

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Depository for Reimbursement and
Vaiva Vo Expansion Funds)

RES. NO. 88-88

1 WHEREAS, on August 8, 1985, by Resolution No. 642-85, the Tohono
2 O'Odham Legislative Council did agree to reimburse the
3 Farming Authority for all of its costs associated with
4 the acquisition and use of groundwater and other costs
5 associated with the Vaiva Vo Farming Development, which
6 have been estimated by the authority to be approximately
7 \$750,000.00, from any settlement funds the Nation might
8 receive from any congressional act that provides for the
9 settlement of claims of the Nation arising for the
10 construction of Tat Momolikot Dam; and

11 WHEREAS, on October 14, 1986, Public Law 99-469 (Tat Momolikot
12 Dam Settlement Act) was enacted into law wherein it
13 authorized the payment to the Tohono O'Odham Nation of
14 \$6,000,000.00, plus interest, provided the Nation
15 executed the required waiver and release and the
16 required consent to the right-of-way and flood easement
17 set forth in the Act; and

18 WHEREAS, on October 13, 1987, the Tohono O'Odham Legislative
19 Council authorized the Nation to execute an agreement
20 between the United States and the Tohono O'Odham Nation
21 wherein the Nation consented to the required right-of-
22 way and flood easement and made the required waiver and
23 release; and

24 WHEREAS, on January 4, 1988, the Tohono O'Odham Legislature did
25 pass Resolution No. 02-88, wherein it authorized the
26 payment of \$3,000,000.00 to the Farming Authority from
27 funding to be received by the Nation as set forth in
28 Public Law 99-469 (Tat Momolikot Dam Settlement Act) to
29 be utilized for the extension of Vaiva Vo Farms in
30 accordance with the development plan attached to said
31 resolution; and

32 WHEREAS, by virtue of the power granted to the Farming Authority
as set for in 6B9. and 11. of its Plan of Operation,

1 the Management Board of the Authority has the power "to
2 designate and approve all depositories used for the
3 deposit of funds of the Authority" and "to approve
4 budgets, to give initial approval to annual Authority
5 budgets, and to take final approval action with
6 reference to the use of funds under the exclusive
7 control of the Authority for operating and capital
8 addition purposes"; and

9 WHEREAS, the Management Board of the Authority has designated the
10 First Interstate Bank, Main Branch, Tucson, Arizona, as
11 its depository for the deposit of funds of the
12 Authority; and

13 WHEREAS, the Legislative Council believes that it will be in the
14 best interest of the Authority and the Nation if the
15 reimbursement funds (\$750,000.00) and the Vaiva Vo farm
16 expansion funds (\$3,000,000.00) were deposited in the
17 Authority's depository at the First Interstate Bank,
18 Main Branch, Tucson, Arizona, as soon as possible after
19 receipt by the Nation of the Tat Momolikot Dam
20 Settlement funds.

21 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham
22 Legislative Council does hereby authorize the transfer
23 of the reimbursement funds authorized by its Resolution
24 No. 642-85 (\$750,000.00) and the Vaiva Vo Farm expansion
25 funds authorized by its Resolution No. 02-88
26 (\$3,000,000.00) to the Tohono O'odham Farming
27 Authority's designated depository at the First
28 Interstate Bank, Main Branch, Tucson, Arizona, as soon
29 as possible after receipt by the Nation of the Tat
30 Momolikot Dam Settlement funds.

31 The foregoing resolution was passed by the Tohono O'odham Council
32 on the 6th. day of April, 1988, at a meeting at which a quorum
was present with a vote of 1,438.0 for; 85.0 against; 117.0 not
voting; and -0- absent, pursuant to the powers vested in the
Council by Section 1 (d)(2) of Article VI of the Constitution of

1 the Tohono O'odham Nation, adopted by the Tohono O'odham Nation
2 on January 18, 1986, and approved by the Acting Deputy Assistant
3 Secretary - Indian Affairs (Operations) on March 6, 1986,
4 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.
5 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

6 Harriet Toro
7 Harriet Toro, Legislative Chairperson

8 15th day of April, 1988.

9 ATTEST:

10 Aucinda Allen for
11 Teresa M. Choyguha, Legislative Secretary

12 15th day of April, 1988.

13
14 Said Resolution was submitted for approval to the office of the
15 Chairman of the Tohono O'odham Nation on the 15 day of
16 April, 1988, at 11:23 o'clock, A.M.,
17 pursuant to the provisions of Section 5 of Article VII of the
18 Constitution and will become effective upon his approval or upon
19 his failure to either approve or disapprove it within 48 hours of
20 submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

21 Andrew M. Patricio
22 For Harriet Toro, Legislative Chairperson

23 [] APPROVED) on the 18 day of April, 1988,
24 [] DISAPPROVED) at 4:02 o'clock, P.M.

25 Enos J. Francisco Jr.
26 for ENOS J. FRANCISCO, JR., Chairman
TOHONO O'ODHAM NATION

27 Returned to the Legislative Secretary on the 19th day of
28 April, 1988, at 9:57 o'clock, A.M.

29
30 Aucinda Allen for
31 Teresa M. Choyguha
32 Legislative Secretary

MOVED: FRED STEVENS

SUBJECT: DEPOSITORY FOR REIMBURSEMENT AND

SECOND: NICHOLAS JOSE

VAIVA VO EXPANSION FUNDS

DATE: APRIL 06, 1988

RESOLUTION ~~NO. 88-88~~ # 88-88

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 138.0	1. Nicholas Jose (Letitia Garcia) 2. Willard Juan, Sr. (Melissa Gregorio)	69.0 69.0	X X			
SELLS 257.0	1. Andrew Patricio (Daniel Lopez) 2. Fred Stevens ()	128.5 128.5	X X			
SCHUK TOAK 105.0	1. Julia Carrillo (JoAnn Francisco) 2. Joseph Juan (Frances Francisco)	52.5 52.5	X X			
SAN XAVIER 126.0	1. Eugene Enis (Michael Rios) 2. Tony Felix (Carmelita Mattias)	63.0 63.0	X X			
BABOQUIVARI 241.0	1. Kenneth Chico, Sr. () 2. Joann Garcia (Frances Miguel)	120.5 120.5	X X			
GU ACHI 158.0	1. Percy Lopez () 2. Fernando Joaquin ()	79.0 79.0	X X			
PISINEMO 116.0	1. Johnson Jose () 2. Edward Manuel (Alex Antone)	58.0 58.0	X X			
SAN LUCY 85.0	1. Max Jose (Dewey Ortega) 2. John Reno ()	42.5 42.5		X X		
GU VO 117.0	1. Virgil Lewis (Roy Montana) 2. Cross Antone (Juan Joe Cipriano)	58.5 58.5			X X	
HICKIWAN 128.0	1. Henry Ramon (Billy Manuel) 2. Lloyd Francisco (Eleanor Santos)	64.0 64.0	X X			
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez) 2. Harriet Toro ()	84.5 84.5	X X			
TOTALS		1640.0	1,438.0	85.0	117.0	-0-