

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2016 Continuing Expenditure of Fiscal Year 2016 San Xavier Allottees
Association Budget Funded with 9B Farm Cashout Funds)

RESOLUTION NO. 16-506

1 **WHEREAS,** the Legislative Council is authorized "to manage any funds within the exclusive
2 control of the Tohono O'odham Nation . . . and to appropriate these funds for the
3 benefit of the nation and its members" provided that "[a]ll expenditures of these
4 funds shall be pursuant to appropriations or budgets" authorized by resolution
5 or ordinance (Constitution of the Tohono O'odham Nation, Article VI, Section
6 1(d)(2)); and

7 **WHEREAS,** on December 10, 2004, the United States Congress enacted the Arizona Water
8 Settlements Act, P.L. 108-451, including Title III, the Southern Arizona Water
9 Rights Settlement Act Amendments ("SAWRSA Amendments"), which authorized
10 the San Xavier District to elect to receive \$18.3 million in lieu of the federal
11 government's obligation to construct the proposed "9B Farm" (SAWRSA
12 Amendments, Section 304(c)(3)(A)(ii)); and

13 **WHEREAS,** the San Xavier District Council elected to receive the in lieu payment plus
14 interest pursuant to SXDC Resolution #10-09-10 ("9B Farm Cashout Fund"); and

15 **WHEREAS,** expenditures from the San Xavier District 9B Farm Cashout Fund must be
16 authorized and approved in accordance with a budget authorized by the District
17 Council and approved by resolution of the Legislative Council (SAWRSA
18 Amendments, Section 304(f)(1)(B)(i) and (ii)); and

19 **WHEREAS,** following approval by San Xavier District Council resolution, by Resolution No.
20 15-371, the Legislative Council approved the FY 2016 San Xavier Allottees
21 Association Budget and Expenditure of SAWRSA Amendments 9B Farm Cashout
22 Fund in the amount of \$484,833.00; and

23 **WHEREAS,** the 2016 fiscal year expired on September 30, 2016 and the San Xavier Allottees
24 Association's authority to expend funds appropriated for fiscal year 2016 has
25 ended; and

26 **WHEREAS,** on September 20, 2016, the San Xavier District Council by Resolution SXDC 09-
27 16-07 approved the San Xavier Allottees Association's request for a continuing
28 resolution to continue SXAA program operations and to operate at the Fiscal
29 Year 2016 budget level; and

30 **WHEREAS,** the Budget and Finance Committee has reviewed the San Xavier Allottees
31 Association's request and recommends that the Legislative Council approve the
32 continuing expenditure authority.
33

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1 **NOW, THEREFORE BE IT RESOLVED** that the Tohono O'odham Legislative Council authorizes
2 continued expenditures in accordance with the FY 2016 San Xavier Allottees
3 Association Budget funded with 9B Farm Cashout funds after September 30,
4 2016 and until an FY 2017 budget for Cashout funds is authorized by the San
5 Xavier District Council and approved by resolution of the Legislative Council in
6 accordance with the SAWRSA Amendments and the Nation's Constitution.

7 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 17TH
8 day of OCTOBER, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR;
9 -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by
10 Article VI, Section 1(d), 1(f), 1(j) and 1(l) and Article IX, Section 7 of the Constitution of the Tohono
11 O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved
12 by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986,
13 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

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TOHONO O'ODHAM LEGISLATIVE COUNCIL


Timothy Joaquin, Legislative Chairman

19TH day of October, 2016

ATTEST:


Evonne Wilson, Legislative Secretary

19 day of October, 2016

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 19 day of October, 2016 at 11:45 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


Timothy Joaquin, Legislative Chairman

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APPROVED

on the 20 day of October, 2016

DISAPPROVED

at 2:15 o'clock, P.m.


EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 20 day of

October, 2016, at 4:51 o'clock, P.m.


Evonne Wilson, Legislative Secretary

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ACTION: APPROVING FY 2016 CONTINUING EXPENDITURE OF FISCAL YEAR 2016 SAN XAVIER ALLOTTEES ASSOCIATION BUDGET FUNDED WITH 9B FARM CASHOUT FUNDS

MOVED: COUNCILWOMAN RACHEAL VILSON-STONER **SECOND:** COUNCILMAN DANIEL L.A. PRESTON III

DATE: OCTOBER 17, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta E. Harvey) (<i>Present</i>)	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			
GUACHI 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			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			
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 ()	114.30	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.30	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	90.30	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.30	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ()	256.75	X			X
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ()	115.80	X			
TOTAL		3,021.4	3,021.4	-0-	-0-	[03]