

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving a P.L. 93-638 Self Determination Non-Construction Contract between  
the Secretary of the Interior and the Tohono O'odham Nation on behalf of the  
Schuk Toak District, for Developing a Water Management Plan and  
Conducting Groundwater Monitoring Activities)**

**RESOLUTION NO. 16-413**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**  
2 **the power "to consult, negotiate and conclude agreements and contracts on**  
3 **behalf of the Tohono O'odham Nation with Federal, State and local governments**  
4 **and other Indian tribes or their departments, agencies, or political subdivisions,**  
5 **or with private persons or organizations on all matters within the authority of the**  
6 **Tohono O'odham Council." (Constitution, Article VI, Section 1(f)); and**

7 **WHEREAS, Section 308(d) of the Southern Arizona Water Rights Settlement Amendments Act**  
8 **of 2004, Title III of the Arizona Water Settlements Act, Pub. L. 108-451, provides**  
9 **that a water management plan for eastern Schuk Toak District shall be developed**  
10 **under contracts between the Secretary of the United States Department of the**  
11 **Interior and the Nation; and**

12 **WHEREAS, the Nation seeks to enter into a P.L. 93-638 Self Determination Non-Construction**  
13 **Contract with the Secretary of the Interior, on behalf of the Schuk Toak District**  
14 **("Agreement"), for the development of a water management plan and to conduct**  
15 **groundwater monitoring activities in Eastern Schuk Toak District ("Project"); and**

16 **WHEREAS, the Legislative Council approved a previous version of the Agreement by**  
17 **Resolution No. 16-126; and**

18 **WHEREAS, the U.S. Department of the Interior ("DOI") has proposed changes to the**  
19 **Agreement approved by Resolution No. 16-126; and**

20 **WHEREAS, pursuant to the Agreement, the DOI will obligate funds to the Nation in the**  
21 **amount of \$412,200.00 for the Project; and**

22 **WHEREAS, the Nation has informed the DOI that the Nation plans to subcontract with a**  
23 **private water resource consulting firm to develop the water management plan**  
24 **and to conduct groundwater monitoring activities; and**

25 **WHEREAS, the Schuk Toak District Council has reviewed the Agreement and by Schuk Toak**  
26 **District Council Resolution No. ST-03-08-16-020 has approved the form of the**  
27 **Agreement; and**

28 **WHEREAS, the Agreement was reviewed by the Legislative Council Water Resources and**  
29 **Budget and Finance Committees, which recommend its approval.**

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1 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves the  
2 **P.L. 93-638 Self Determination Non-Construction Contract between the Secretary**  
3 **of the Interior and the Tohono O'odham Nation on behalf of the Schuk Toak**  
4 **District and authorizes P.L. 93-638 Agreement No. R16AV00002 with the DOI, in**  
5 **substantially the form attached hereto.**

6 **BE IT FINALLY RESOLVED** that the Chairperson is authorized to execute the documents  
7 **necessary to fulfill the intent of this resolution.**

8 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 22<sup>ND</sup> day**  
9 **of AUGUST, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR; -0-**  
10 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**  
11 **Article VI, Section 1(f); Article XVII of the Constitution of the Tohono O'odham Nation, adopted**  
12 **by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**  
13 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**  
14 **Act of June 18, 1934 (48 Stat.984).**

15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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19 **Timothy Joaquin, Legislative Chairman**

20 23<sup>RD</sup> day of August, 2016

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24 **ATTEST:**

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27 **Evonne Wilson, Legislative Secretary**

28 23 day of August, 2016

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31 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**  
32 **O'odham Nation on the 23 day of August, 2016 at 12:23 o'clock, P .m.,**  
33 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**  
34 **effective upon his approval or upon his failure to either approve or disapprove it within 48**  
35 **hours of submittal.**

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37 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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41 **Timothy Joaquin, Legislative Chairman**

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**RESOLUTION NO. 16-413**

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APPROVED

on the 24 day of August, 2016

DISAPPROVED

at 7:27 o'clock, p.m.

Edward D. Manuel  
EDWARD D. MANUEL, CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 24 day of

August, 2016, at 4:22 o'clock, p.m.

Evonne Wilson  
Evonne Wilson, Legislative Secretary

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**ACTION: APPROVING A P.L. 93-638 SELF DETERMINATION NON-CONSTRUCTION CONTRACT BETWEEN THE SECRETARY OF THE INTERIOR AND THE TOHONO O'ODHAM NATION ON BEHALF OF THE SCHUK TOAK DISTRICT, FOR DEVELOPING A WATER MANAGEMENT PLAN AND CONDUCTING GROUNDWATER MONITORING ACTIVITIES**

**Moved: COUNCILMAN QUINTIN C. LOPEZ**

**SECOND: COUNCILMAN ANTHONY J. FRANCISCO JR.**

**DATE: AUGUST 22, 2016**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			
	2. VERNON J. SMITH (Gloria Zazueta)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GU ACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ( )	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			
	2. SANDRA ORTEGA ( )	102.90	X			X
PISINEMO 219.9	1. CHESTER ANTONE ( )	109.95	X			X
	2. MONICA K. MORGAN ( )	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ( )	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ( )	114.3	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.3	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ( )	90.3	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.3	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ( )	256.75	X			
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ( )	115.80	X			
<b>TOTAL</b>		<b>3,021.4</b>	<b>3,021.4</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>