

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Appropriating \$65,000 to Continue the Assessment of the Sif Oidak
District Water Claims by Natural Resources Consulting Engineers

RES. NO. 91-186

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2 WHEREAS, in January 1991, the Tohono O'odham Nation (the "Nation")
3 entered into a Consultant Contract with Natural Resources
4 Consulting Engineers ("NRCE") to complete the initial
5 phase of the technical assessment of the Nation's water
6 claims in the Sif Oidak District/Chuichu; and

7 WHEREAS, the Contract amount of \$50,000 for the initial phase was
8 funded through the Office of Attorney General budget (01-
9 1031(285)) approved by the Legislative Council for fiscal
10 year 1991; and

11 WHEREAS, the initial phase of the Contract is near completion; and

12 WHEREAS, there are insufficient funds to conclude this phase and
13 move on to the next stage of the work; and

14 WHEREAS, any interruption in the work may adversely affect the
15 ability to settle the water claims in the District; and

16 WHEREAS, the total Contract budget to finish all phases of the work
17 necessary for purposes of settlement negotiations is
18 \$300,000 (\$50,000 of which has been funded through the
19 Attorney General's budget); and

20 WHEREAS, the \$50,000 component of the Attorney General's budget
21 (account 01-1031-(285)) for the Contract has been exceeded
22 by \$6,035.15 in the March 1991 NRCE billing and such
23 amount was paid through other general litigation funds in
24 the account; and

25 WHEREAS, pursuant to Council Resolution 91-007, an Application for
26 \$250,000 in funding for the Contract was filed with the
27 Bureau of Indian Affairs under P.L. 93-638; and

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WHEREAS, processing of the Application may require up to two months before funds are available; and

WHEREAS, the Application requests that pre-638 contract costs be reimbursed from the \$250,000 in contract funds (including the \$6,035.15 noted above, and all subsequent payments under the NRCE Consultant Contract through the date the 638 funds are available for expenditure); and

WHEREAS, contract costs for April, May and June 1991 are estimated at \$65,000; and

WHEREAS, Section 4(b) of the Tohono O'odham Tat Momolikot Dam Settlement Act, P.L. 99-469 (the "Act"), authorizes the Nation to expend the principle and interest of the settlement fund "for economic and community development and other tribal purposes" (except for \$100,000 to be devoted to the six families whose lands were damaged by the Dam);

WHEREAS, there are funds available in the settlement fund disbursed under the Act to finance a continuation of the NRCE Contract for three months; and

WHEREAS, by Resolution No. 02-91, the Sif Oidak District council has approved use of the settlement fund for this purpose; and

WHEREAS, the Water Resources Committee recommends approval of this Resolution by the Council.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Tohono O'odham Legislative Council hereby approves an amendment to the NRCE Consultant Contract, in the

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form attached hereto, to increase the Contract amount by \$65,000 and enlarge the scope of work beyond the initial phase.

2. The foregoing sum of \$65,000 shall be paid from the account at First Interstate Bank designated as 99-469, 2010-39811.

3. Upon receipt of the 638 funds for consultant services, \$6,035.15 shall be reimbursed to Tribal Budget Account 01-1031(285) and \$65,000 shall be reimbursed to First Interstate Bank Account P.L. 99-469, 2010-39811.

The foregoing Resolution was passed by the Tohono O'odham Council on the 20th day of May, 1991 at a meeting at which a quorum was present with a vote of 1,545.0 for; -0- against; 179.0 not voting; 04 absent, pursuant to the powers vested in the Council by Section 1(d) (2) of Article VI and Section 2 of Article XVII 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

22ND day of May, 1991.

ATTEST:

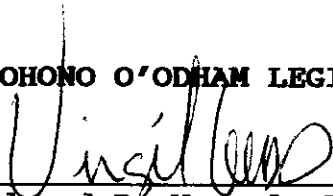

Teresa M. Choyguha, Legislative Secretary

22ND day of May, 1991.


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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 22ND day of MAY, 19 91, at 11:27 o'clock, A.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.

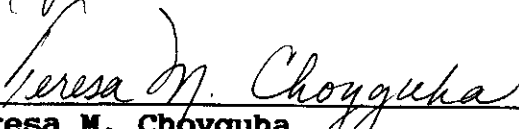
TOHONO O'ODHAM LEGISLATIVE COUNCIL


Edward D. Manuel, Legislative Chairman

[] APPROVED) on the 23 day of May, 1991.
[] DISAPPROVED) at 5:17 o'clock, P..M.


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

Returned to the Legislative Secretary on the 24th day of May, 19 91, at 10:52 o'clock, a.M.


Teresa M. Choyguha
Legislative Secretary

MOVED: COUNCILMAN WILLARD JUAN, SR.SUBJECT: APPROPRIATING \$65,000 TO CONTINUE ASSESSMENTSECOND: COUNCILMAN EARL FRANCISCOOF SIF Oidak DIST. WATER CLAIMS BY NATURAL RESOURCESDATE: MAY 20, 1991CONSULTING ENGINEERS

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BAGOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico)	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 Williams (Harriet Toro)	81.5	X			
GU ACHI 166.0	1. Percy Lopez ()	83.0	X			X
	2. Alex Ramon (Fernando Joaquin)	83.0	X			
GU VO 114.0	1. 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	
PISINENO 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			X
	2. Willard Juan, Sr. (Melissa Gregorio)	79.0	X			
TOTAL		1,724.0	1,545.0	-0-	179.0	04

**PASSED VOTES