

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY2011 Budget for the Water Projects Office Funded by SAWRSA Trust Fund)

RESOLUTION NO. 10-308

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 ten 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 2011**
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 **\$517,635.79; 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 FY2011 budget for the Water Projects Office and authorizes the expenditures in the**
14 **amount of \$517,635.79 to complete tasks indicated in the attached budget.**

15 **BE IT FURTHER RESOLVED that funds in the amount of \$517,635.79 are hereby appropriated from**
16 **the SAWRSA Trust Fund to cover expenditures during the period from October 01, 2010**
17 **through September 30, 2011.**

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 29TH Day**
24 **of JULY, 2010 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0- AGAINST;**
25 **-01- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Article VI,**
26 **Section 1 (d) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham**
27 **Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
28 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**
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32 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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

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38 **10 day of August, 2010**
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1 **ATTEST:**

2 *Evonne Wilson*
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4 **Evonne Wilson, Legislative Secretary**

5
6 10 day of August, 2010.

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8 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**
9 **Nation on the 10 day of August, 2010 at 5:05 o'clock, p.M.,**
10 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
11 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
12 **submittal.**

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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16 *Verlon Jose*
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18 **Verlon M. Jose, Legislative Chairman**

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23 **APPROVED**

on the 12th day of August, 2010

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25 **DISAPPROVED**

at 1:26 o'clock, P.M.

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

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36 **Returned to the Legislative Secretary on the 12 day of**

37 August, 2010, at 1:37 o'clock, p.M.

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40 *Evonne Wilson*
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42 **Evonne Wilson, Legislative Secretary**

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ACTION: APPROVING FY2011 BUDGET FOR THE WATER PROJECTS OFFICE FUNDED BY SAWRSA TRUST FUND

MOVED: COUNCILWOMAN FRANCES CONDE

SECOND: COUNCILWOMAN LINDA PARLEY

DATE: JULY 29, 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			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X		X	
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			X
	2. GLORIA RAMIREZ ()	93.55	X			
PISINEMO 184.5	1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i>	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			X
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			X
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	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 <i>(Absent)</i> (Roberta Harvey) <i>(Present)</i>	162.0	X			
	2. FRANCES G. ANTONE <i>(Absent)</i> (Vernon Smith) <i>(Present)</i>	162.0	X			
TOTAL		2,595.50	2,595.50	-0-	-01-	[05]