

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the San Xavier Cooperative Association request for funding in the
amount of \$149,056.36 for 4-months (June through September 2005)
from the SAWRSA Trust Fund)

RESOLUTION NO. 05-345

1 **WHEREAS, one of the provisions of the 1982 Southern Arizona Water Rights Settlement Act**
2 **(SAWRSA) requires that the existing irrigation system at the San Xavier Cooperative**
3 **Association (SXCA) be improved and extended for the delivery of Central Arizona**
4 **Project (CAP) water for agricultural uses [Sec. 303 (a)(1)(B)]; and**

5 **WHEREAS, SAWRSA required that CAP water be delivered by 1992 and since there has been a long**
6 **delay in the rehabilitation of the Farm; and**

7 **WHEREAS, the Nation is authorized to expend accrued interest and dividends from the SAWRSA**
8 **Trust Fund for the “subjugation of land, development of water resources, and the**
9 **construction, operation, maintenance and the replacement of related facilities on**
10 **the Papago Reservation (now known as the Tohono O’odham Reservation) which are**
11 **not the obligation of the United States under (SAWRSA) or any other Act of Congress”;**
12 **and**

13 **WHEREAS, to assist the San Xavier Cooperative Association in preparation of the completion of**
14 **the Farm Rehabilitation under SAWRSA and to have the necessary facilities, staffing**
15 **and equipment for farming 960+ acres when the water distribution system and land**
16 **subjugation is completed; and**

17 **WHEREAS, the Tohono O’odham Legislative Council (TOLC) has been supportive of the San Xavier**
18 **Cooperative Association in its previous funding requests, (1998 and 2000) to repair its**
19 **ditches and wells, to maintain its farm equipment and develop its management**
20 **capabilities by funding staff and purchase of a office modular and by providing funds**
21 **for small projects through funding from the SAWRSA Trust Fund; and**

22 **WHEREAS, in August 18, 2004 the Tohono O’odham Legislative Council approved funding for the**
23 **San Xavier Cooperative Association (SXCA), for operational and capital needs for a**
24 **six-month period from October 1, 2004 through March 31, 2005, from the Nation’s**
25 **SAWRSA Trust Fund in the amount of \$348,965.00 (TOLC Resolution #04-397); and**

26 **WHEREAS, the San Xavier Cooperative Association still needs to continue farm operations,**
27 **administration and coordination due to the ongoing Farm Rehabilitation work now**

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Page 2 of 3

1 underway with the Bureau of Reclamation, the San Xavier District's SAWRSA Office,
2 the Bureau of Indian Affairs and other agencies which requires the involvement of
3 the farm and SXCA Board; and

4 **WHEREAS, for the months of April and May, 2005, the SXCA has been able to operate utilizing**
5 **funds from the farm subsidy program through FSA; two final payments from the**
6 **SWARSA project office under a Force Account contract and from hay sales; and**

7 **WHEREAS, beginning in May, 2005, the SXCA issued out a Notice of Pending Layoffs to its**
8 **employees and in June 2005, has reduced its workforce by 5; and cut work hours for**
9 **office staff to 30 hours per week due to the reduction of income to the farm; and**

10 **WHEREAS, the San Xavier Cooperative Association is requesting another 4-month funding from**
11 **the Nation's SAWRSA Trust Fund to continue its farm operations and administration**
12 **in the amount of \$149,056.36 for the months of June 2005 to September 2005; and**

13 **WHEREAS, the SXCA has submitted its request to the appropriate Legislative Committees,**
14 **including Budget and Finance, which has reviewed the funding request and**
15 **recommends that this request be forwarded to the Legislative Council for their review**
16 **and approval.**

17 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves**
18 **the funding request by the San Xavier Cooperative Association in the amount of**
19 **\$149,056.36 from the Nation's SAWRSA Trust Fund to fund continued farm operations**
20 **and equipment purchases retroactive to June 1, 2005 to September 30, 2005.**

21 **BE IT FINALLY RESOLVED that the San Xavier Cooperative Association and all concerned parties**
22 **will meet regarding the outstanding issues as defined within TOLC Resolution # 04-**
23 **397 and resolve all these issues prior to September 31, 2005.**

24
25 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10TH Day**
26 **of JUNE, 2005 at a meeting at which a quorum was present with a vote of 1,514.95 FOR; 718.5**
27 **AGAINST; 207.35 NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**
28 **Section 1 (d)(2)&(3) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
29 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
30 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
31 **18, 1934 (48 Stat. 984).**
32

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Page 3 of 3

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TOHONO O'ODHAM LEGISLATIVE COUNCIL


Evelyn Juan Manuel, Legislative Chairwoman

16th day of June, 2005

ATTEST:


Lucille Lopez, Acting Legislative Secretary

16th day of June, 2005.


Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 16th day of June, 2005 at 4:45 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Evelyn Juan Manuel, Legislative Chairwoman

APPROVED on the 17th day of June, 2005

DISAPPROVED at 11:46 o'clock, A.M.


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 17th day of June, 2005, at 11:45 o'clock, A.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING THE SAN XAVIER COOPERATIVE ASSOCIATION REQUEST FOR FUNDING IN THE AMOUNT OF \$149,056.36 FOR 4-MONTHS (JUNE THROUGH SEPTEMBER 2005) FROM THE SAWRSA TRUST FUND

Moved: COUNCILWOMAN FELICIA NUNEZ

SECOND: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

DATE: JUNE 10, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL ()	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80			X	
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80		X		
GU VO 193.1	1. RAYMOND VICTOR ()	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55			X	
HICKIWAN 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			
	2. SANDRA ORTEGA ()	83.70	X			X
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. JOHN W. LAWSON, SR. ()	84.50	X			
	2. GLORIA RAMIREZ ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			
	2. OLIVIA VILLEGAS-LISTON ()	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. DENNIS E. JOSE ()	210.50		X		
	2. EVELYN JUAN MANUEL ()	210.50		X		
SIF Oidak 186.7	1. WAVALENE SAUNDERS** (Isidro Lopez)	93.35		X		
	2. DARLENE ANDREW (Rita Martinez)	93.35		X		
TOTAL		2,440.8	1,514.95	718.5	207.35	[01]

**PASSED VOTES