

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving San Xavier Allottees Association FY2016/2017 Budget that incorporates**  
**FY2015/2016 Carryover Funds of \$129,596.26 from the SAWRSA Amendments 9B**  
**Farm Cashout Fund for a combined total of \$486,360.33)**

**RESOLUTION NO. 16-592**

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council  
2 with the authority to "consult, negotiate and conclude agreements and  
3 contracts with Federal, State and local governments" to "consult with the  
4 Congress of the United States and appropriate federal agencies regarding  
5 federal activities that affect the Tohono O'odham Nation" and to "enact laws,  
6 ordinances and resolutions necessary or incidental to the exercise of its  
7 legislative powers"; (Constitution, Article VI, Section 1(f), 1(j), and 1(1)); and  
8 **WHEREAS,** on December 10, 2004, the United States Congress enacted the Arizona Water  
9 Settlements Act, P.L. 108-4§1, including Title III, the Southern Arizona Water  
10 Rights Settlement Act Amendments ("SAWRSA Amendments"), which authorized  
11 the San Xavier District to elect to receive \$18.3 million in lieu of the federal  
12 government's obligation to construct the proposed "9B Farm" (SAWRSA  
13 Amendments, Section 304(c)(1)(A)(ii)); and  
14 **WHEREAS,** the San Xavier District Council elected to receive the in lieu payment plus  
15 interest pursuant to SXDC Resolution #10-09-10 ("9B Farm Cashout Fund"); and  
16 expenditures from the San Xavier District 9B Farm Cashout Fund must be  
17 authorized and approved in accordance with a budget authorized by the District  
18 Council and approved by resolution of the Legislative Council (SAWRSA  
19 Amendments, Section 304(f)(1)(B)(i) and (ii)); and  
20 **WHEREAS,** the SAWRSA Amendments provide that the 9B Farm Cashout Fund may be  
21 expended for various designated purposes, including: subjugation of land,  
22 development of water resources, or construction, operation, maintenance or  
23 replacement of facilities within the San Xavier Reservation not required to be  
24 carried out by the United States under the SAWRSA Amendments; economic  
25 development loans or assistance; to provide benefits to allottees; and to pay any  
26 administrative costs incurred by the Nation or the San Xavier District in  
27 conjunction with any of these uses (SAWRSA Amendments, Section 304 (f)(1)(C));  
28 and

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1 **WHEREAS, the San Xavier District Council has authorized and approved the San Xavier**  
2 **Allottees Association's ("SXAA") 2016/2017 budget which is incorporated by this**  
3 **reference, in the amount of \$486,360.33 from the 9B Farm Cashout Fund, that**  
4 **includes FY2015/2016 9B Farm Cashout Fund carry over funds in the amount of**  
5 **\$129,596.26, for the following purposes: Assisting and educating the landowners**  
6 **of allotments on the San Xavier Indian Reservation with respect to retaining and**  
7 **improving their lands and their economic wellbeing; and to deal with land**  
8 **related concerns, including environmental protection, water rights and**  
9 **economic development (SXDC Resolution 12-16-03); and**

10 **WHEREAS, the Budget and Finance Committee reviewed the San Xavier Allottees**  
11 **Association's 2016/2017 budget in the amount of \$486,360.33 and recommends**  
12 **approval.**

13 **NOW, THEREFORE, BE IT RESOLVED that in accordance with the SAWRSA Amendments and the**  
14 **Nation's Constitution, the Tohono O'odham Legislative Council hereby approves**  
15 **the San Xavier Allottees Association 2016/2017 budget in the amount of**  
16 **\$486,360.33, incorporating SXAA FY2015/2016 budget carry over funds in the**  
17 **amount of \$129,596.26, to be funded by the 9B Farm Cashout Fund, provided**  
18 **however, that any amendments or modifications shall be submitted for prior**  
19 **approval by the San Xavier District Council and the Tohono O'odham Legislative**  
20 **Council.**

21 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12<sup>TH</sup>**  
22 **day of DECEMBER, 2016 at a meeting at which a quorum was present with a vote of 2,792.8 FOR;**  
23 **-0- AGAINST; 228.6[01] NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the**  
24 **Council by Article VI, Section 1(d)(2) of the Constitution of the Tohono O'odham Nation,**  
25 **adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting**  
26 **Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section**  
27 **16 of the Act of June 18, 1934 (48 Stat.984).**

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29 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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34 **Timothy Joaquin, Legislative Chairman**

35 15 day of December, 2016  
36

RESOLUTION NO. 16-592

(Approving San Xavier Allottees Association FY2016/2017 Budget that incorporates FY2015/2016 Carryover Funds of \$129,596.26 from the SAWRSA Amendments 9B Farm Cashout Fund for a combined total of \$486,360.33)

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1 ATTEST:

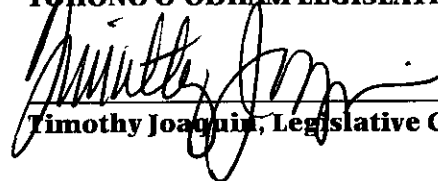
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3 \_\_\_\_\_  
4 Evonne Wilson, Legislative Secretary

5 13 day of December, 2016  
6

7  
8 Said Resolution was submitted for approval to the office of the Chairman of the Tohono  
9 O'odham Nation on the 15 day of December, 2016 at 11:40 o'clock, a .m.,  
10 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
11 effective upon his approval or upon his failure to either approve or disapprove it within 48  
12 hours of submittal.  
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14 TOHONO O'ODHAM LEGISLATIVE COUNCIL

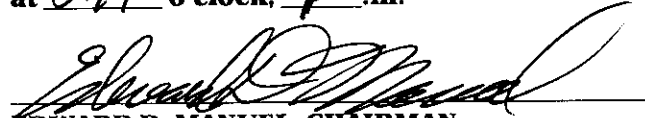
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16 \_\_\_\_\_  
17 Timothy Joaquin, Legislative Chairman  
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23  APPROVED

on the 16 day of December, 2016

24  DISAPPROVED

at 3:14 o'clock, p .m.

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28 EDWARD D. MANUEL, CHAIRMAN  
29 TOHONO O'ODHAM NATION  
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35 Returned to the Legislative Secretary on the 16 day of

36 December, 2016, at 3:43 o'clock, p .m.  
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40 Evonne Wilson, Legislative Secretary  
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**ACTION: APPROVING SAN XAVIER ALLOTTEES ASSOCIATION FY2016/2017 BUDGET THAT INCORPORATES FY2015/2016 CARRYOVER FUNDS OF \$129,596.26 FROM THE SAWRSA AMENDMENTS 9B FARM CASHOUT FUND FOR A COMBINED TOTAL OF \$486,360.33**

**MOVED: COUNCILWOMAN LORETTA LEWIS**

**SECOND: COUNCILWOMAN ROBERTA E. HARVEY**

**DATE: DECEMBER 12, 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			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			
	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 (Lorraine Eiler)	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			X
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III (Felicia Nunez)	114.3			X	
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.3			X	X
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. (Mario J.B. Juan)	90.3	X			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 ( )	115.80	X			
	2. MARY LOPEZ ( )	115.80	X			
<b>TOTAL</b>		<b>3,021.4</b>	<b>2,792.8</b>	<b>-0-</b>	<b>228.6</b>	<b>[06]</b>
						<b>[01]</b>