

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving funding of the San Xavier Cooperative Association from the SAWRSA
Trust Fund in the amount of \$348,965 for working capital needs of the
San Xavier Cooperative Farm)

RESOLUTION NO. 04-397

1 **WHEREAS, pursuant to Section 309 of the Southern Arizona Water Rights Settlement Act of 1982**
2 **("SAWRSA"), a trust fund in the amount of \$15 million was established (the "SAWRSA**
3 **Trust Fund"), the interest on which is available for expenditure to subjugate lands,**
4 **develop water resources, and the construction, operation, maintenance and**
5 **replacement of facilities within the Tohono O'odham Nation (the "Nation"); and**

6 **WHEREAS, pursuant to Resolution 2000-126, the Legislative Council appropriated \$1 million in**
7 **working capital from the SAWRSA Trust Fund for use by the San Xavier Cooperative**
8 **Association ("SXCA") on the Cooperative Farm which has been expended; and**

9 **WHEREAS, SXCA requested an additional \$6 million in funding from the SAWRSA Trust Fund over**
10 **a five-year period which was denied pursuant to Resolution No. 04-272; and**

11 **WHEREAS, SXCA has submitted alternative proposals for funding from the SAWRSA Trust Fund:**
12 **(1) a request for \$515,065.40 for a six-month period from August 2004 to January 31,**
13 **2005 and (2) a request for \$1,445,080 for the fourteen-month period from August 2004**
14 **to September 30, 2005; and**

15 **WHEREAS, the Budget & Finance, Agriculture and Water Resources Committees have reviewed**
16 **the proposals and recommend funding from the SAWRSA Trust Fund in the amount**
17 **of \$348,965 for a six-month period beginning October 1, 2004 with adjustments to**
18 **delete salaries for positions not filled, funding of the Hay Storage Facility and funding**
19 **of building equipment and furnishings for the Maintenance Building which were not**
20 **approved by the Committees.**

21 **NOW, THEREFORE, BE IT RESOLVED THAT:**

- 22 **1. The Tohono O'odham Legislative Council hereby approves an appropriation**
23 **from the SAWRSA Trust Fund in the amount of \$348,965 for expenditure by SXCA**
24 **to address the working capital needs of the Cooperative Farm, identified in the**
25 **Committees' proposal attached hereto, for the period from October 1, 2004 to**
26 **March 31, 2005.**
- 27 **2. During the period from October 1, 2004 to March 31, 2005, representatives of**
28 **the Committees and the Chairwoman of the Nation or her designee are**

RESOLUTION NO. 04-397


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Page 2 of 3

1 authorized and directed to meet with representatives of SXCA and the San Xavier
2 District to seek a resolution of outstanding issues, including funding
3 implications related to withdrawal of allotted lands from the Cooperative Farm,
4 treatment of \$3.6 million in additional working capital, number of acres within
5 the Cooperative Farm, repayment by SXCA of the 1986 loan and other liability,
6 accounting and auditing requirements, and application of SXCA revenues to
7 reduce funding from the SAWRSA Trust Fund.

8 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 16TH, Day
9 of AUGUST, 2004 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0-
10 AGAINST; -0- NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council by Section
11 1 (d)(2) of Article VI and Section 2 (c) of Article VII of the Constitution of the Tohono O'Odham
12 Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting
13 Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16
14 of the Act of June 18, 1934 (48 Stat. 984).

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16 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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20 _____
21 Isidro Lopez, Legislative Chairman

22 18 day of August, 2004


23
24 ATTEST:

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27 _____
28 Rosita N. Ruiz, Legislative Secretary

29
30 17 day of August, 2004.

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32 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
33 O'Odham Nation on the 18 day of August, 2004 at 152 o'clock,
34 P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will
35 become effective upon her approval or upon her failure to either approve or disapprove it
36 within 48 hours of submittal.

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38 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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41 _____
42 Isidro Lopez, Legislative Chairman

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Page 3 of 3

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APPROVED

on the 19th day of August, 2004

DISAPPROVED

at 10:57 o'clock, A.M.

Vivian Juan Saunders
VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19 day of

August, 2004, at 11:06 o'clock, A.M.

Rosita N. Ruiz
Rosita N. Ruiz, Legislative Secretary

ACTION: APPROVING FUNDING OF THE SAN XAVIER COOPERATIVE ASSOCIATION FROM THE SAWRSA TRUST FUND IN THE AMOUNT OF \$348,965 FOR WORKING CAPITAL NEEDS OF THE SAN XAVIER COOPERATIVE FARM

MOVED: COUNCILWOMAN EVELYN JUAN

SECOND: COUNCILMAN VERLON JOSE

DATE: AUGUST 16, 2004

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30	X			
SELLS 465.6	1. DENNIS E. JOSE** ()	232.80	X			
	2. EVELYN JUAN ()	232.80	X			
SCHUK TOAK 176.1	1. FRANCES B. CONDE ()	88.05	X			
	2. PHYLLIS JUAN ()	88.05	X			
SAN XAVIER 215.4	1. FELICIA NUÑEZ (Olivia Liston-Villegas)	107.70	X			
	2. DENNIS RAMON (Eleanor Hunter)	107.70	X			
SAN LUCY 166.3	1. JOHN W. LAWSON, SR. ()	83.15	X			
	2. GLORIA RAMIREZ ()	83.15	X			
PISINEMO 175.4	1. BARBARA SALVICIO ()	87.70	X			
	2. PATRICIA CRUZ ()	87.70	X			
HICKIWAN 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			
	2. SANDRA ORTEGA** ()	85.15	X			
GU VO 191.4	1. RAYMOND VICTOR ()	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			
GU ACHI 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Roberta Picard)	126.80	X			
CHUKUT KUK 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			
BABOQUIVARI 364.1	1. FRANCES MIGUEL (Lucilda Norris-Valenzuela)	182.05	X			
	2. FRANCES G. ANTONE ()	182.05	X			
TOTAL		2,629.7	2,629.7	-0-	-0-	[-0-]

**PASSED VOTES