

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Submission to Bureau of Indian Affairs of Two Attorney  
Contracts with San Xavier District Council)


RES. NO. 324-90

- 1 WHEREAS, the San Xavier District Council ("District Council") has  
2 entered into a General Counsel Contract, dated July 3,  
3 1990, with the law firm of Barassi & Burris to serve as  
4 general counsel for the District Council ("Barassi  
5 Contract"); and
- 6 WHEREAS, the District Council has entered into a Special Counsel  
7 Contract dated October 1, 1989, with Thomas E. Luebben to  
8 provide representation with respect to the asserted water  
9 rights of the District Council and allottees in U.S. v.  
10 Tucson ("Luebben Contract"); and
- 11 WHEREAS, the District Council has approved the Barassi Contract and  
12 Luebben Contract pursuant to Resolution Nos. SXDC 07-90-  
13 02 and SXDC 12-89-01, respectively; and
- 14 WHEREAS, the District Council has the sole obligation to pay for  
15 the services to be performed under both Contracts, and the  
16 Nation has no liability for payment thereunder; and
- 17 WHEREAS, the attorneys, who are parties to the Barassi Contract and  
18 Luebben Contract, are not authorized to represent the  
19 Tohono O'odham Nation nor to speak on behalf of the  
20 Nation; and
- 21 WHEREAS, the Bureau of Indian Affairs has refused to approve these  
22 Contracts without an accompanying Resolution of the Tohono  
23 O'odham Legislative Council; and
- 24 WHEREAS, the Domestic Affairs Committee has recommended approval  
25 of each Contract for the limited purpose of enabling the  
26 District Council to secure approval thereof by the Bureau  
27 of Indian Affairs; and
- 28 WHEREAS, adoption of this Resolution shall be interpreted as the  
29 Tohono O'odham Nation's endorsement of or concurrence in  
30 any legal position which may be asserted by the attorneys,  
31 District Council or others as a result of advice given  
32 under these Contracts.

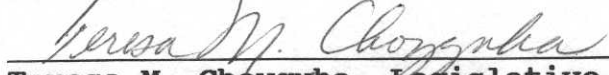
1 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative  
 2 Council hereby authorizes the District Council to submit  
 3 the Barassi Contract and Luebben Contract to the Bureau  
 4 of Indian Affairs, and approves such Contracts for the  
 5 limited purpose of enabling the District Council to secure  
 6 the approval of the Bureau of Indian Affairs.

7 The foregoing Resolution was passed by the Tohono O'odham Council  
 8 on the 13th day of September, 1990 at a meeting at which a quorum  
 9 was present with a vote of 1,093.0 for; 229.0 against; 402.0 not  
 10 voting; 02 absent, pursuant to the powers vested in the Council  
 11 by Section 2(a) of Article VI 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

  
 Edward D. Manuel, Legislative Chairman  
14th day of September, 1990.

ATTEST:


  
 Teresa M. Choyguha, Legislative Secretary  
14th day of September, 1990.

19 Said Resolution was submitted for approval to the office of the  
 20 Chairman of the Tohono O'odham Nation on the 14th day of  
September, 1990, at 5:09 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  
 his failure to either approve or disapprove it within 48 hours of  
 submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
 Edward D. Manuel, Legislative Chairman

26 [  ] APPROVED ) on the 18th day of September, 1990,  
 27 [  ] DISAPPROVED ) at 10:17 o'clock, A.M.

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

30 Returned to the Legislative Secretary on the 18th day of  
 31 September, 1990, at 12:10 o'clock, P.M.

  
 Teresa M. Choyguha  
 Legislative Secretary

MOVED: JoAnn Francisco  
 SECOND: Joseph Juan  
 DATE: September 13, 1990

SUBJECT: Approving Submission to Bureau of  
 Indian Affairs of Two Attorney Contracts  
 with San Xavier District Council

RESOLUTION NO. 324-90

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			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	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	
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0	X			
	2. John Reno ( )	53.0	X			
SAN XAVIER 127.0	1. Eugene Enis. Sr. (Michael Rios)	63.5	X			
	2. Joanne C. Preston (Carmelita Mattias)	63.5	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			
SIF OIDAK 158.0	1. Mary Ann Antone (Nina Jose)	79.0	X			
	2. Willard Juan, Sr. (Melissa Gregorio)	79.0	X			
TOTAL		1,724.0	1,093.0	229.0	402.0	02

\*\*PASSED VOTES