

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Authorization and Appropriation of Supplemental Funds for '93 ICDBG, '94 ICDBG,**  
**'94 HOME, '95 ICDBG, '96 HOME, '97 ICDBG and the Colonias (EPA/USDA/TON) Grants**  
**from the Desert Diamond Savings Account from the Gaming Revenues)**

**RESOLUTION NO. 01-661**

1 **WHEREAS, Tohono O'odham Nation (Nation) applied for and was awarded Indian Community**  
2 **Development Block Grant and HOME grants from the United States Department of**  
3 **Housing and Urban Development (HUD) in the following years '93, '94, '95, '96, '97; and**

4 **WHEREAS, the Nation also solicited and accepted funds from the United States Department of**  
5 **Agriculture and project budgets of the EPA/USDA/TON grant and authorized to**  
6 **implement and expend on behalf of the recipients with Tohono O'odham Legislative**  
7 **Council Resolution No. 99-194; and**

8 **WHEREAS, the Tohono O'odham Legislative Council authorized the expenditures of funds for the**  
9 **following grants on the following dates: '94 ICDBG, August 07, 1996, Resolution No. 96-**  
10 **348; '94 HOME, August 07, 1996, Resolution No. 96-350; '95 ICDBG, December 29, 1998,**  
11 **Resolution No. 98-537; '97 ICDBG, March 20, 1998, Resolution No. 98-108; Colonias**  
12 **Project, April 29, 1999, Resolution No. 99-194 and 99-195; and**

13 **WHEREAS, the Tohono O'odham Legislative Council approved Resolution No. 96-192 on May 09,**  
14 **1996 which read in part, " . . . the Nation agrees to appropriate \$1,500,000.00 of**  
15 **matching funds to the HUD Grant for the 1996 HOME Grant if awarded."; and**

16 **WHEREAS, the Nation was awarded \$691,495 for the '96 HOME Grant on August 06, 1996, and the**  
17 **Nation did not appropriate the required matching funds to the '96 HOME Grant to**  
18 **implement and complete project; the awarded amount of \$691,495.00 for the '96 HOME**  
19 **Grant expired in August of 2001; and**

20 **WHEREAS, the aforementioned grants do not have significant funding to properly implement,**  
21 **administer, complete and meet the Needs Description outline in the grant application,**  
22 **which includes hours necessary for construction, installation of supply lines and the**  
23 **necessary infrastructure upgrade; and**

24 **WHEREAS, the Executive Office in November 2000 re-evaluated the ICDBG/HOME projects and**  
25 **arrived at a true cost estimate of \$9,405,649.93 to complete the aforementioned**  
26 **grants; and**

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1 **WHEREAS, it has become necessary to request supplemental funds for the following grants in the**  
2 **amount of \$9,405,649.93 to be distributed as follows:**

	<b>FY-2002</b>	<b>FY-2003</b>	<b>FY-2004</b>	<b>TOTALS</b>	
3					
4					
5	<b>93 ICDBG</b>	<b>\$2,630.51</b>		<b>\$2,630.51</b>	
6	<b>94 ICDBG</b>	<b>\$124,500.00</b>		<b>\$124,500.00</b>	
7	<b>94 HOME</b>	<b>\$1,176,462.54</b>	<b>\$1,445,401.78</b>	<b>\$55,775.69</b>	<b>\$2,677,640.01</b>
8	<b>95 ICDBG</b>	<b>\$634,252.51</b>	<b>\$174,498.49</b>		<b>\$808,751.00</b>
9	<b>96 HOME</b>		<b>\$3,272,225.15</b>	<b>\$210,998.85</b>	<b>\$3,483,224.00</b>
10	<b>97 ICDBG</b>	<b>\$196,863.41</b>			<b>\$196,863.41</b>
11	<b>Colonias</b>	<b>\$493,900.90</b>	<b>\$1,533,633.50</b>	<b>\$84,506.60</b>	<b>\$2,112,041.00</b>
12	<b>Project</b>				
13	<b>TOTALS</b>	<b>\$2,628,609.87</b>	<b>\$6,425,758.92</b>	<b>\$351,281.14</b>	<b>\$9,405,649.93</b> ; and

14 **WHEREAS, the staff of the ICDBG/HOME and Planning Department did make presentations to all**  
15 **eleven district councils of the Tohono O'odham Nation and nine district councils have**  
16 **submitted supporting district resolutions in support of the \$9,405,649.93 supplement**  
17 **request to complete all grants mentioned; and**

18 **WHEREAS, the request for supplemental funds for the mentioned grants are to be taken from the**  
19 **Desert Diamond Savings Account for use in fiscal years: FY-02, FY-03, FY-04 and the**  
20 **ICDBG Office will prepare budgets for review and approval; and**

21 **WHEREAS, the request for supplemental funds for the mentioned grants have been presented**  
22 **to the Tohono O'odham Nation's Executive Office, Legislative Council Budget &**  
23 **Finance and Housing Committees.**

24 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves**  
25 **and authorizes expenditures of the above-described proposed supplemental request**  
26 **to be taken from the Desert Diamond Savings Account so that all grant projects can**  
27 **be completed.**

28 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council hereby appropriates the**  
29 **amounts of \$2,628,609.87 at the beginning of January 2002, \$6,425,758.92 at the**

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1                    **beginning of FY 2003, and \$351,281.14 at the beginning of FY 2004, for a total of**  
2                    **\$9,405,649.93 from the Desert Diamond Savings Account to be used as a multi-year**  
3                    **project.**

4 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council directs that the amount**  
5                    **approved for each fiscal year be deposited in a segregated, interest-bearing account**  
6                    **at the beginning of each fiscal year and that all interest earned revert to the Desert**  
7                    **Diamond Savings Account.**

8 **BE IT FURTHER RESOLVED that the Planning Director shall be responsible for ensuring that**  
9                    **purchasing procedures are adhered to.**

10 **BE IT FURTHER RESOLVED that the Planning Director shall provide monthly project status reports**  
11                    **to the Legislative Housing and Budget & Finance Committees, as well as quarterly**  
12                    **project status reports to the Legislative Council.**

13 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council hereby authorizes the**  
14                    **Chairman or his designee to negotiate and execute any and all contracts or**  
15                    **agreements with other parties, including the Nation's districts, in order to ensure**  
16                    **that projects are completed.**

17 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21<sup>ST</sup>. Day**  
18 **of DECEMBER, 2001 at a meeting at which a quorum was present with a vote of 1,609.6 FOR; 807.9**  
19 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**  
20 **Section 1 (d)(2) and (3) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by**  
21 **the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
22 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
23 **18, 1934 (48 Stat. 984).**

24  
25 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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28 **Rita A. Martinez, Legislative Chairwoman**

29  
30 24<sup>th</sup> day of December, 2001

31  
32 **ATTEST:**

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35 **Julianna Saraficio, Acting Legislative Secretary**

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37 21<sup>st</sup> day of December, 2001.

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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 24<sup>th</sup> day of December, 20 01 at 8:44 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.

6  
7 TOHONO O'ODHAM LEGISLATIVE COUNCIL

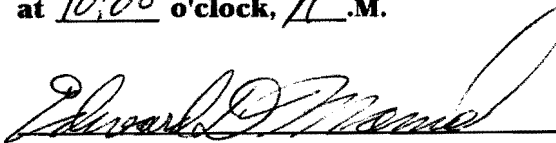
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9   
10 Rita A. Martinez, Legislative Chairwoman

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16  APPROVED

on the 24<sup>th</sup> day of December, 20 01

17  
18  DISAPPROVED

at 10:00 o'clock, A.M.

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

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28 Returned to the Legislative Secretary on the 24<sup>th</sup> day of

29  
30 December, 20 01, at 11:06 o'clock, A.M.

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33 Julianna Saraficio, Acting Legislative Secretary

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**ACTION:** AUTHORIZATION AND APPROPRIATION OF SUPPLEMENTAL FUNDS FOR '93 ICDBG, '94 ICDBG, '94 HOME, '95 ICDBG, '96 HOME, '97 ICDBG AND THE COLONIAS (EPA/USDA/TON) GRANTS FROM THE DESERT DIAMOND SAVINGS ACCOUNT FROM THE GAMING REVENUES

**MOVED:** COUNCILMAN ISIDRO LOPEZ

**SECOND:** VICE CHAIRMAN CAMILLUS LOPEZ

**DATE:** DECEMBER 21, 2001

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 317.7	1. FRANCES MIGUEL ( )	158.85		X		
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
<b>CHUKUT KUK</b> 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
<b>GU ACHI</b> 230.7	1. CAMILLUS LOPEZ ( )	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
<b>GU VO</b> 188.3	1. FERN SALCIDO ** ( )	94.15	X			
	2. EMILIO LEWIS (Michael Flores)	94.15	X			
<b>HICKIWAN</b> 167.3	1. SHIRLEY MOLINA ( )	83.65	X			
	2. SANDRA ORTEGA ( )	83.65	X			
<b>PISINEMO</b> 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
<b>SAN LUCY</b> 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35		X		X
	2. GLORIA RAMIREZ ( )	80.35		X		
<b>SAN XAVIER</b> 184.7	1. TONY BURRELL ( )	92.35	X			X
	2. DENNIS RAMON ( )	92.35	X			
<b>SCHUK TOAK</b> 144.5	1. MARY FLORES ( )	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25		X		
<b>SELLS</b> 416.1	1. DENNIS E. JOSE ( )	208.05		X		
	2. EVELYN JUAN ( )	208.05		X		
<b>SIF OIDAK</b> 184.7	1. ISIDRO LOPEZ ( )	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
<b>TOTAL</b>		<b>2,417.5</b>	<b>1,609.6</b>	<b>807.9</b>	<b>-0-</b>	<b>[02]</b>

**\*\*PASSED VOTES**