

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Executive to enter into a Memorandum of Agreement
with the San Xavier District for the purpose of constructing the
San Xavier Multipurpose Building in accordance with the
approved project budget in Tohono O'odham Legislative Council
Resolution No. 93-253; and Authorizing the Executive to receive
and expend the sum of \$455,000 from the San Xavier District
for this Project)**

RESOLUTION NO. 97-065

**WHEREAS, the Tohono O'odham Nation was awarded ICDBG funds for
the construction of a Multipurpose Building in the San
Xavier District; and**

**WHEREAS, the San Xavier District through District Council Resolution
No. 02-97-19 did formally request to perform all construction
management services associated with the construction of
the San Xavier Multipurpose Building; and**

**WHEREAS, the Code of Federal Regulations at 24 CFR Part 953.502
governs ICDBG grant funds and permits the Nation to
delegate the Nation's obligation to perform construction
management services to the District; and**

**WHEREAS, both the Nation and the District agree that it is in the best
interest of the project that the District perform the
construction management services, recognizing the
District's contribution of at least \$455,000 to the project.**

NOW, THEREFORE, BE IT RESOLVED that:

1. The Executive is authorized to enter into a

RESOLUTION NO. 97-065

(Authorizing the Executive to enter into a Memorandum of Agreement with the San Xavier District for the purpose of constructing the San Xavier Multipurpose Building in accordance with the approved project budget in Tohono O'odham Legislative Council Resolution No. 93-253; and Authorizing the Executive to receive and expend the sum of \$455,000 from the San Xavier District for this Project)

Page 2 of 5

Memorandum of Agreement with the San Xavier District for the purpose of constructing the San Xavier Multipurpose building; and

2. The Executive is authorized to receive and expend the sum of \$455,000 from the San Xavier District for this project; and

3. The Executive is authorized to receive and expend some amount above \$455,000 upon receipt of such funds from San Xavier District an approved change order; and

4. The San Xavier District as authorized by District Resolution, shall establish a bank account and authorizes the Tohono O'odham Nation's Executive to draw down the necessary funds for the purpose of executing this project, upon concurrence of the District; and

5. The Executive is authorized to enter into any and all contracts and agreements as necessary to complete this project in accordance with budgeted amounts

RESOLUTION NO. 97-065

(Authorizing the Executive to enter into a Memorandum of Agreement with the San Xavier District for the purpose of constructing the San Xavier Multipurpose Building in accordance with the approved project budget in Tohono O'odham Legislative Council Resolution No. 93-253; and Authorizing the Executive to receive and expend the sum of \$455,000 from the San Xavier District for this Project)

Page 3 of 5

approved in Tohono O'odham Legislative Council Resolution No. 93-253, as may be properly modified from time to time.

- 6. The Legislative Council reserves the right to review and approve the Construction Contract that follows this Memorandum of Agreement.**

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 25TH. day of FEBRUARY, 1997 at a meeting at which a quorum was present with a vote of 1,402.0 FOR; -0- AGAINST; -0- NOT VOTING; and 474.0 [05] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(d)(2) & (f) 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

25th day of February, 19 97

RESOLUTION NO. 97-065

(Authorizing the Executive to enter into a Memorandum of Agreement with the San Xavier District for the purpose of constructing the San Xavier Multipurpose Building in accordance with the approved project budget in Tohono O'odham Legislative Council Resolution No. 93-253; and Authorizing the Executive to receive and expend the sum of \$455,000 from the San Xavier District for this Project)

Page 4 of 5

ATTEST:

Frances G. Antone

Frances G. Antone, Legislative Secretary

25th day of February, 19 97.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 25th day of February, 19 97 at 8:50 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 26 day of February, 19 97

DISAPPROVED

at 10:07 o'clock, A.M.

Edward D. Manuel

**EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION**

RESOLUTION NO. 97-065

(Authorizing the Executive to enter into a Memorandum of Agreement with the San Xavier District for the purpose of constructing the San Xavier Multipurpose Building in accordance with the approved project budget in Tohono O'odham Legislative Council Resolution No. 93-253; and Authorizing the Executive to receive and expend the sum of \$455,000 from the San Xavier District for this Project)

Page 5 of 5

Returned to the Legislative Secretary on the 26th day of February, 19 97, at 11:32 o'clock, A.M.

Frances G. Antone
Frances G. Antone, Legislative Secretary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ACTION: AUTHORIZING THE EXECUTIVE TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE SAN XAVIER DISTRICT FOR THE PURPOSE OF CONSTRUCTING THE SAN XAVIER MULTIPURPOSE BUILDING IN ACCORDANCE WITH THE APPROVED PROJECT BUDGET IN [CONTINUED ON BACK]

MOVED: COUNCILMAN KENNETH WILLIAMS

SECOND: COUNCILMAN TONY BURRELL

DATE: FEBRUARY 25, 1997

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			
	2. JOSEPH JUAN ()	58.5	x			
SAN XAVIER 142.0	1. DENNIS RAMON ()	71.0	X			
	2. TONY BURRELL ()	71.0	x			
BABOQUIVARI 257.0	1. EDWARD KISTO (Idella Stanley)	128.5	X			
	2. FRANCES MIGUEL ()	128.5	x			
GU ACHI 187.0	1. WILLARD ANITA (Louis Johnson)	93.5	X			
	2. ALEX J. RAMON (Marian 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. GLORIA MONTANA ()	67.0	X			
	2. FERN SALCIDO (Larry Montana)	67.0	x			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		1876.0	1,402.0	-0-	-0-	474.0 [05]

**PASSED VOTES

ACTION: [CONTINUED]

TOHONO O'ODHAM LEGISLATIVE COUNCIL RESOLUTION NO. 93-253; AND AUTHORIZING THE EXECUTIVE TO RECEIVE AND EXPEND THE SUM OF \$455,000 FROM THE SAN XAVIER DISTRICT FOR THIS PROJECT