

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Budget for Subcontract with Natural Resources Consulting Engineers
under Gila River Adjudication Program for Period Ending September 30, 2002)**

RESOLUTION NO. 02-394

1 **WHEREAS, Natural Resources Consulting Engineers ("NRCE") was recommended by experts in the**
2 **field of Indian water law as uniquely and exceptionally qualified to perform the**
3 **technical studies necessary to prepare Indian water claims for settlement and**
4 **litigation; and**

5 **WHEREAS, the Tohono O'odham Nation entered into a contract with NRCE pursuant to a tribal**
6 **budget approved by the Legislative Council for fiscal year 1991 (the "NRCE Contract");**
7 **and**

8 **WHEREAS, the purpose of the NRCE Contract was to prepare a study which quantified the water**
9 **rights and assessed damages to such rights in the Sif Oidak and surrounding Districts**
10 **(the "Sif Oidak Claim"); and**

11 **WHEREAS, beginning in fiscal year 1991 the Nation has been awarded federal funding pursuant**
12 **to a P.L. 93-638 Contract ("638 Contract") to continue the assessment of the Sif Oidak**
13 **Claims, a project now designated as the Gila River Adjudication Program (the**
14 **"Program"); and**

15 **WHEREAS, all 93-638 funding to the Nation through the Bureau of Indian Affairs ("BIA"), including**
16 **funding under the 638 Contract, is now administered under a Contract with the BIA,**
17 **designated as Contract No. 1450CTH54T61071 (the "BIA Master Contract"); and**

18 **WHEREAS, the technical work on the Program has been exclusively performed by NRCE pursuant**
19 **to a subcontract with the Nation, as modified by Amendment Nos. 1 through 9 thereto**
20 **(the "NRCE Subcontract"); and**

21 **WHEREAS, pursuant to Legislative Council Resolution 99-342, Modification No. 54 was executed**
22 **extending the BIA Master Contract through September 30, 2002; and**

23 **WHEREAS, pursuant to Modification No. 113, attached hereto, the sum of \$50,000 (the "Available**
24 **Funds") was added to the BIA Master Contract for expenditure in the Program through**
25 **September 30, 2002; and**

26 **WHEREAS, continuation of the Program requires that the Legislative Council approve a budget**
27 **for expenditure of the Available Funds through September 30, 2002; and**

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WHEREAS, the Water Resources and Budget & Finance Committees recommend approval of this Resolution by the Legislative Council.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. The Tohono O'odham Legislative Council hereby approves Amendment No. 10 to the NRCE Subcontract, in the form attached hereto, which authorizes the expenditure of \$50,000 for all work performed under the Subcontract from October 1, 2001 through September 30, 2002.**
- 2. The Chairman of the Nation is authorized and directed to execute Amendment No. 10 to the NRCE Subcontract.**

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH Day of SEPTEMBER, 2002 at a meeting at which a quorum was present with a vote of 2,084.7 FOR; 188.3 AGAINST; -0- NOT VOTING; and 144.5[09] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2)&(3) of Article VI 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



Rita A. Martinez, Legislative Chairwoman

19th day of September, 20 02

ATTEST:

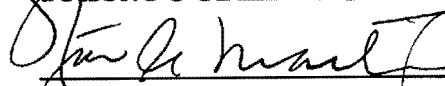


Julianna Saraficio, Acting Legislative Secretary

12 day of September, 20 02.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 19th day of September, 20 02 at 9:16 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



Rita A. Martinez, Legislative Chairwoman

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APPROVED

on the 19 day of September, 20 02

DISAPPROVED

at 1:30 o'clock, P.M.

Edward D. Manuel

EDWARD D. MANUEL, Chairman

TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19 day of

September, 20 02, at 2:35 o'clock, P.M.

Julianna Saraficio

Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING BUDGET FOR SUBCONTRACT WITH NATURAL RESOURCES CONSULTING ENGINEERS UNDER GILA RIVER ADJUDICATION PROGRAM FOR PERIOD ENDING SEPTEMBER 30, 2002

MOVED: COUNCILMAN ISIDRO LOPEZ

SECOND: COUNCILWOMAN SHIRLEY MOLINA

DATE: SEPTEMBER 12, 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			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			
	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			X
	2. GLORIA RAMIREZ ()	80.35	X			
SAN XAVIER 184.7	1. FELICIA NUÑEZ ()	92.35	X			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			X
	2. EVELYN JUAN ()	208.05	X			
SIF ODAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			X
TOTAL		2,417.5	2,084.7	188.3	-0-	144.5 [09]

****PASSED VOTES**