

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending and Supplementing Resolution No. 95-371
related to Gila River Adjudication Program)

RESOLUTION NO. 96-062

WHEREAS, by Resolution 91-364, the Tohono O'odham Legislative Council
authorized the execution of a P.L. 93-638 Contract (the "Contract")
to conduct the Gila River Adjudication Program (formerly known
as the Chui Chu Water Inventory Study) and further authorized the
execution of a subcontract (the "Subcontract") with Natural
Resources Consulting Engineers ("NRCE") to carry out the Program;
and

WHEREAS, the Contract has since been entered into (Contract No.
CTH54T61016) and, pursuant to authorization of the Legislative
Council in Resolutions 92-273, 93-072 and 93-388, has been
modified to reflect the award of additional funding (with a
cumulative total of \$650,000), an extension of the termination date
to March 31, 1997, and an expansion in the scope of work; and

WHEREAS, the Subcontract and Amendments Nos. 1, 2, and 3 thereto have
been entered into with NRCE, as authorized by the foregoing
Resolutions; and

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**WHEREAS, based on information provided by the Phoenix Area Office of the
Bureau of Indian Affairs ("BIA"), Resolution 95-371 accepted a
reduction of \$50,000 in a supplemental award under the Contract
first represented as in the amount of \$150,000; and**

**WHEREAS, upon review by the BIA Agency Office and officials of the Nation
of documents subsequently provided by the Area Office, it was
determined that no such reduction occurred; and**

**WHEREAS, corrective action was taken by Modification Nos. 6, 7 and 8 to the
Contract (copies of which are attached) which confirmed the full
\$150,000 award accepted in Resolution 94-388 was in fact made, the
period of time for expenditure of the funds ended on the Contract
expiration date of March 31, 1997 and an additional \$100,000 had
been awarded under the Contract (for a cumulative total of
\$750,000); and**

**WHEREAS, the Water Resources Committee recommends that the Legislative
Council adopt this Resolution to amend and supplement Resolution**

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95-371 to conform to the corrective modifications attached hereto.

NOW, THEREFORE, BE IT RESOLVED THAT:

**1. The Tohono O'odham Legislative Council reaffirms and ratifies
its acceptance of the \$150,000 in supplemental funding for the
Contract and the authorization for execution by the Chairman
of the Nation of Amendment No. 3 to the Subcontract, pursuant
to the terms of Resolution 94-388.**

**2. The Legislative Council amends Resolution 95-371 in its entirety
as follows:**

**(a) The Legislative Council accepts the additional award of
\$100,000 under the Contract for expenditure through
March 31, 1997, as confirmed by Modification Nos. 7 and 8
thereto which are ratified and approved.**

**(b) The Legislative Council authorizes the Chairman of the
Nation to execute Amendment No. 4 to the NRCE
Subcontract, in the form attached hereto, which increases**

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the Subcontract amount by \$100,000 for expenditure
through March 31, 1997.

3. The Chairman of the Nation is further authorized to execute
such other modifications to the Contract and Subcontract as
may be appropriate, provided that any such modifications shall
not change the amount of funding or the scope of work without
prior approval of the Legislative Council.

The foregoing Resolution was passed by the Tohono O'Odham Council on the
9TH day of FEBRUARY, 1996 at a meeting at which a quorum was present with
a vote of 1,742.0 FOR; 134.0 AGAINST; -0- NOT VOTING; and [04] ABSENT,
pursuant to the powers vested in the Council by Article VI Section 1(f) and
Article XVII of Section 2 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



Dennis Ramon, Legislative Chairman

12th day of February, 1996

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ATTEST:

Francis Antone

Francis Antone, Legislative Secretary

15th day of February, 1996

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 12th day of February, 1996 at 4:33 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

Dennis Ramon

Dennis Ramon, Legislative Chairman

APPROVED

on the 13 day of February, 1996

DISAPPROVED

at 3:06 o'clock, P.M.

Edward D. Manuel

EDWARD D. MANUEL, Chairman

TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 13th day of

February, 1996, at 5:19 o'clock, P.M.

Frances Antone

Frances Antone, Legislative Secretary

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ACTION: AMENDING AND SUPPLEMENTING RESOLUTION NO. 95-371 RELATED TO GILA RIVER ADJUDICATION PROGRAM

MOVED: COUNCILWOMAN MARY ANN ANTONE

SECOND: COUNCILWOMAN RITA MARTINEZ

DATE: FEBRUARY 9, 1996

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 160.0	1. MARY ANN ANTONE (Nellie Miguel)	80.0	X			
	2. RITA MARTINEZ (Maxine Norris)	80.0	X			
SELLS 314.0	1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	157.0	X			
	2. LUCILLE ENCINAS (Cynthia Chico)	157.0	X			
SCHUK TOAK 117.0	1. KENNETH J. ANTONE ()	58.5	X			X
	2. MARY JANE JUAN-MOORE ()	58.5	X			
SAN XAVIER 142.0	1. DENNIS RAMON ()	71.0	X			
	2. TONY BURRELL ()	71.0	X			X
BABOQUIVARI 257.0	1. EDWARD KISTO (Idella Stanley)	128.5	X			
	2. FRANCES MIGUEL (Kenneth Chico, Sr.)	128.5	X			
GU ACHI 187.0	1. ALEX J. RAMON (Marian Johnson)	93.5	X			X
	2. WILLARD ANITA (Louis Johnson)	93.5	X			
PISINEMO 135.0	1. JOHNSON JOSE ** (Roseleen Antone)	67.5	X			
	2. BARBARA SALVICIO ()	67.5	X			
SAN LUCY 105.0	1. ALBERT MANUEL, JR. ()	52.5	X			
	2. JOHN RENO (Mary Hoffman)	52.5	X			
GU VO 134.0	1. MICHAEL FLORES ()	67.0		X		X
	2. FERN SALCIDO (Larry Montana)	67.0		X		
HICKIWAN 142.0	1. LLOYD FRANCISCO ()	71.0	X			
	2. ALEX JOSE ()	71.0	X			
CHUKUT KUK 183.0	1. KENNETH WILLIAMS ()	91.5	X			
	2. DAVID GARCIA (Marvin Thomas)	91.5	X			
TOTAL		1,876.0	1,742.0	134.0	-0-	[04]

****PASSED VOTES**