

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving San Xavier Cooperative Association, Inc. to perform Santa Cruz
River Bank Stabilization Maintenance)**

RESOLUTION NO. 98-187

WHEREAS, the construction of bank stabilization on the Santa Cruz River, a project under the Southern Arizona Water Rights Settlement Act (SAWRSA) of 1982, is scheduled to be completed in the fall of 1998; and

WHEREAS, Section 306(b)(2) of SAWRSA states that the Tohono O'odham Nation (Papago Tribe) "assume responsibility, through the tribe or its members or an entity, designated by the tribe, as appropriate, following completion of those of those distribution systems...for the operation, maintenance, and replacement of those systems..."; and

WHEREAS, bank stabilization of the Santa Cruz River is considered as part of the San Xavier Co-op Farm rehabilitation; and

WHEREAS, it is necessary that the bank stabilization be maintained after construction; and

WHEREAS, the San Xavier Cooperative Association (SXCA) wishes to perform the bank stabilization maintenance (Res. 08-96); and

WHEREAS, bank stabilization maintenance will require equipment and facilities, which are described in the "Proposal for Equipment to Maintain the Santa Cruz Bank Stabilization Project", and which will be funded under SAWRSA; and

WHEREAS, the equipment purchased for this maintenance will also assist the SXCA to perform farm rehab work, such as repairing fields, sinkholes, ditches and farm roads; and

WHEREAS, the SXCA will perform the maintenance for the duration of the farm leases that the SXCA has with the allottees, which end October, 2014, at

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3 **which time it would be re-negotiated; and**

4 **WHEREAS, the San Xavier District Council supports the SXCA in their desire to**
5 **perform the maintenance for the completed bank stabilization and**
6 **requests that the Tohono O'odham Nation be the entity to purchase the**
7 **necessary equipment; and**

8 **WHEREAS, the Nation will be reimbursed by the Bureau of Reclamation for the**
9 **equipment and facilities; and**

10 **WHEREAS, the SXCA has agreed to pay for the yearly maintenance costs of the**
11 **equipment and requests that the Nation pay for the yearly insurance**
12 **costs.**

13
14 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council**
15 **that it hereby approves that the San Xavier Cooperative Association**
16 **perform maintenance for the completed bank stabilization on the**
17 **Santa Cruz River.**

18 **BE IT FURTHER RESOLVED that the Tohono O'odham Nation purchase the**
19 **equipment and materials necessary for the performance of this**
20 **project from the SAWRSA Trust Fund and invoice the Bureau of**
21 **Reclamation for these costs.**

22 **BE IT FINALLY RESOLVED that the Tohono O'odham Nation be responsible for the**
23 **yearly insurance costs on the equipment.**

24
25 **The foregoing Resolution was passed by the Tohono O'odham Council on the 08TH.**
26 **day of MAY, 1998 at a meeting at which a quorum was present with a vote of 797.0**
27 **FOR; 782.0 AGAINST; 348.0 NOT VOTING; and [04] ABSENT, pursuant to the powers**
28 **vested in the Council by Section 1 (d)(2) & (f) and Section 2(d) 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).

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TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

11th day of May, 19 98

ATTEST:



Julianna Saraficio, Acting Legislative Secretary

8th day of May, 19 98.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 11th day of May, 19 98 at 5:03 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, Legislative Chairman

APPROVED on the _____ day of _____, 19____

DISAPPROVED at _____ o'clock, ____M.

EXPIRES 48 HOURS

EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 19th day of

May, 19 98, at 11:30 o'clock, A.M.



Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING SAN XAVIER COOPERATIVE ASSOCIATION, INC. TO PERFORM SANTA CRUZ RIVER BANK STABILIZATION MAINTENANCE

MOVED: COUNCILMAN TONY BURRELL

SECOND: COUNCILMAN DAVID GARCIA

DATE: MAY 08, 1998

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 189.0	1. DAVID GARCIA (Marvin Thomas)	94.5	X			
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5	X			
HICKIWAN 146.0	1. ALEX JOSE ()	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0			X	
GU VO 142.0	1. FERN SALCIDO (Larry Montana)	71.0		X		X
	2. GLORIA MONTANA (Phillip Antone)	71.0		X		
SAN LUCY 114.0	1. JOHN RENO (Mary Hoffman)	57.0			X	X
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0			X	
PISINEMO 139.0	1. BARBARA SALVICIO ()	69.5	X			
	2. JOHNSON JOSE ()	69.5	X			
GU ACHI 190.0	1. LOUIS JOHNSON ()	95.0	X			
	2. ALEX J. RAMON ()	95.0	X			X
BABOQUIVARI 258.0	1. FRANCES MIGUEL** ()	129.0		X		
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0		X		
SAN XAVIER 146.0	1. TONY BURRELL ()	73.0	X			
	2. DENNIS RAMON ()	73.0	X			
SCHUK TOAK 120.0	1. JOSEPH JUAN ()	60.0	X			
	2. AMBROSE ENCINAS ()	60.0		X		
SELLS 322.0	1. DENNIS E. JOSE ()	161.0		X		
	2. EVELYN JUAN ()	161.0		X		
SIF OIDAK 161.0	1. RITA MARTINEZ (Maxine Norris)	80.5			X	
	2. MARY ANN ANTONE (Darlene Andrew)	80.5			X	X
TOTAL		1,927.0	797.0	782.0	348.0	[04]

****PASSED VOTES**