

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approval of Schuk Toak Loan Application)

RES. NO. 148-90

- 1 WHEREAS, the Tohono O'odham Legislative Council convened in a
2 meeting on May 9, 1990 to consider approval of the Small
3 Reclamation Projects Act P.L. 84-984 loan application
4 report that was prepared for the Schuk Toak New
5 Development; and
- 6 WHEREAS, the Legislative Council approved the development plan for
7 the Schuk Toak New Development in Resolution 253-87, and
8 the Notification of Intent to Apply for the Small
9 Reclamation Loan in Resolution 429-86.
- 10 WHEREAS, the Tohono O'odham Legislative Council realizes that the
11 Tohono O'odham Nation is responsible for a portion of land
12 subjugation (clearing and grubbing, and land leveling),
13 construction water, operation and maintenance roads, and
14 a maintenance facility at the Schuk Toak development; and
- 15 WHEREAS, the Tohono O'odham Legislative Council concurs and
16 approves said Loan Application Report which proposes a
17 project having a total estimated cost of \$26,749,424 of
18 which \$7,599,977 would be obtained by a loan from the
19 United States Government under provisions of P.L. 84-984
20 as amended, and \$19,149,447 would be a contribution by the
21 Nation; and
- 22 WHEREAS, the contribution consists of facilities and services paid
23 for by the Nation, and those awarded to the Nation through
24 the Southern Arizona Water Rights Settlement Act of 1982;
25 and
- 26 WHEREAS, the term of the loan shall be forty (40) years; and the
27 Loan Repayment Schedule is attached hereto and made a part
28 hereof; and
- 29 WHEREAS, the Tohono O'odham Farming Authority has reviewed the
30 report and financial commitments of the loan, and its
31 commitment to clear and grub the land, as well as land
32 leveling and associated earthwork; and

1 WHEREAS, according to the Farming Authority's Plan of Operation
2 (Section 6.3) the Farming Authority is responsible for the
3 custody and management, operation, inventory, and
4 maintenance of all farms and agricultural facilities owned
5 or operated by the Tohono O'odham Nation; the planning,
6 construction and operation of all new farms and
7 agricultural facilities; and for the taking of any and all
8 usual, necessary and convenient actions incidental thereto
9 including, should it be deemed advisable, the borrowing
10 of funds and the making of contracts or commitments
11 necessary to the functioning of the organization; and

12 WHEREAS, the Farming Authority has studied the potential costs and
13 returns from the proposed farm at Schuk Toak and believes
14 that the profit potential will more than cover the annual
15 cost of the loan, and therefore recommends approval of the
16 referenced loan application report; and

17 WHEREAS, the Legislative Council's Water Resources Committee has
18 reviewed the Loan Application Report and recommends to the
19 Legislative Council to approve said report.

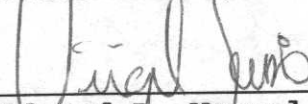
20 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative
21 Council approves the Schuk Toak Loan Application Report
22 and directs the Nation's Chairman to make application to
23 the U.S. Department of the Interior, Bureau of Reclamation
24 for said loan.

25 BE IT FURTHER RESOLVED that the Tohono O'odham Farming Authority
26 is hereby authorized to enter into a contract for
27 repayment of said loan upon Secretary of the Interior
28 approval of the application.

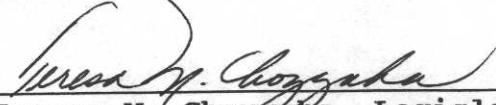
29 BE IT FURTHER RESOLVED that, more specifically, the Tohono O'odham
30 Nation reaffirms its responsibility and fully supports the
31 Schuk Toak development and the associated loan application
32 and, in the event of dissolution of the Farming Authority,
agrees to meet the terms and conditions of the repayment
contract.

1 The foregoing Resolution was passed by the Tohono O'odham Council
2 on the 9th day of May, 1990 at a meeting at which a quorum was
3 present with a vote of 1,527.0 for; -0- against; 197.0 not voting;
4 05 absent, pursuant to the powers vested in the Council by Section
5 1 (f) of Article VI of the Constitution of the Tohono O'odham
6 Nation, adopted by the Tohono O'odham Nation on January 18, 1986,
7 and approved by the Acting Deputy Assistant Secretary - Indian
8 Affairs (Operations) on March 6, 1986, pursuant to Section 16 of
9 the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

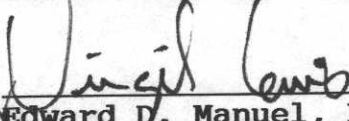
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11 
12 For Edward D. Manuel, Legislative Chairman
13 11th day of May, 1990.

ATTEST:


14
15 
16 Teresa M. Choyguha, Legislative Secretary
17 11th day of May, 1990.

18 Said Resolution was submitted for approval to the office of the
19 Chairman of the Tohono O'odham Nation on the 14th day of
20 MAY, 1990, at 1:27 o'clock, P.M.,
21 pursuant to the provisions of Section 5 of Article VII of the
22 Constitution and will become effective upon his approval or upon
23 his failure to either approve or disapprove it within 48 hours of
24 submittal.

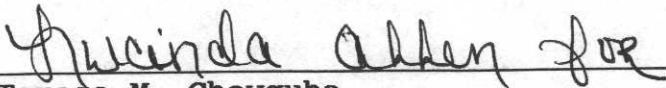
TOHONO O'ODHAM LEGISLATIVE COUNCIL

25
26 
27 For Edward D. Manuel, Legislative Chairman

28 [] APPROVED) on the 16 day of May, 1990.
29 [] DISAPPROVED) at 9:07 o'clock, A.M.

30 
31 ANGELO J. JOAQUIN, SR., Chairman
32 TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 16th day of
May, 1990, at 9:58 o'clock, A.M.


Teresa M. Choyguha
Legislative Secretary

MOVED: Willard Juan

SUBJECT: Approval of Schuk Toak

SECOND: Joe Juan

Loan Application

DATE: May 9, 1990

RESOLUTION NO. 148-90

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
	2. Joann Garcia (Frances Miguel)	114.5	X			
CHUKUT KUK 163.0	1. Rosita Ruiz (Rosemary Lopez)	81.5	X			
	2. Kenneth G. Williams (Harriet Toro)	81.5	X			
GU ACHI 166.0	1. Percy Lopez ()	83.0	X			
	2. Alex J. Ramon (Fernando Joaquin)	83.0			X	
GU VO 114.0	1. Cross Antone (Juan Joe Cipriano)	57.0			X	
	2. Virgil Lewis (Michael Flores)	57.0			X	
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5	X			
	2. Lenora Montana** ()	62.5	X			
PISINEMO 119.0	1. Johnson Jose ()	59.5	X			
	2. Edward Manuel (Alex Antone)	59.5	X			X
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0	X			
	2. John Reno ()	53.0	X			X
SAN XAVIER 127.0	1. Eugene Enis. Sr. (Michael Rios)	63.5	X			
	2. Joanne C. Preston (Carmelita Mattias)	63.5	X			X
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela Sr.)	53.5	X			
	2. Joseph Juan (Frances Francisco)	53.5	X			
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Daniel Lopez)	155.0	X			X
SIF OIDAK 158.0	1. Mary Ann Antone (Nina Jose)	79.0	X			X
	2. Willard Juan, Sr. (Melissa Gregorio)	79.0	X			
TOTAL		1,724.0	1,527.0	-0-	197.0	05

**PASSED VOTES