

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Budget for Subcontract with Natural Resources Consulting  
Engineers under Gila River Adjudication Program for Period Ending  
September 30, 1999)**

**RESOLUTION NO. 98-377**

**WHEREAS, Natural Resources Consulting Engineers ("NRCE") was recommended by experts in the field of Indian water law as uniquely and exceptionally qualified to perform the technical studies necessary to prepare Indian water claims for settlement and litigation; and**

**WHEREAS, the Tohono O'odham Nation entered into a contract with NRCE pursuant to a tribal budget approved by the Legislative Council for fiscal year 1991 (the "NRCE Contract"); and**

**WHEREAS, the purpose of the NRCE Contract was to prepare a study which quantified the water rights and assessed damages to such rights in the Sif Oidak and surrounding Districts (the "Sif Oidak Claim"); and**

**WHEREAS, in fiscal year 1991 the Nation was awarded federal funding pursuant to a P.L. 93-638 Contract, No. CTH54T61016 (the "638 Contract"), to continue the assessment of the Sif Oidak Claims, a project now designated as the Gila River Adjudication Program (the "Program"); and**

**WHEREAS, all 93-638 funding to the Nation through the Bureau of Indian Affairs ("BIA"), including funding under the 638 Contract, is now administered under a Contract with the BIA, bearing an effective date of October 1, 1996 and designated Contract No. 1450CTH54T61071 (the "BIA Master Contract"); and**

**WHEREAS, by Modification Nos. 15 and 26, the sum of \$164,288.78 was identified as unexpended and unobligated under the 638 Contract, and was transferred to the BIA Master Contract for expenditure in the Program; and**

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**WHEREAS, by Modification No. 5 to the Master BIA Contract, the sum of \$100,000 was added to the Contract and made available for expenditure in the Program; and**

**WHEREAS, the foregoing Modifications have transferred a combined total of \$264,288.78 (the "Available Funds") to the Master BIA Contract for expenditure in the Program; and**

**WHEREAS, the technical work on the Program has been exclusively performed by NRCE pursuant to a subcontract with the Nation, as modified by Amendment Nos. 1 through 5 thereto (the "NRCE Subcontract"); and**

**WHEREAS, uninterrupted continuation of the Program requires that the Legislative Council approve a budget for expenditure of the Available Funds through September 30, 1999 and that the Subcontract be amended to extend its term to September 30, 1999 and continue NRCE's engagement; and**

**WHEREAS, the Water Resources and Budget & Finance Committees recommend approval of this Resolution by the Legislative Council.**

**NOW, THEREFORE, BE IT RESOLVED THAT:**


- 1. The Tohono O'odham Legislative Council hereby approves Amendment No. 6 to the NRCE Subcontract which (a) extends the term of the Subcontract to September 30, 1999 and (b) authorizes the expenditure of \$264,288.78 for all work performed under the Subcontract from October 1, 1996 through September 30, 1999, pursuant to the budget attached thereto as Exhibit B.**
- 2. The Chairman of the Nation is authorized and directed to execute Amendment No. 6 to the NRCE Subcontract.**

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The foregoing Resolution was passed by the Tohono O'odham Council on the 16TH day of SEPTEMBER, 1998 at a meeting at which a quorum was present with a vote of 1,690.5 FOR; -0- AGAINST; 236.5 NOT VOTING; and (04) ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2) & (3) 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).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
\_\_\_\_\_  
Dennis Ramon, Legislative Chairman  
21<sup>st</sup> day of September, 19 98

ATTEST:

  
\_\_\_\_\_  
Julianna Saraficio, Acting Legislative Secretary  
16<sup>th</sup> day of September, 19 98.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 21<sup>st</sup> day of September, 19 98 at 2:48 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 21<sup>st</sup> day of September, 19 98

DISAPPROVED

at 4:25 o'clock, P.M.

  
\_\_\_\_\_  
EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 22<sup>nd</sup> day of  
September, 19 98, at 8:55 o'clock, A.M.

  
\_\_\_\_\_  
Julianna Saraficio, Acting Legislative Secretary

**ACTION: APPROVING BUDGET FOR SUBCONTRACT WITH NATURAL RESOURCES CONSULTING ENGINEERS UNDER GILA RIVER ADJUDICATION PROGRAM FOR PERIOD ENDING SEPTEMBER 30, 1999**

**MOVED: COUNCILWOMAN RITA MARTINEZ**

**SECOND: VICE CHAIRMAN ALBERT MANUEL, JR.**

**DATE: SEPTEMBER 16, 1998**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>CHUKUT KUK</b> <b>189.0</b>	1. DAVID GARCIA (Marvin Thomas)	94.5			X	
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5	X			
<b>HICKIWAN</b> <b>146.0</b>	1. ALEX JOSE ( )	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			
<b>GU VO</b> <b>142.0</b>	1. FERN SALCIDO (Larry Montana)	71.0			X	
	2. GLORIA MONTANA (Phillip Antone)	71.0			X	
<b>SAN LUCY</b> <b>114.0</b>	1. JOHN RENO (Mary Hoffman)	57.0	X			X
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			
<b>PISINEMO</b> <b>139.0</b>	1. BARBARA SALVICIO ( )	69.5	X			X
	2. JOHNSON JOSE ( )	69.5	X			
<b>GU ACHI</b> <b>190.0</b>	1. LOUIS JOHNSON ( )	95.0	X			
	2. ALEX J. RAMON ( )	95.0	X			
<b>BABOQUIVARI</b> <b>258.0</b>	1. FRANCES MIGUEL ( )	129.0	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			X
<b>SAN XAVIER</b> <b>146.0</b>	1. TONY BURRELL ( )	73.0	X			
	2. DENNIS RAMON ( )	73.0	X			
<b>SCHUK TOAK</b> <b>120.0</b>	1. JOSEPH JUAN ( )	60.0	X			
	2. AMBROSE ENCINAS ( )	60.0	X			X
<b>SELLS</b> <b>322.0</b>	1. DENNIS E. JOSE ( )	161.0	X			
	2. EVELYN JUAN ( )	161.0	X			
<b>SIF OIDAK</b> <b>161.0</b>	1. RITA MARTINEZ (Maxine Norris)	80.5	X			
	2. MARY ANN ANTONE (Darlene Andrew)	80.5	X			
<b>TOTAL</b>		<b>1,927.0</b>	<b>1,690.5</b>	<b>-0-</b>	<b>236.5</b>	<b>(04)</b>

**\*\*PASSED VOTES**