

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending Resolution No. 22-155 "Accepting Fiscal Year 2022 through 2026
Tribal Transportation Improvement Plan Funding and Approving a
New Tribal Priority List for the Same Years")**

RESOLUTION NO. 23-128

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Tohono O'odham
2 Legislative Council with the authority "to promote, protect and provide for public
3 health, peace, morals, education and general welfare of the Tohono O'odham
4 Nation and its members" (Constitution, Article VI, Section 1(c)(2)); and

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

11 **WHEREAS,** by Resolution No. 22-208, the Legislative Council approved, "Accepting Fiscal Year
12 2022 through 2026 Tribal Transportation Improvement Plan Funding and
13 Approving a New Tribal Priority List (TPL) for the Same Years" which includes 10
14 current BIA contracts awarded in 2010, 2011, 2012, 2015, and 2020 that are in
15 various stages of design and/or construction, along with 19 road projects; and

16 **WHEREAS,** the Nation's Planning and Economic Development Department Roads Program
17 has prepared and presented an amendment to the Tohono O'odham Nation 2022
18 - 2026 Roads Tribal Priority List (TPL) to modify estimated project cost amounts
19 as reflected in Exhibit A, Tohono O'odham Nation Tribal Transportation
20 Improvement Plan, which is incorporated by this reference; and

21 **WHEREAS,** Resolution No. 22-208, Resolution No. 22-155, Resolution No. 21-214, and
22 Resolution No. 21-051, which previously added public road improvement
23 projects to the Nation's TPL, shall be amended for FY 2023 - 2026 and shall remove
24 the Baboquivari High School BIA Route 19, Mile post 19.5 Project, which has been
25 awarded Community Project Funding Requests, formerly called federal earmark
26 requests, and to modify estimated project cost amounts with funds previously
27 allocated for the Baboquivari High School BIA Route 19, Mile post 19.5 Project to
28 the following projects as set forth below:

- 29 1. San Lucy Sidewalks and Street Lights
- 30 2. Artesia Wash Bridge
- 31 3. Santa Rosa Ranch Road

RESOLUTION NO. 23-128

(Amending Resolution No. 22-155 "Accepting Fiscal Year 2022 through 2026 Tribal Transportation Improvement Plan Funding and Approving a New Tribal Priority List for the Same Years")

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- 1 4. **North Santa Rosa Ranch Road**
- 2 5. **Kohatk Community Loop**
- 3 6. **Florence Village Road**
- 4 7. **Rt 10 from BIA 19 to Museum**
- 5 8. **San Lucy Community Roads**
- 6 9. **South Little Nogales Road**
- 7 10. **Martinez Hill Drive**

8 ; and

9 **WHEREAS, the Nation has the capacity of entering into a P.L. 93-638 contract to provide labor,**
10 **materials, equipment, and services to fulfill its obligations under its FY 2022 -**
11 **2026 TTIP; and**

12 **WHEREAS, the Agricultural and Natural Resources and Budget and Finance Committees**
13 **have reviewed the Nation's FY 2023 - 2026 TTIP and new Tribal Priority List for**
14 **these same years and recommends approval.**

15 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council amends**
16 **Resolution No. 22-208, "Accepting Fiscal Year 2022 through 2026 Tribal**
17 **Transportation Improvement Plan Funding and Approving a New Tribal Priority**
18 **List for the Same Years" to remove the Baboquivari High School BIA Route 19, Mile**
19 **post 19.5 Project, which has been awarded Community Project Funding Requests**
20 **and to modify estimated project cost amounts with funds previously allocated for**
21 **the Baboquivari High School BIA Route 19, Mile post 19.5 Project to the following**
22 **projects as set forth below:**

- 23 1. **San Lucy Sidewalks and Street Lights**
- 24 2. **Artesia Wash Bridge**
- 25 3. **Santa Rosa Ranch Road**
- 26 4. **North Santa Rosa Ranch Road**
- 27 5. **Kohatk Community Loop**
- 28 6. **Florence Village Road**
- 29 7. **Rt 10 from BIA 19 to Museum**
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(Amending Resolution No. 22-155 "Accepting Fiscal Year 2022 through 2026 Tribal Transportation Improvement Plan Funding and Approving a New Tribal Priority List for the Same Years")

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1 **BE IT FURTHER RESOLVED** that the Tohono O'odham Legislative Council approves the FY 2023-
2 **2026 TTIP**, to modify estimated cost amounts for listed road projects and requests
3 that the Nation's shares of available TTIP funds be programmed for these
4 **projects.**

5 **BE IT FURTHER RESOLVED** by the Tohono O'odham Legislative Council that the Nation's
6 **chairperson or official designee is authorized to:**

- 7 1. **transmit this resolution and the FY 2023 - 2026 TTIP to the Bureau of Indian**
8 **Affairs, Western Regional Office, Division of Transportation; and**
- 9 2. **execute all documents required to carry out the intent of this resolution.**

10 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the Nation's
11 **chairperson or official designee is authorized to enter into a new P.L. 93-638**
12 **contract or contracts, provided that the authorities of this resolution shall**
13 **remain in effect until such time that contract or contracts are closed,**
14 **renegotiated, or amended.**

15 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH**
16 **day of APRIL, 2023 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0-**
17 **AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by,**
18 **Article VI, Section 1(d)(2) and 1(f) of the Constitution of the Tohono O'odham Nation, adopted by**
19 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
20 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
21 **18, 1934 (48 Stat.984).**

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23 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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27 **Timothy Joannin, Legislative Chairman**

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29 14 day of April, 2023

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33 **ATTEST:**

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36 **Evonne Wilson, Legislative Secretary**

37 14 day of April, 2023
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RESOLUTION NO. 23-128

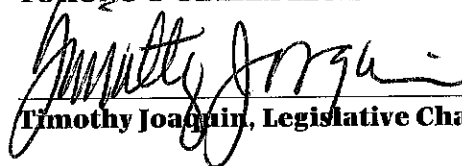
(Amending Resolution No. 22-155 "Accepting Fiscal Year 2022 through 2026 Tribal Transportation Improvement Plan Funding and Approving a New Tribal Priority List for the Same Years")

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 14 day of April, 2023 at 3:46 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



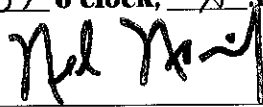
Timothy Joaquin, Legislative Chairman

APPROVED

on the 17th day of April, 2023

DISAPPROVED

at 11:37 o'clock, A.m.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 17 day of April, 2023, at 11:53 o'clock, a.m.



Evonne Wilson, Legislative Secretary

ACTION: AMENDING RESOLUTION NO. 22-155 "ACCEPTING FISCAL YEAR 2022 THROUGH 2026 TRIBAL TRANSPORTATION IMPROVEMENT PLAN FUNDING AND APPROVING A NEW TRIBAL PRIORITY LIST FOR THE SAME YEARS"

MOVED: COUNCILMAN ROGER MANUEL

SECOND: COUNCILWOMAN MARLAKAY HENRY

DATE: APRIL 13, 2023

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON (Shelia Espino)	278.25	X			
	2. EVELYN JUAN MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
	2. JANICE FELIX ()	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			X
	2. DELMA M. GARCIA ()	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (<i>Absent</i>) (Tonya L. Joaquin) (<i>Present</i>)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (<i>Absent</i>) (Cornelius Antone) (<i>Present</i>)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
	TOTAL	3,218.0	3,218.0	-0-	-0-	[01]