

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Intergovernmental Agreement with Pima County and Pima County Flood Control District to Provide Additional Time to Complete the Sells Wash Bank Stabilization Project)**

**RESOLUTION NO. 09-654**

1 **WHEREAS, the Tohono O'odham Nation ("Nation") obtained funding through the Pima County**  
2 **bond election held on May 18, 2004 for construction of a storm water channeling**  
3 **system for the Sells Youth Recreation Center in the amount of One Million Five**  
4 **Hundred Thousand Dollars (\$1,500,000); and**

5 **WHEREAS, Pima County has transmitted the funds for the Sells Youth Recreation Center to the**  
6 **Nation on a reimbursable basis under the terms of an Intergovernmental Agreement**  
7 **("IGA") negotiated between Pima County, the Pima County Flood Control District, and**  
8 **the Nation; and**

9 **WHEREAS, the storm water drainage improvements for the Sells Youth Recreation Center have**  
10 **been completed, and the amount of \$893,511.00 remains and is available to fund the**  
11 **Sells Wash Bank Stabilization Project, and the Planning and Economic Development**  
12 **Department requests approval to use the funds for this purpose; and**

13 **WHEREAS, the previous IGA between the same parties for the storm water drainage**  
14 **improvements at the Sells Youth Recreation Center was in effect from July 1, 2004 to**  
15 **July 1, 2005; and**

16 **WHEREAS, the parties have agreed to enter into a new Intergovernmental Agreement which will**  
17 **be effective upon execution by all parties and will remain in effect until June 30, 2012,**  
18 **in order to provide additional time for the Nation to complete the Sells Wash Bank**  
19 **Stabilization project; and**

20 **WHEREAS, the Intergovernmental Agreement now being presented for approval has been**  
21 **reviewed by the Natural Resources Committee and the Budget & Finance Committee,**  
22 **which recommend approval by the Tohono O'odham Legislative Council.**

23 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**  
24 **"Intergovernmental Agreement between Pima County, the Pima County Flood Control**  
25 **District, and the Tohono O'odham Nation for Construction of the Sells Youth**  
26 **Recreation Center Wash Bank Stabilization Project" substantially in the form**  
27 **attached hereto, and authorizes the Chairman of the Nation to execute the**  
28 **Intergovernmental Agreement and any future amendments and related documents**  
29 **reasonably necessary to close out the project.**

RESOLUTION NO. 09-654

(Approving Intergovernmental Agreement with Pima County and Pima County Flood Control District to Provide Additional Time to Complete the Sells Wash Bank Stabilization Project)

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 22<sup>ND</sup>. Day of DECEMBER, 2009 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0- AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (f) 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

*Verlon Jose*  
Verlon M. Jose, Legislative Chairman

30 day of December, 2009

ATTEST:

*Evonne Wilson*  
Evonne Wilson, Legislative Secretary

22 day of December, 2009.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 30 day of December, 2009 at 12:31 o'clock, P.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

*Verlon Jose*  
Verlon M. Jose, Legislative Chairman

APPROVED

on the 30 day of December, 2009

DISAPPROVED

at 1:25 o'clock, P.M.

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

**RESOLUTION NO. 09-654**

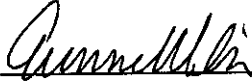
**(Approving Intergovernmental Agreement with Pima County and Pima County Flood Control District to Provide Additional Time to Complete the Sells Wash Bank Stabilization Project)**

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Returned to the Legislative Secretary on the 30 day of

December, 2009, at 3:04 o'clock, p.M.



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**Evonne Wilson, Legislative Secretary**

**ACTION: APPROVING INTERGOVERNMENTAL AGREEMENT WITH PIMA COUNTY AND PIMA COUNTY FLOOD CONTROL DISTRICT TO PROVIDE ADDITIONAL TIME TO COMPLETE THE SELLS WASH BANK STABILIZATION PROJECT**

**MOVED: COUNCILMAN TIMOTHY JOAQUIN**

**SECOND: COUNCILWOMAN EVELYN JUAN MANUEL**

**DATE: DECEMBER 22, 2009**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF ODAK 198.7</b>	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			X
	2. MARY LOPEZ ( )	99.35	X			
<b>SELLS 449.6</b>	1. KIMBERLY LISTO ( )	224.80	X			
	2. EVELYN B. JUAN MANUEL ( )	224.80	X			
<b>SCHUK TOAK 159.0</b>	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			X
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
<b>SAN XAVIER 204.7</b>	1. FELICIA NUÑEZ ( )	102.35	X			X
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
<b>SAN LUCY 187.1</b>	1. LORRAINE EILER (Charlotte Cadavas)	93.55	X			
	2. GLORIA RAMIREZ ( )	93.55	X			X
<b>PISINEMO 184.5</b>	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
<b>HICKIWAN 174.5</b>	1. MICHELLE ORTEGA ( )	87.25	X			
	2. SANDRA ORTEGA ( )	87.25	X			
<b>GU VO 206.3</b>	1. GRACE MANUEL ( )	103.15	X			
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X			
<b>GU ACHI 230.1</b>	1. TIMOTHY L. JOAQUIN ( )	115.05	X			
	2. CYNTHIA E. MANUEL (Louis J. Johnson)	115.05	X			
<b>CHUKUT KUK 277.0</b>	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ( )	138.50	X			
<b>BABOQUIVARI 324.0</b>	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	162.0	X			
<b>TOTAL</b>		<b>2,595.50</b>	<b>2,595.50</b>	<b>-0-</b>	<b>-0-</b>	<b>[04]</b>