

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Accepting the United States Department of Agriculture, Natural Resources
Conservation Services, Emergency Watershed Protection Program Grant and
Approving the FY 2023-FY 2024 Planning and Economic Development
Department Sells Wash Bank Stabilization Project Budgets)**

RESOLUTION NO. 23-312

1 **WHEREAS, the Tohono O'odham Legislative Council is authorized to "consult, negotiate and**
2 **conclude agreements and contracts on behalf of the Tohono O'odham Nation**
3 **with Federal, State, and local governments . . . on all matters within the authority**
4 **of the Tohono O'odham Council" and to "manage any funds within the exclusive**
5 **control of the Tohono O'odham Nation . . . and to appropriate these funds for the**
6 **benefit of the nation and its members" provided that "[a]ll expenditures of these**
7 **funds shall be pursuant to appropriations or budgets" authorized by resolution**
8 **or ordinance (Constitution of the Tohono O'odham Nation, Article VI, Section 1(f)**
9 **and Section I(d)(2)); and**

10 **WHEREAS, the banks of the Sells Wash are eroding and require stabilization; and**

11 **WHEREAS, failure to stabilize the banks of the Sells Wash will result in damages to the Sells**
12 **Recreation Center and the infrastructure of the Tohono O'odham Nation; and**

13 **WHEREAS, the Sells Wash Bank Stabilization Project ("Project") is an ongoing project that**
14 **seeks to stabilize and manage erosion and storm water channeling in the Sells**
15 **Wash; and**

16 **WHEREAS, in September 2008, the United States Department of Agriculture, Natural**
17 **Resources Conservation Services ("NRCS") approved initial design plans for the**
18 **Project; and**

19 **WHEREAS, in September 2012, NRCS revised the design plans for the Project and approved**
20 **construction; and**

21 **WHEREAS, the Tohono O'odham Nation was awarded an Emergency Watershed Protection**
22 **Program Grant ("EWP Program Grant") in the amount of \$264,810.75, of which**
23 **\$234,810.75 is designated for construction costs and \$30,000.00 is designated for**
24 **technical assistance costs, for the Project from the NRCS Emergency Watershed**
25 **Protection Program; and**

26 **WHEREAS, the EWP Program Grant provides up to 75% federal share for construction cost**
27 **and requires a 25% tribal match for construction costs from the Nation in the**
28 **amount of \$78,270.25; and**

29 **WHEREAS, an additional contribution from the Nation of \$42,000.00 for technical assistance**
30 **costs is required to complete the Project; and**

RESOLUTION NO. 23-312

(Accepting the United States Department of Agriculture, Natural Resources Conservation Services, Emergency Watershed Protection Program Grant and Approving the FY 2023-FY 2024 Planning and Economic Development Department Sells Wash Bank Stabilization Project Budgets)

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1 **WHEREAS, the Planning and Economic Development Department has prepared and**
2 **submitted for review and approval its FY 2023-FY 2024 Planning and Economic**
3 **Development Department Sells Wash Bank Stabilization Project Budget,**
4 **incorporated by this reference, in the amount of \$385,081.00, of which**
5 **\$120,270.25 shall be funded by the Nation's general fund surplus, and \$264,810.75**
6 **shall be funded by the Nation's general fund pending reimbursement from the**
7 **United States Department of Agriculture, Natural Resources Conservation**
8 **Services, Emergency Watershed Protection Program; and**

9 **WHEREAS, the Agricultural and Natural Resources, Commerce, Cultural Preservation,**
10 **Human Resources Development, Water Resources, and Budget and Finance**
11 **Committees have reviewed the EWP Program Grant and the FY 2023-FY 2024**
12 **Planning and Economic Development Department Sells Wash Bank Stabilization**
13 **Project Budget and recommend approval.**

14 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:**

- 15 **1. accepts the United States Department of Agriculture, Natural Resources**
16 **Conservation Services, Emergency Watershed Protection Program Grant,**
17 **and authorizes the Nation's chairperson to accept the grant award; and**
- 18 **2. approves the FY 2023-FY 2024 Planning and Economic Development**
19 **Department Sells Wash Bank Stabilization Project Budget, effective October**
20 **1, 2022 through October 31, 2023, in the amount of \$385,081.00, of which**
21 **\$120,270.25 shall be funded by the Nation's general fund surplus and**
22 **\$264,810.75 shall be funded by the Nation's general fund pending**
23 **reimbursement from the United States Department of Agriculture, Natural**
24 **Resources Conservation Services, Emergency Watershed Protection**
25 **Program.**

26 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham**
27 **Nation chairperson or any designated official is authorized to administer and**
28 **expend the FY 2023-FY 2024 Planning and Economic Development Department**
29 **Sells Wash Bank Stabilization Project Budget, provided that any amendments or**
30 **modifications shall be submitted for prior approval by the Tohono O'odham**
31 **Legislative Council.**

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RESOLUTION NO. 23-312

(Accepting the United States Department of Agriculture, Natural Resources Conservation Services, Emergency Watershed Protection Program Grant and Approving the FY 2023-FY 2024 Planning and Economic Development Department Sells Wash Bank Stabilization Project Budgets)
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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH day of AUGUST 2023 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by, Article VI, Section 1(d)(2) and (3) and Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Wavalene M. Saunders
Wavalene M. Saunders, Legislative Chairwoman

16th day of August, 2023

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary

16 day of August, 2023

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 16th day of August, 2023 at 4⁰⁰ 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

Wavalene M. Saunders
Wavalene M. Saunders, Legislative Chairwoman

APPROVED

on the 17 day of August, 2023

DISAPPROVED

at 8:15 o'clock, P.m.

Verlon M. Jose
VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

RESOLUTION NO. 23-312

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Returned to the Legislative Secretary on the 18 day of
August, 2023, at 10:55 o'clock, a.m.


Evonne Wilson, Legislative Secretary

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ACTION: ACCEPTING THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICES, EMERGENCY WATERSHED PROTECTION PROGRAM GRANT AND APPROVING THE FY 2023-FY 2024 PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT SELLS WASH BANK STABILIZATION PROJECT BUDGETS

Moved: COUNCILWOMAN MARLAKAY HENRY

SECOND: COUNCILMAN ROGER MANUEL

DATE: AUGUST 09, 2023

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDA 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. SHEILA 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 ()	121.3	X			X
	2. JANICE FELIX ()	121.3	X			
SAN LUCY 243.8	1. LORRAINE M. EILER ()	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			X
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. DELMA M. GARCIA ()	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			X
	2. DALLAS LEWIS ()	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	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-	[03]