

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Submittal of Application to the Tribal Transportation Bridge Program (TTBP)
to Fund Bureau of Indian Affairs (BIA) Project PIR 10(1) Bridge H662 for a New Bridge
over the Fresnal Canyon Wash on the Tohono O'odham Nation)

RESOLUTION NO. 14-538

1 **WHEREAS, the Tohono O'odham Nation (the "Nation") is a Federally-recognized Indian**
2 **Tribe and the Tohono O'odham Legislative Council (the "Legislative Council") is**
3 **the governing body of the Nation; and**

4 **WHEREAS, MAP-21 (Moving Ahead for Progress in the 21st Century) authorizes the use of the**
5 **Tribal Transportation Bridge Program (TTBP) to carry out the planning,**
6 **engineering, preconstruction, construction, and inspection activities**
7 **associated with bringing structurally deficient and functionally obsolete IRR**
8 **bridges up to standard; and**

9 **WHEREAS, the Fresnal Canyon Bridge (BIA Bridge No. H662) structure on BIA Route 10,**
10 **consisting of three-60 inch diameter CMP culverts and head walls, was**
11 **constructed in 1950, was washed out in 2004 and needs to be replaced to provide**
12 **an all-weather crossing over the Fresnal Canyon Wash; and**

13 **WHEREAS, Bridge Number H662 has a sufficiency rating of 17.0 and is listed in the BIA**
14 **Bridge Inventory as structurally deficient and functionally obsolete which**
15 **makes it eligible for replacement using TTBP funds; and**

16 **WHEREAS, TTBP funds are limited and it is urgent to obtain Tohono O'odham Legislative**
17 **Council approval for the Nation to submit the required application to receive**
18 **serious consideration for these critically needed funds; and**

19 **WHEREAS, the estimated costs to perform tribal project management and essential**
20 **preliminary engineering work for a replacement bridge is \$103,500; and**

21 **WHEREAS, the Nation is requesting the BIA to add this project to the Nation's Tribal**
22 **Transportation Improvement Plan to be eligible for these funds, and**

23 **WHEREAS, the Nation intends to enter into a P. L. 93-638 design and construction contract**
24 **to provide labor, materials, equipment, and services necessary to complete the**
25 **road improvements and construction on this project; and**

26 **WHEREAS, a qualified civil engineering consultant registered in the State of Arizona will be**
27 **selected in accordance with Public Law 112-141 Section 202 (b)(5) to perform**
28 **preliminary engineering activities (survey, bridge design, archeology,**
29 **environmental, and right-of-way) and develop a design concept report for BIA**
30 **Project PIR 10(1) Bridge H662 for the future construction of a new bridge at**
31 **Fresnal Canyon Wash to replace the washed out H662 bridge structure; and**

32 **WHEREAS, an additional private civil engineer registered in the State of Arizona will be**
33 **selected by the Tohono O'odham Nation to perform second level reviews as**
34 **required; and**

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1 **WHEREAS, the Commerce, the Appropriations and the Budget and Finance Committees of**
2 **the Legislative Council have reviewed the application to the Tribal**
3 **Transportation Bridge Program and recommend its submittal.**

4 **NOW, THEREFORE, BE IT RESOLVED, that the Tohono O'odham Legislative Council hereby**
5 **approves the submittal of an application to the Tribal Transportation Bridge**
6 **Program (TTBP) to Fund Bureau of Indian Affairs (BIA) Project PIR 10(1) Bridge**
7 **H662 for the future construction of a new bridge over the Fresnal Canyon Wash**
8 **on the Tohono O'odham Nation.**

9 **BE IT FURTHER RESOLVED, that the Tohono O'odham Nation requests that the Bureau of**
10 **Indian Affairs, Western Regional Office, Division of Transportation include this**
11 **project in the Nation's Tribal Transportation Improvement Plan.**

12 **BE IT FURTHER RESOLVED, that the Tohono O'odham Nation requests that the Bureau of**
13 **Indian Affairs, Western Regional Office, Division of Transportation perform**
14 **their specific duties in the supplementary preparation and submittal of the**
15 **Tohono O'odham Nation application to the Bureau of Indian Affairs,**
16 **Department of Transportation for strong consideration in the awarding of these**
17 **funds.**

18 **BE IT FURTHER RESOLVED, that should application be awarded, the Tohono O'odham Nation**
19 **intends to enter into a P. L. 93-638 contract for preliminary engineering and**
20 **tribal project management in the amount of \$103,500 to perform survey, bridge**
21 **design, archeology, environmental, and right-of-way studies to develop a design**
22 **concept report under project PIR 10(1) Bridge H662 for the future construction**
23 **of a new bridge at Fresnal Canyon Wash.**

24 **BE IT FINALLY RESOLVED, that the Chairperson or their designee is authorized to execute**
25 **whatever documents are necessary to fulfill the intent of this resolution.**

26 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 03RD**
27 **day of DECEMBER, 2014 at a meeting at which a quorum was present with a vote of 2,946.5 FOR;**
28 **-0- AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by**
29 **Article VI, Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the**
30 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
31 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of**
32 **June 18, 1934 (48 Stat.984).**

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34 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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38 **Timothy Joaquin, Legislative Chairman**

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40 9 day of December, 2014
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1 **ATTEST:**

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4 **Evonne Wilson, Legislative Secretary**

5 09 day of December, 2014

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8 **Said Resolution was submitted for approval to the Office of the Chairman of the Tohono**
9 **O'odham Nation on the 9 day of December, 2014 at 4:20 o'clock, P.m.,**
10 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
11 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
12 **hours of submittal.**

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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17 **Timothy Joaquin, Legislative Chairman**

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23 **APPROVED**

on the 11 day of December, 2014

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25 **DISAPPROVED**

at 10:14 o'clock, a.m.

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30 **NED NORRIS, JR., CHAIRMAN**
31 **TOHONO O'ODHAM NATION**

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36 **Returned to the Legislative Secretary on the 11 day of**

37 December, 2014, at 10:27 o'clock, a.m.

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41 **Evonne Wilson, Legislative Secretary**

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ACTION: APPROVING SUBMITTAL OF APPLICATION TO THE TRIBAL TRANSPORTATION BRIDGE PROGRAM (TTBP) TO FUND BUREAU OF INDIAN AFFAIRS (BIA) PROJECT PIR 10(1) BRIDGE H662 FOR A NEW BRIDGE OVER THE FRESNAL CANYON WASH ON THE TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN FRANCES B. STEPHENS

SECOND: COUNCILMAN QUINTIN C. LOPEZ

DATE: DECEMBER 03, 2014

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ()	112.1	X			X
SELLS 502.0	1. ARTHUR WILSON (Ophelia Patten)	251.0	X			
	2. BARBARA HAVIER (Beverly Rivas)	251.0	X			
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1	X			
SAN XAVIER 224.2	1. HILARION CAMPUS <i>(Absent)</i> (Daniel L.A. Preston, III) <i>(Present)</i>	112.1	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			
	2. JANAMONTANA ()	109.8	X			
PISINEMO 210.6	1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i>	105.3	X			X
	2. EDWARD MANUEL, SR. ()	105.3	X			
HICKIWAN 196.9	1. LOUIS R. LOPEZ ()	98.45	X			
	2. SANDRA ORTEGA <i>(Absent)</i> (Manuel Osequeda, Jr.) <i>(Present)</i>	98.45	X			X
HIA CED 19.6	1. PATRICK ANDREWS (Janice E. Paul)	9.8	X			
	2. VIRGINIA GARCIA ()	9.8	X			
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5	X			
	2. PAMELA ANGHILL <i>(Absent)</i> (Jeffery Antone, Sr.) <i>(Present)</i>	120.5	X			
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ()	128.65	X			
	2. LORETTA LEWIS (Louis Johnson)	128.65	X			
CHUKUT KUK 319.2	1. ETHEL GARCIA <i>(Absent)</i> (Marlakay C. Henry) <i>(Present)</i>	159.6	X			X
	2. BILLMAN LOPEZ ()	159.6	X			
BABOQUIVARI 357.7	1. FRANCES MIGUEL <i>(Absent)</i> (Roberta Harvey) <i>(Present)</i>	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
TOTAL		2,946.5	2,946.5	-0-	-0-	[04]