

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approval of Amendment to Grant Agreement 6-FG-32-00100 and Authorization
to Expend Funds)**

RESOLUTION NO. 02-104

1 **WHEREAS, the Tohono O'odham Nation entered into a four year Public Law 93-638 Grant**
2 **Agreement with the Bureau of Reclamation with the estimated total cost of**
3 **\$23,374,714.00, Agreement No. 6-FG-32-00100, with the Secretary of the Interior,**
4 **through the Bureau of Reclamation, for the construction of a distribution system for**
5 **delivery of Central Arizona Project Water to the Schuk Toak District of the Tohono**
6 **O'odham Nation in December 1995; and**

7 **WHEREAS, \$23,075,452.64 of the original estimated total cost of \$23,374,714.00 has been**
8 **obligated by the Bureau of Reclamation for Grant Agreement 6-FG-32-00100; and**

9 **WHEREAS, the Legislative Council approved an amendment that increased the estimated total**
10 **cost of Grant Agreement 6-FG-32-00100, September 2001, by \$925,000.00 in Resolution**
11 **No. 01-463 for the construction management of the farm maintenance facility on the**
12 **Schuk Toak Farm Project; and**

13 **WHEREAS, an Annual Funding Agreement for FY 2001 between the Bureau of Reclamation and**
14 **the Tohono O'odham Nation listed an amended amount of \$1,251,404.00 for the cost**
15 **of the construction of the Farm Maintenance Facility instead of the \$925,000.00**
16 **because of changing estimates in the cost of the Farm Maintenance Facility; and**

17 **WHEREAS, the Annual Funding Agreement for FY 2001 further included additional amounts of**
18 **\$10,000.00 for Leases and \$1,740.00 for Indirect Costs which were initially to come out**
19 **of carry over funds from the estimated Grant Agreement 6-FG-32-00100 amount of**
20 **\$23,075,452.64 as specified in the Legislative Council approved Resolution No. 01-463**
21 **but the Bureau of Reclamation decided to include these costs as new funds; and**

22 **WHEREAS, new funds provided by Bureau of Reclamation's Modification No. 12 totaled**
23 **\$1,263,144.00 thereby increasing the estimated total cost of Grant Agreement 6-FG-32-**
24 **00100 from \$23,075,452.64 to the new estimated total cost of \$24,338,596.64; and**

25 **WHEREAS, the Water Projects Office modified the cost of the construction of the Farm**
26 **Maintenance Facility to match the final engineer's estimate of \$1,251,404.00 in the**
27 **FY 2002 budget which was approved by Legislative Council Resolution No. 01-511**
28 **superseding Resolution No. 01-463 with the estimated amount of \$925,000.00; and**

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1 **WHEREAS, the selected bid for construction of the farm maintenance facility and the repair and**
2 **replacement of acoustic flow meters creates a need to increase the budget for the**
3 **construction line item by an additional \$325,000.00, which will be drawn from funds**
4 **already included in Grant Agreement 6-FG-32-00100; and**

5 **WHEREAS, other budget increases required by the Water Projects Office includes \$5,000.00 for**
6 **Advertising, \$5,820.00 for Communication Expenses, \$12,000.00 for Leases, \$92,000.00**
7 **for Professional Services, \$19,978.68 for Indirect Costs, \$60,000.00 for Capital**
8 **Equipment which will be drawn from funds already included in Grant Agreement 6-**
9 **FG-32-00100; and**

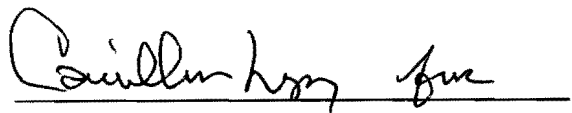
10 **WHEREAS, the Water Projects Office has presented this modification to the appropriate**
11 **committees and the committees wish to bring it before the Legislative Council.**

12 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves**
13 **Modification No. 14 to Grant Agreement No. 6-FG-32-00100 in the form attached**
14 **hereto which budgets for an additional \$519,845.64 to be added to existing FY 2002**
15 **budget passed in Resolution No. 01-511 totaling \$2,874,325.64 and the Legislative**
16 **Council authorizes the Water Projects Office to expend such funds.**

17 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council hereby authorizes and**
18 **directs the Chairman of the Nation to execute a modification to add the current 2002**
19 **Grant Agreement 6-FG-32-00100 budget for the cost of the farm maintenance facility**
20 **and the remaining construction close-out activities as stated in Modification No. 14.**

21 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH Day**
22 **of MARCH, 2002 at a meeting at which a quorum was present with a vote of 1,716.5 FOR; 94.15**
23 **AGAINST; 422.15 NOT VOTING; and 184.7 [06] ABSENT, pursuant to the powers vested in the Council**
24 **by Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
25 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
26 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
27 **18, 1934 (48 Stat. 984).**

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29 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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

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35 12th day of March, 20 02

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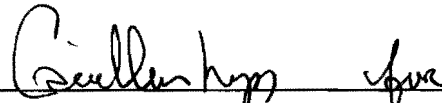
1 **ATTEST:**

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5 **Julianna Saraficio, Acting Legislative Secretary**

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7 07 day of March, 20 02.

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9 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
10 **Nation on the 12th day of March, 20 02 at 8:48 o'clock, A.M.,**
11 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
12 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
13 **submittal.**

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15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

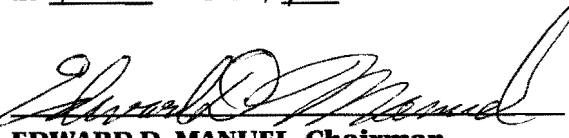
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18 **Rita A. Martinez, Legislative Chairwoman**

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24 **APPROVED**

on the 12th day of March, 20 02

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26 **DISAPPROVED**

at 1:52 o'clock, P.M.

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29 **EDWARD D. MANUEL, Chairman**
30 **TOHONO O'ODHAM NATION**

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36 **Returned to the Legislative Secretary on the 12th day of**

37 March, 20 02, at 4:04 o'clock, P.M.

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42 **Julianna Saraficio, Acting Legislative Secretary**

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ACTION: APPROVAL OF AMENDMENT TO GRANT AGREEMENT 6-FG-32-00100 AND AUTHORIZATION TO EXPEND FUNDS

MOVED: COUNCILWOMAN MARY FLORES

SECOND: COUNCILWOMAN EVELYN JUAN

DATE: MARCH 07, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
GU VO 188.3	1. FERN SALCIDO ()	94.15		X		
	2. EMILIO LEWIS (Michael Flores)	94.15			X	
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65			X	X
	2. SANDRA ORTEGA ()	83.65			X	
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			X
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35			X	
	2. GLORIA RAMIREZ ()	80.35			X	
SAN XAVIER 184.7	1. TONY BURRELL ()	92.35				X
	2. DENNIS RAMON ()	92.35				X
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			
SELLS 416.1	1. DENNIS E. JOSE ()	208.05	X			
	2. EVELYN JUAN ()	208.05	X			
SIF OIDAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			X
TOTAL		2,417.5	1,716.5	94.15	422.15	184.7 [06]

**PASSED VOTES