

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY2010 Budget for the Water Projects Office Funded by SAWRSA Trust Fund)

RESOLUTION NO. 10-269

- 1 **WHEREAS, the Tohono O'odham Legislative Council, by means of Resolution No. 99-334,**
2 **authorized and directed the completion of tribal responsibilities and obligations**
3 **related to construction of facilities for utilization of Central Arizona Project water and**
4 **irrigation systems in the eastern Schuk Toak District; and**
- 5 **WHEREAS, the irrigation facilities and agricultural operations have been affirmed by subsequent**
6 **amendments to SAWRSA, the expenditure of federal funds to construct and remediate**
7 **the facilities, and additional allocations of water for agricultural uses; and**
- 8 **WHEREAS, the irrigation structures and facilities have been in use for the past nine years and the**
9 **Nation has nurtured a viable commercial agricultural enterprise at Schuk Toak Farm;**
10 **and**
- 11 **WHEREAS, constant use and aging of the irrigation structures has shown some of those structures**
12 **beginning to develop cracks and erosion damage; and**
- 13 **WHEREAS, excessive damage, failure and loss of the use of these facilities would lead to waste and**
14 **inefficiency and would harm the Nation's ability to put the CAP water to beneficial use;**
15 **and**
- 16 **WHEREAS, the Nation remains responsible for the repair and replacement of the on-farm**
17 **irrigation system while the federal government is responsible for the off-farm delivery**
18 **and distribution system, as indicated by the Nation's letter dated April 12, 2006 to the**
19 **Bureau of Reclamation and the Bureau of Reclamation's response letter dated April**
20 **26, 2007, which divided federal responsibilities from the Nation's responsibilities and**
21 **which are attached to this resolution; and**
- 22 **WHEREAS, the Water Projects Office is the Nation's program responsible for the Nation's portion**
23 **of irrigation system repair and replacement at Schuk Toak Farm; and**
- 24 **WHEREAS, the Water Projects Office has inventoried all of the project structures and developed**
25 **a plan to mitigate the cracking and to repair and replace certain turnouts and other**
26 **facilities which are damaged or are badly eroded; and**
- 27 **WHEREAS, the inventory has divided the necessary repair and replacement into immediate, short**
28 **horizon and medium horizon categories; and**
- 29 **WHEREAS, the Nation previously approved budgets from remaining federal construction funds**
30 **to begin replacement of high-priority damaged structures, however, additional**
31 **funding will be necessary to address the remaining high-priority structures; and**
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1 **WHEREAS, the Water Projects Office submitted the attached budget and justification for FY 2010**
2 **to enable the Nation to perform replacement of four turnout structures, begin repair**
3 **of valves, gears and distributions support structures, and to mitigate the damage**
4 **caused by cracking in 79,000 lineal feet of canals; and**

5 **WHEREAS, the Nation's responsibility for on-farm irrigation system repair and replacement has**
6 **been in the past funded by the SAWRSA Trust Fund; and**

7 **WHEREAS, the Water Projects Office requests approval of funding from the SAWRSA Trust Fund**
8 **to replace and repair irrigation structures on the Schuk Toak Farm for an amount of**
9 **\$388,194.70; and**

10 **WHEREAS, this budget has been reviewed by the Agricultural, Water, and the Budget and Finance**
11 **Committees, which recommend approval by the Legislative Council.**

12 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves**
13 **the FY2010 budget for the Water Projects Office and authorizes the expenditures in the**
14 **amount of \$388,194.70 to complete tasks indicated in the attached budget.**

15 **BE IT FURTHER RESOLVED that funds in the amount of \$388,194.70 are hereby appropriated from**
16 **the SAWRSA Trust Fund to cover expenditures during the period from October 01, 2009**
17 **through September 30, 2010 and the budget is retroactive to October 01, 2009.**

18 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council hereby authorizes the**
19 **Chairperson of the Nation and any designated official to expend and administer the**
20 **budget as attached, provided that any amendments affecting the funds or funding**
21 **level shall be submitted for further prior approval by the Tohono O'odham Legislative**
22 **Council.**

23 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15TH Day**
24 **of JULY, 2010 at a meeting at which a quorum was present with a vote of 2,390.80 FOR; -0-AGAINST;**
25 **204.70 [04] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Article**
26 **VI, Section 1 (d) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono**
27 **O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
28 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
29 **Stat. 984).**

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31 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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35 **Verlon M. Jose, Legislative Chairman**

36
37 22 day of July, 2010
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ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary

15 day of July, 2010.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 27 day of July, 2010 at 3:15 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 M. Jose
Verlon M. Jose, Legislative Chairman

APPROVED on the 23 day of July, 2010
 DISAPPROVED at 3:15 o'clock, P..M.

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

Returned to the Legislative Secretary on the 23 day of July, 2010, at 4:24 o'clock, P..M.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: APPROVING FY2010 BUDGET FOR THE WATER PROJECTS OFFICE FUNDED BY SAWRSA TRUST FUND

MOVED: COUNCILWOMAN FRANCES CONDE

SECOND: COUNCILWOMAN LINDA PARLEY

DATE: JULY 15, 2010

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X		X	
	2. MARY LOPEZ ()	99.35	X			
SELLS 449.6	1. KIMBERLY LISTO ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35			X	X
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35			X	
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X			
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			
	2. SANDRA ORTEGA ()	87.25	X			
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X		X	
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL ()	115.05	X		X	
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			
BABOQUIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	162.0	X			
TOTAL		2,595.50	2,390.80	-0-	204.70 -04-	[01]