

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Chukut Kuk District Carry Over Funds, Amending Resolution No. 18-390, and Approving FY 2019 Chukut Kuk District Budget Amendment No. 1)**

RESOLUTION NO. 18-482

1 **WHEREAS,** pursuant to Article IX, Section 7 of the Constitution of the Tohono O'odham
2 Nation,

3 No district council shall expend district funds except pursuant to budgets
4 authorized under resolutions of the district council and approved by the
5 Tohono O'odham Council. The management of these funds shall be only by
6 a treasurer or other authorized officer of the district council who has
7 furnished a surety bond satisfactory to the treasurer of the Tohono
8 O'odham Nation, and all expenditures of these funds shall be by checks
9 signed by such treasurer or other authorized officer and the chairman or
10 vice chairman of the district council.

11 ; and

12 **WHEREAS,** by Chukut Kuk District Resolution No. 2018-40, the Chukut Kuk District
13 authorized the FY 2019 Chukut Kuk District Budget in the amount of
14 \$2,017,635.31, to be funded by FY 2019 Chukut Kuk District Gaming Allocation
15 funds, which was approved by Legislative Council Resolution No. 18-390; and

16 **WHEREAS,** the approved FY 2019 Chukut Kuk District Budget included the West Villages and
17 Miguel Communities Budgets, in the following respective amounts:

18 West Villages Community \$53,308.58

19 Miguel Community \$74,776.53

20 ; and

21 **WHEREAS,** a portion of the West Villages and Miguel Communities' budgets were to be
22 funded from the following sources:

23 Miguel Community FY 2017 Surplus Funds \$ 9,926.51

24 FY 2014 Mining Allocation \$11,782.58

25 FY 2016 Mining Allocation \$13,067.44

26 West Villages Community FY 2017 Surplus Funds \$13,308.58

27 ; and

28 **WHEREAS,** based upon an issue in the Chukut Kuk District Council resolution and in the
29 interests of moving forward the FY 2019 Chukut Kuk District Budget, the entire
30 funding source for the FY 2019 Chukut Kuk District Budget in the amount of
31 \$2,017,635.31 was identified as the FY 2019 Chukut Kuk District Gaming
32 Allocation funds; and

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1 **WHEREAS,** by Chukut Kuk District Resolution No. 2018-47, the Chukut Kuk District
2 authorized the use of FY 2017 Surplus Funds in the amount of \$23,235.09, FY 2014
3 Mining Royalties in the amount of \$11,782.58, and FY 2016 Mining Royalties in the
4 amount of \$13,067.44 to be the funding sources for the West Villages and Miguel
5 Communities Budgets in the FY 2019 Chukut Kuk District Budget; and

6 **WHEREAS,** by Chukut Kuk District Resolution No. 2018-46, the Chukut Kuk District
7 authorized the Chukut Kuk District Administration to request the transfer of the
8 following amounts to the Chukut Kuk District account:

9 Asarco Mining Allocation \$ 372,121.10
10 Cyprus Mining Allocation \$ 111,948.13
11 Remainder of FY 2019
12 Gaming Allocation \$1,304,426.81

13 ; and

14 **WHEREAS,** although the FY 2019 Chukut Kuk District Budget became effective October 1,
15 2018, the Chukut Kuk District affirmed that the West Villages and Miguel
16 Communities have not expended any funds from the Communities' Budgets; and

17 **WHEREAS,** by Chukut Kuk District Council Resolution No. 2018-53, the Chukut Kuk District
18 has authorized and submitted for review and approval its FY 2019 Chukut Kuk
19 District Budget Amendment No. 1, which is incorporated by this reference and
20 which will increase the FY 2019 Chukut Kuk District Budget by \$15,000.00 from
21 \$2,017,635.31 to \$2,032,635.31; and

22 **WHEREAS,** the FY 2019 Chukut Kuk District Budget Amendment No. 1 in the amount of
23 \$15,000.00 that shall be funded by Chukut Kuk District mining royalties savings;
24 and

25 **WHEREAS,** the Budget and Finance Committee has reviewed the Chukut Kuk District's
26 requests and Budget Amendment No. 1 and recommend approval.

27 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council:

28 **(1) Amends the first resolved clause of Legislative Council Resolution No. 18-**
29 **390 as follows:**

30 **"NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham
31 **Legislative Council approves the FY 2019 Chukut Kuk District Budget in**
32 **the amount of \$2,017,635.31, of which \$1,969,550.20 shall be funded by the**
33 **FY 2019 Chukut Kuk District Gaming Allocation funds, and a total of**
34 **\$48,085.11 to be funded by FY 2017 Surplus Funds in the amount of**
35 **\$23,235.09, FY 2014 Mining Allocation in the amount of \$11,782.58, and FY**
36 **2016 Mining Allocation in the amount of \$13,067.44."**

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1 (2) authorizes that the following amounts from the Chukut Kuk District
2 mining allocations and the remaining FY 2019 Gaming Allocation funds be
3 transferred into the Chukut Kuk District's account, provided that any
4 expenditure of funds are subject to a budget approved by Legislative
5 Council:

6 Asarco Mining Allocation in the amount of \$372,121.10

7 Cyprus Mining Allocation in the amount of \$111,948.13

8 Remainder of FY 2019 Gaming Allocation in the amount of
9 \$1,304,426.81.

10 **BE IT FURTHER RESOLVED** that the Tohono O'odham Legislative Council approves the FY 2019
11 Chukut Kuk District Budget Amendment No. 1 which includes a \$15,000.00
12 increase from \$2,017,635.31 to \$2,032,635.31 that shall be funded by Chukut Kuk
13 District mining royalties savings.

14 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the FY 2019 Chukut
15 Kuk District Budget, as amended shall be managed and expended in accordance
16 with Article IX, Section 7 of the Constitution of the Tohono O'odham Nation and
17 the Nation's laws provided that any amendments or modifications shall be
18 authorized under District Council resolution and submitted for prior approval by
19 the Tohono O'odham Legislative Council.

20 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07th
21 day of DECEMBER, 2018 at a meeting at which a quorum was present with a vote of 2,760.05 FOR;
22 115.55 AGAINST; [01] NOT VOTING; and 209.0 [04] ABSENT, pursuant to the powers vested in the
23 Council by Article IX, Section 7 of the Constitution of the Tohono O'odham Nation, adopted by
24 the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
25 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
26 18, 1934 (48 Stat.984).

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28 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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32 Timothy Joaquin, Legislative Chairman *fr*

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34 12 day of December, 2018

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38 ATTEST:

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41 Evonne Wilson, Legislative Secretary

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43 11 day of December, 2018

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1 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
2 **O'odham Nation on the 12 day of December, 2018 at 8:45 o'clock, A .m.,**
3 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
4 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
5 **hours of submittal.**

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7 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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10 Timothy C. Joaquin *for*
11 **Timothy Joaquin, Legislative Chairman**

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16 **APPROVED**

on the 18 day of December, 2018

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18 **DISAPPROVED**

at 9:31 o'clock, A .m.

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21 Edward D. Manuel
22 **EDWARD D. MANUEL, CHAIRMAN**
23 **TOHONO O'ODHAM NATION**

EXCEEDED 48 HOURS

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28 **Returned to the Legislative Secretary on the 18 day of**

29 December, 2018, at 10:46 o'clock, A .m.

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32 Yvonne Wilson *for*
33 **Yvonne Wilson, Legislative Secretary**

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ACTION: APPROVING CHUKUT KUK DISTRICT CARRY OVER FUNDS, AMENDING RESOLUTION NO. 18-390, AND APPROVING FY 2019 CHUKUT KUK DISTRICT BUDGET AMENDMENT NO. 1

Moved: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILWOMAN VIVIAN JUAN-SAUNDERS

DATE: DECEMBER 07, 2018

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ()	117.9	X			X
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel)	263.6	X			
	2. ADRIANNE TILLER (Idaleen Reyes)	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	92.85	X			X
	2. QUINTIN C. LOPEZ (<i>Absent</i>) (Agnis V. Joaquin) (<i>Present</i>)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez)	116.15	X			
	2. JANICE FELIX ()	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel)	115.55	X			
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55		X		
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	112.95	X			
	2. MONICA K. MORGAN ()	112.95	X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (<i>Absent</i>) (Shirley Molina) (<i>Present</i>)	104.5	X			X
	2. SANDRA D. ORTEGA ()	104.5	X			
GU VO 256.9	1. GRACE MANUEL ()	128.45	X			
	2. DALLAS LEWIS (Nacho Flores)	128.45	X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X		X	
	2. LORETTA LEWIS (<i>Absent</i>) (Victoria Hobbs) (<i>Present</i>)	135.45	X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			
	2. LEANDER MASE (Francine Schooling)	186.05	X			
TOTAL		3,084.6	2,760.05	115.55	[01]	209.0 [04]