbursement; and**

24 **WHEREAS, other programs of the Nation may in the future be asked to perform services for the**  
25 **IHS for which payment or reimbursement will be sought; and**

26 **WHEREAS, the Nation anticipates in the future negotiating a P.L. 93-638 Subpart J construction**

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1 contract with the IHS to provide a simpler mechanism for funding the services of the  
2 Water Resources Study Program or other programs of the Nation.

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

- 4 1. Approves the negotiation of Memorandums of Agreement between the IHS and the  
5 Nation, either by amendment to existing agreements or in new agreements, to  
6 provide for payment or reimbursement for the services of the Water Resources  
7 Program or other programs of the Nation.
- 8 2. Authorizes the Chairman of the Nation to sign any such amendment or  
9 Memorandum of Agreement.
- 10 3. Ratifies the signature of the Chairman of the Nation on amendments to existing  
11 Memorandums of Agreement which were executed prior to passage of this  
12 Resolution.
- 13 4. Approves of receipt of funds from the IHS and placement of the IHS funds in the  
14 Nation's accounts as designated by the Grants and Contracts Office and the  
15 Accounting Office and authorizes programs to expend these funds.

16 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08<sup>TH</sup> Day  
17 of JUNE, 2001 at a meeting at which a quorum was present with a vote of 2,417.5 FOR; -0- AGAINST;  
18 -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Section 1 (f) of  
19 Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham  
20 Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs  
21 (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

22  
23 TOHONO O'ODHAM LEGISLATIVE COUNCIL

24   
25 \_\_\_\_\_  
26 Rita Martinez, Legislative Chairwoman

27  
28 13<sup>th</sup> day of June, 20 01

29  
30 ATTEST:

31   
32 \_\_\_\_\_  
33 Julianna Saraficio, Acting Legislative Secretary

34 08 day of June, 20 01  
35

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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 13<sup>th</sup> day of June, 20 01 at 11:13 o'clock, A.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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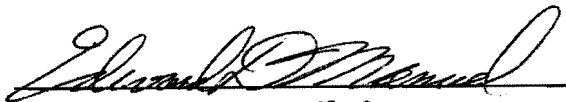
**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
Rita Martinez, Legislative Chairwoman

APPROVED

on the 14<sup>th</sup> day of June, 20 01  
at 9:00 o'clock, A.M.

DISAPPROVED

  
EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14<sup>th</sup> day of

June, 20 01, at 11:21 o'clock, A.M.

  
Julianna Saraficio, Acting Legislative Secretary

**ACTION: APPROVING PAYMENT OR REIMBURSEMENT OF PROGRAMS OF THE NATION BY THE INDIAN HEALTH SERVICE UNDER FUTURE MEMORANDUMS OF AGREEMENT OR AMENDMENTS TO EXISTING MEMORANDUMS OF AGREEMENT**

**MOVED: COUNCILMAN TONY BURRELL**

**SECOND: COUNCILWOMAN FRANCES ANTONE**

**DATE: JUNE 08, 2001**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>CHUKUT KUK</b> <b>248.1</b>	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
<b>HICKIWAN</b> <b>167.3</b>	1. SHIRLEY MOLINA ( )	83.65	X			
	2. SANDRA ORTEGA ( )	83.65	X			
<b>GU VO</b> <b>188.3</b>	1. FERN SALCIDO ( )	94.15	X			
	2. EMILIO LEWIS (Michael Flores)	94.15	X			
<b>SAN LUCY</b> <b>160.7</b>	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			X
	2. GLORIA RAMIREZ ( )	80.35	X			
<b>PISINEMO</b> <b>174.7</b>	1. BARBARA SALVICIO (Alex Antone)	87.35	X			X
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
<b>GU ACHI</b> <b>230.7</b>	1. CAMILLUS LOPEZ ( )	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
<b>BABOQUIVARI</b> <b>317.7</b>	1. FRANCES MIGUEL ( )	158.85	X			X
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
<b>SAN XAVIER</b> <b>184.7</b>	1. TONY BURRELL ( )	92.35	X			
	2. DENNIS RAMON ( )	92.35	X			X
<b>SCHUK TOAK</b> <b>144.5</b>	1. MARY FLORES ( )	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			
<b>SELLS</b> <b>416.1</b>	1. DENNIS E. JOSE ( )	208.05	X			
	2. EVELYN JUAN ( )	208.05	X			
<b>SIF OIDAK</b> <b>184.7</b>	1. ISIDRO LOPEZ ( )	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
<b>TOTAL</b>		<b>2,417.5</b>	<b>2,417.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[05]</b>

**\*\*PASSED VOTES**