

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL

**(Approving Extension of Consultant Contract for
Development of Water Code and Appropriating
\$18,000., for such Purpose)**

RESOLUTION NO. 95-097

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5 **WHEREAS,** adoption of a Tribal Water Code is essential for the Tohono
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7 **O'odham Nation to effectively develop and manage its water**
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9 **resources under the Southern Arizona Water Rights Settlement Act**
10 **of 1982 ("SAWRSA") and throughout the Nation; and**

11 **WHEREAS,** adoption of a Water Code will enable the Nation to protect and
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13 **prudently allocate water resources through the management and**
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15 **control of the Nation, as authorized by Article XVII of the Nation's**
16 **Constitution; and**

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18 **WHEREAS,** funding for a consultant contract to develop a Water Code is a
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20 **permissible expenditure of the dividends and interest on the Trust**
21 **Fund established under Section 309 of SAWRSA (the "SAWRSA**
22 **Trust Fund"), and is specifically identified in Resolution 95-070 as**
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24 **a priority use for the SAWRSA Trust Fund; and**

25 **WHEREAS,** by Resolution 92-090, the Legislative Council approved a consulting
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27 **contract with Fain P. Gildea (the "Consultant") for technical**
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assistance in drafting a Water Code, and appropriated \$75,000 from
the SAWRSA Trust Fund for such purpose; and

WHEREAS, the development of a final draft of the Water Code for
consideration by the Districts and Legislative Council is nearing
completion; and

WHEREAS, an extension of, and supplemental funding for, the contract with
the Consultant is required to complete the final draft of the Code;
and

WHEREAS, the Water Resources and Budget & Finance Committees recommend
approval of a contract with the Consultant and appropriation of
\$18,000., from the SAWRSA Trust Fund for the foregoing purposes.

NOW, THEREFORE, BE IT RESOLVED THAT:

- I. The Tohono O'odham Legislative Council hereby approves a
Consultant Contract with Fain P. Gildea, in the amount of
\$18,000., effective as of February 1, 1995 and in the form**

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attached hereto, for the purpose of assisting the Nation in the
development of a Tribal Water Code.

2. The foregoing sum of \$18,000., is hereby appropriated from the
SAWRSA Trust Fund to fund the Consultant Contract.

3. The Chairman of the Water Resources Committee and the
Chairman of the Nation are hereby authorized and directed to
execute the Consultant Contract on behalf of the Nation.

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council
on the 7TH day of MARCH, 1995 at a meeting at which a quorum was present
with a vote of 1,701.0 FOR; 62.0 AGAINST; -0- NOT VOTING; and 01 ABSENT,
pursuant to the powers vested in the Council by Section 1(d)(2) of Article VI and
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



Alex J. Ramon, Legislative Chairman

7th day of March, 1995

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ATTEST:

Francis Antone

Francis Antone, Legislative Secretary

8 day of March, 1995

Said Resolution was submitted for approval to the office of the Chairman of the
Tohono O'Odham Nation on the 16th day of March,
1995 at 4:47 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

Alex J. Ramon

Alex J. Ramon, Legislative Chairman

APPROVED

on the 17 day of March, 1995

DISAPPROVED

at 10:02 o'clock, A.M.

Sylvester Listo

SYLVESTER LISTO, Chairman
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 17th day of

March, 1995, at 11:51 o'clock, A.M.

Hucinda Allen for:

Frances Antone, Legislative Secretary

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ACTION: APPROVING EXTENSION OF CONSULTANT CONTRACT FOR DEVELOPMENT OF WATER CODE AND APPROPRIATING \$18,000., FOR SUCH PURPOSE

Moved: COUNCILMAN CHESTER ANTONE

SECOND: COUNCILWOMAN FRANCES FRANCISCO

DATE: MARCH 07, 1995

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF ODAK 151.0	1. WILLARD JUAN, SR. (Delbert Thomas)	75.5	X			
	2. MARY ANN ANTONE (Nellie Miguel)	75.5	X			
SELLS 290.0	1. ANDREW M. PATRICIO (Lucille Encinas)	145.0	X			
	2. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	145.0	X			
SCHUK TOAK 113.0	1. FRANCES FRANCISCO ()	56.5	X			
	2. KENNETH J. ANTONE ()	56.5	X			
SAN XAVIER 135.0	1. EUGENE ENIS, SR. ()	67.5	X			X
	2. DENNIS RAMON ()	67.5	X			
BABOQUIVARI 230.0	1. FRANCES MIGUEL ()	115.0	X			
	2. EDWARD KISTO (Idella Stanley)	115.0	X			
GU ACHI 180.0	1. WILLARD ANITA ()	90.0	X			
	2. ALEX J. RAMON (Marian Johnson)	90.0	X			
PISINEMO 128.0	1. CHESTER ANTONE (Fernando Valentine)	64.0	X			
	2. JOHNSON M. JOSE (Rosaleen Antone)	64.0	X			
SAN LUCY 98.0	1. JOHN RENO ()	49.0	X			
	2. ALBERT MANUEL, JR. (Ernestine Marquez)	49.0	X			
GU VO 124.0	1. EMILIO LEWIS ()	62.0	X			
	2. MICHAEL FLORES (Fern Salcido)	62.0		X		
HICKIWAN 136.0	1. MANUEL OSEQUEDA, JR. ()	68.0	X			
	2. LLOYD FRANCISCO ()	68.0	X			
CHUKUT KUK 178.0	1. MARILYN FRANCISCO	89.0	X			
	2. KENNETH WILLIAMS ()	89.0	X			
TOTAL		1,763.0	1,701.0	62.0	-0-	01

****PASSED VOTES**