

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approval of an Attorney Contract with Chandler & Udall, LLP for Legal Review,
Regulation Preparation and Plain English Translation of the Nation's Draft
Water Code)

RESOLUTION NO. 05-700

1 **WHEREAS, the Water Management Committee (WMC) was formally recognized and established**
2 **by the Papago Tribal Council by Resolution No. 19-85 which states in part that it**
3 **would be in the best interests of the eleven districts of the Tohono O'odham Nation**
4 **(the "Nation") if a WMC was reestablished with each district providing a**
5 **representative and one alternate; and**

6 **WHEREAS, Section 1 and Section 2 of the Bylaws of the committee changed the name from the**
7 **water management committee to the District Water Advisory Committee (DWAC) and**
8 **Legislative Council Resolution No. 02-492 adopted by the Bylaws of the DWAC; and**

9 **WHEREAS, the DWAC prepared a draft Water Code of the Nation, which was completed December**
10 **18, 2003, following public hearings and revision in response to the public comment;**
11 **and**

12 **WHEREAS, the DWAC sees the need and recommends an independent attorney to provide legal**
13 **review of the draft Water Code, prepare regulations for any provisions of the draft**
14 **Water Code that require regulations, and to provide explanations of the draft Water**
15 **Code in common English language; and**

16 **WHEREAS, the attorney contract shall not exceed \$10,000 for the period from November 21, 2005**
17 **to December 30, 2005, and will be funded by the DWAC Budget, Account Number 21-**
18 **2021; and**

19 **WHEREAS, the DWAC has selected Steven Weatherspoon, Esq., of the law firm of Chandler &**
20 **Udall, LLP, in Tucson, Arizona, to perform the legal review listed above; and**

21 **WHEREAS, the attorney contract with Chandler & Udall, LLP, attached hereto, has been reviewed**
22 **and approved by the Office of Attorney General; and**

23 **WHEREAS, the Legislative Water Resources and Budget and Finance Committees have reviewed**
24 **the attorney contract and attorney resume and concur with the DWAC regarding the**
25 **importance of this step in the draft Water Code preparation.**

26 **NOW, THEREFORE , BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**
27 **approves the attorney contract with Chandler & Udall LLP, for the services of Steven**
28 **Weatherspoon, Esq., to provide an independent legal review of the draft Water Code,**

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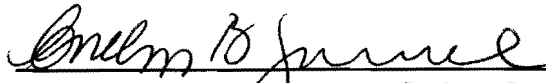
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1 prepare regulations for any provisions of the draft Water Code that require
2 regulations, and to provide explanations of the draft Water Code in common English
3 language.

4 **BE IT FINALLY RESOLVED** that the DWAC total budget for the attorney contract shall not exceed
5 **\$10,000** , with the attorney hourly rate at \$200 per hour, to be funded from the DWAC
6 Budget, Account No. 21-2021.

7 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18TH Day**
8 **of NOVEMBER, 2005** at a meeting at which a quorum was present with a vote of 2,260.55 FOR; 0-
9 **AGAINST; 180.25** NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by
10 **Section 2 (a) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
11 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
12 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
13 **18, 1934 (48 Stat. 984).**

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15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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18 **Evelyn B. Juan Manuel, Legislative Chairwoman**

19 2nd day of February, 2005

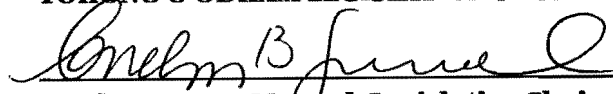
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22 **ATTEST:**

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25 **Lucille Lopez, Acting Legislative Secretary**

26 02 day of February, 2005.

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30 **Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono**
31 **O'Odham Nation on the 2ND day of February, 2005 at 1:54 o'clock,**
32 **P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
33 **effective upon her approval or upon her failure to either approve or disapprove it within 48 hours**
34 **of submittal.**

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37 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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40 **Evelyn B. Juan Manuel, Legislative Chairwoman**

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APPROVED

on the 3 day of February, 2005

DISAPPROVED

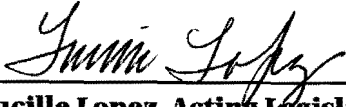
at 11:55 o'clock, a.M.



**VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 03 day of

February, 2005, at 11:55 o'clock, A.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVAL OF AN ATTORNEY CONTRACT WITH CHANDLER & UDALL, LLP FOR LEGAL REVIEW, REGULATION PREPARATION AND PLAIN ENGLISH TRANSLATION OF THE NATION'S DRAFT WATER CODE

MOVED: COUNCILWOMAN DELMA GARCIA

SECOND: COUNCILWOMAN DARLENE ANDREW

DATE: NOVEMBER 18, 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			X
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			X
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			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	
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			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			X
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			
	2. PHYLLIS JUAN ()	73.45	X			X
SELLS 421.0	1. DENNIS E. JOSE ()	210.50	X			
	2. EVELYN B. JUAN MANUEL ()	210.50	X			
SIF ODAK 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Martinez)	93.35	X			
TOTAL		2,440.80	2,260.55	-0-	180.25	[06]

**PASSED VOTES