

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Amendment No. 1 to the P.L. 93-638 Construction Contract and the
Joint Venture Construction Program Agreement for the Westside/San Simon
Health Center)**

RESOLUTION NO. 06-424

1 **WHEREAS, in May 2000 the Tohono O'odham Nation ("Nation") entered into a Public Law 93-638**
2 **Subpart J Construction Contract with the Indian Health Service to allow the Nation to**
3 **use \$350,000 in federal funds in the construction of the \$11,000,000 Westside (now San**
4 **Simon) Health Center (the "San Simon Health Center"); and**

5 **WHEREAS, on or about May 22, 2003 the Nation entered into a Joint Venture Construction**
6 **Program Agreement with the Indian Health Service to provide for the construction,**
7 **staffing, equipping and operation of the San Simon Health Center; and**


8 **WHEREAS, the Nation and the Indian Health Service have agreed to address certain financial**
9 **issues which have arisen during the construction of the San Simon Health Center in**
10 **an Amendment No. 1 to both the P.L. 93-638 Subpart J Construction Contract and the**
11 **Joint Venture Agreement, which is attached to this resolution and incorporated herein**
12 **by reference; and**

13 **WHEREAS, the Health and Human Services and the Commerce Committees have reviewed this**
14 **proposal and recommend approval by the Legislative Council.**

15 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves**
16 **Amendment No. 1 substantially in the form attached hereto, and authorizes the**
17 **Chairwoman of the Nation to execute it.**

18 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21ST. Day**
19 **of JUNE, 2006 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0- AGAINST;**
20 **-0- NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by Section 1 (f)**
21 **of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham**
22 **Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
23 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

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25 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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

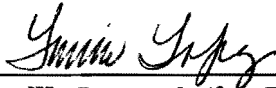
30
31 27th day of June, 2006
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RESOLUTION NO. 06-424

(Approving Amendment No. 1 to the P.L. 93-638 Construction Contract and the Joint Venture Construction Program Agreement for the Westside/San Simon Health Center)

Page 2 of 2

1 **ATTEST:**

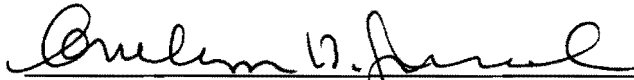
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5 **Lucille Lopez, Acting Legislative Secretary**

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7 21 day of June, 2006.

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9 **Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono**
10 **O'Odham Nation on the 27th day of June, 2006 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 her approval or upon her 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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19 **Evelyn B. Juan Manuel, Legislative Chairwoman**

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23 **APPROVED**

on the 28 day of June, 2006

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25 **DISAPPROVED**

at 10:34 o'clock, A.M.

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29 **VIVIAN JUAN SAUNDERS, CHAIRWOMAN**
30 **TOHONO O'ODHAM NATION**

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34 **Returned to the Legislative Secretary on the 28 day of**

35 June, 2006, at 10:40 o'clock, A.M.

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40 **Lucille Lopez, Acting Legislative Secretary**

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ACTION: APPROVING AMENDMENT NO. 1 TO THE P.L. 93-638 CONSTRUCTION CONTRACT AND THE JOINT VENTURE CONSTRUCTION PROGRAM AGREEMENT FOR THE WESTSIDE/SAN SIMON HEALTH CENTER

MOVED: COUNCILWOMAN DELMA GARCIA

SECOND: COUNCILWOMAN MARLENE SARAFICIO-JUAN

DATE: JUNE 21, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (<i>Absent</i>) (Vernon J. Smith) (<i>Present</i>)	155.40	X			
	2. FRANCES G. ANTONE(<i>Absent</i>) (Lucilda J. Valenzuela (Norris))(<i>Present</i>)	155.40	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			
	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			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			X
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			X
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. MARLENE SARAFICIO-JUAN ()	210.50	X			
	2. EVELYN B. JUAN MANUEL** (Kimberly Listo)	210.50	X			
SIF OIDAK 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			X
	2. DARLENE ANDREW (Rita Martinez)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[06]

**PASSED VOTES