

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approval of the Department of Public Safety's Plan to combine the Environmental Protection Agency with the Solid Waste Regulatory Office, acceptance of the Application for the Grant Award for the USEPA FY 2008 General Assistance Program (GAP), and FY2008 Brownfields 128(a) Tribal Response Program Grant)**

**RESOLUTION NO. 07-633**

- 1 **WHEREAS, the Solid Waste Regulatory Office and Environmental Protection Agency are divisions**  
2 **of the Department of Public Safety; and**
- 3 **WHEREAS, the Office of Solid Waste Regulatory enforces, monitors the production, collection,**  
4 **transportation and disposal of solid waste and hazardous waste; and**
- 5 **WHEREAS, the Environmental Protection Agency works to preserve and protect the Nation's**  
6 **lands, air, water, flora and fauna, its ecological systems and natural resources, by**  
7 **developing regulations and providing assessments; and**
- 8 **WHEREAS, the Offices of Solid Waste Regulatory and Environmental Protection Agency are**  
9 **natural partners that work hand in hand and have successfully coordinated services**  
10 **between the two departments, on an informal basis; and**
- 11 **WHEREAS, there is a need to formalize the partnership and combine the two into one department**  
12 **to avoid duplication, refocus and establish new and enhance already set goals and**  
13 **objectives and to improve the effectiveness of services; and**
- 14 **WHEREAS, the attached proposal including a five-year plan demonstrates that combining the**  
15 **departments in a coordinated approach will improve productivity and enhance the**  
16 **possibility of obtaining additional USEPA funding; and**
- 17 **WHEREAS, the Tohono O'odham Nation's Department of Public Safety has a plan which combines**  
18 **funding from the U.S. Environmental Protection Agency, (Brownfields and GAP grants),**  
19 **and the Tribally funded Solid Waste Regulatory Office, which combined funding will**  
20 **support a new Office of Environmental Protection; and**
- 21 **WHEREAS, the Tohono O'odham Nation has allocated \$478,923.16 for the Solid Waste Regulatory**  
22 **Office for time period October 1, 2007 through September 20, 2008; and**
- 23 **WHEREAS, the US EPA has allocated \$292,054.59 for the second year of a 4-year cycle of GAP**  
24 **funding that will extend from October 1, 2006 through September 30, 2008; and**
- 25 **WHEREAS, the US EPA has allocated \$117,098.04 for the Brownfields Tribal Response Program**  
26 **that will extend from October 1, 2007 through September 30, 2008; and**
- 27 **WHEREAS, the U.S. EPA has set aside these amounts, which will be awarded in a Cooperative**  
28 **Agreement between the Tohono O'odham Nation and the U.S. Environmental**  
29 **Protection Agency.**

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**NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:**

- 1. Approves the Department of Public Safety's plan for combining of the budgets, totaling \$888,075.78 (itemized below), and programs of the Solid Waste Regulatory Office and the Environmental Protection Agency into a new department titled the Environmental Protection Office; and**
- 2. Hereby accepts and authorizes the expenditure of the FY08 continuation Brownfields 128(a) grant of \$117,098.04 for FY2007 beginning October 1, 2007 through September 30, 2008; and**
- 3. Hereby accepts and authorizes the expenditure of the FY 2008 GAP Grant in the amount of \$292,054.59 award for the TON EPA Budget 11-5118 beginning from October 1, 2007 through September 30, 2008; and**
- 4. The Tohono O'odham Legislative Council has approved the expenditure of the FY2008 Tribal Funding (Solid Waste Regulatory) in the amount of \$478,923.16, beginning October 1, 2007 through September 30, 2008.**

**BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham Nation's Officials, to wit: the Chairman, Vice-Chairman and any designated official are authorized to negotiate and execute the Brownfields and GAP grants and the Solid Waste Regulatory Office budget, provided however, that any amendments affecting the funds or funding levels of the grant shall be submitted for further prior approval by the Tohono O'odham Legislative Council.**

**The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21<sup>ST</sup> Day of SEPTEMBER, 2007 at a meeting at which a quorum was present with a vote of 2,353.4 FOR; -0- AGAINST; 181.1 NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1 (d) & 1(f) 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**

*Felicia Nunez for*  
**Verlon M. Jose, Legislative Chairman**

1<sup>st</sup> day of Oct., 2007

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ATTEST:

*Lucille Lopez*

Lucille Lopez, Acting Legislative Secretary

21 day of September, 2007.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 1<sup>st</sup> day of Oct., 2007 at 10:11 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

*Felicia Nunez for Verlon M. Jose*  
Verlon M. Jose, Legislative Chairman

APPROVED

on the 1<sup>st</sup> day of October, 2007

DISAPPROVED

at 12:15 o'clock, P.M.

*Ned Norris, Jr.*  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 01 day of

October, 2007, at 2:31 o'clock, P.M.

*Lucille Lopez*  
Lucille Lopez, Acting Legislative Secretary

**ACTION: APPROVAL OF THE DEPARTMENT OF PUBLIC SAFETY'S PLAN TO COMBINE THE ENVIRONMENTAL PROTECTION AGENCY WITH THE SOLID WASTE REGULATORY OFFICE, ACCEPTANCE OF THE APPLICATION FOR THE GRANT AWARD FOR THE USEPA FY 2008 GENERAL ASSISTANCE PROGRAM (GAP), AND FY2008 BROWNFIELDS 128(A) TRIBAL RESPONSE PROGRAM GRANT**

**MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON**

**SECOND: COUNCILWOMAN PHYLLIS CACHORA**

**DATE: SEPTEMBER 21, 2007**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 316.9	1. FRANCES MIGUEL ( <i>Absent</i> ) (Roberta Harvey) ( <i>Present</i> )	158.45	X			
	2. FRANCES G. ANTONE ( <i>Absent</i> ) (Vernon Smith)( <i>Present</i> )	158.45	X			
<b>CHUKUT KUK</b> 264.8	1. ETHEL GARCIA ( )	132.40	X			
	2. VERLON M. JOSE ( )	132.40	X			X
<b>GU ACHI</b> 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ( )	113.95	X			X
<b>GU VO</b> 199.2	1. GRACE MANUEL ( )	99.60	X			
	2. MICHAEL FLORES ( )	99.60	X			X
<b>HICKIWAN</b> 172.0	1. MICHELLE ORTEGA ( )	86.00	X			
	2. SANDRA ORTEGA ( )	86.00	X			
<b>PISINEMO</b> 182.4	1. CHESTER ANTONE ( )	91.20	X			
	2. GERALD FAYUANT ( )	91.20	X			
<b>SAN LUCY</b> 181.1	1. LORRAINE EILER ( )	90.55			X	
	2. GLORIA RAMIREZ ( )	90.55			X	
<b>SAN XAVIER</b> 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
<b>SCHUK TOAK</b> 154.6	1. FRANCES B. CONDE ( <i>Absent</i> ) (Fredrick Jose) ( <i>Present</i> )	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
<b>SELLS</b> 444.7	1. KIMBERLY LISTO ( )	222.35	X			
	2. EVELYN JUAN MANUEL ( )	222.35	X			
<b>SIF OIDAK</b> 194.4	1. WAVALENE ROMERO ( )	97.20	X			
	2. MARY LOPEZ ( )	97.20	X			X
<b>TOTAL</b>		<b>2,534.5</b>	<b>2,353.4</b>	<b>-0-</b>	<b>181.1</b>	<b>[04]</b>

**\*\*PASSED VOTES**