

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approval of San Lucy District Budget and approval of
Loan or Loan Guarantee)

RES. NO. 399-87

1 WHEREAS, on October 20, 1986, Public Law 99-503, was enacted into law wherein
2 it authorized the payment to the Tohono O'Odham Nation of Thirty
3 Million Dollars (\$30,000,000.00) plus interest; Ten Million Dollars
4 (\$10,000,000.00) plus interest in Fiscal Year 1988; Ten Million
5 Dollars (\$10,000,000.00) plus interest in Fiscal year 1989; Ten
6 Million Dollars (\$10,000,000.00) plus interest in Fiscal Year 1990;
7 provided that the Tohono O'Odham Nation executes the required waiver
8 and release and the required assignments to transfer all rights, title,
9 and interest of the Nation in Nine Thousand Eight Hundred and Eighty,
10 (9,880) acres within the Gila Bend Indian Reservation; and
11

12 WHEREAS, on October 13, 1987, the Tohono O'Odham Legislative Council did pass
13 Resolution No. 378-87, wherein it approved and authorized the Chairman
14 of the Nation to execute an agreement between the United States and
15 the Tohono O'Odham Nation to provide for the implementation of the Act
16 of October 20, 1986, "Gila Bend Indian Reservation Lands Replacement
17 Act" (P. L. 99-503) and on said date, the Chairman of the Nation did
18 execute said agreement and the required assignment of land; and
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20 WHEREAS, the Act and Agreement provides that the authorized Governing Body of
21 the Nation, may spend the principal and the interest and dividends
22 accruing on such sums on behalf of the San Lucy District for land and
23 water rights acquisition, economic and community development, and
24 relocation costs; and
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26 WHEREAS, to implement this provision of the Act and Agreement, the San Lucy
27 District Council has developed a budget for Fiscal Year 1988, a copy
28 of said budget with a narrative description thereof is attached hereto
29 and made a part hereof; and
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31 WHEREAS, the District's budget in the amount of One Million Eight Hundred
32 Ninety-Two Thousand Eight Hundred Fifty-Five Dollars (\$1,892,855.00)
will require the expenditure of approximately One Million Eight

1 Hundred Ninety-Two Thousand Eight Hundred Fifty-Five Dollars
2 (\$1,892,855.00) prior to receipt of the Ten Million Dollars
3 (\$10,000,000.00), plus accumulated interest to be paid by the
4 Secretary to the Nation in Fiscal Year 1988; and

5
6 WHEREAS, it will be necessary that the San Lucy District borrow One Million
7 Eight Hundred Ninety-Two Thousand Eight Hundred Fifty-Five Dollars
8 (\$1,892,855.00) from a lending institution or from the Nation to cover
9 the necessary expenditures prior to receipt by the Nation of the above
10 mentioned funds; and

11 WHEREAS, the San Lucy District Council did on October 10, 1987 pass resolution
12 No. 40-87, wherein it requested that the Tohono O'Odham Nation either
13 lend the District the sum of One Million Eight Hundred Ninety-Two
14 Thousand Eight Hundred Fifty-Five Dollars (\$1,892,855.00) for the
15 purposes set forth herein with interest in the amount of eight percent
16 (8%) per annum or the Nation agrees to guarantee a loan acquired by
17 the District from a lending institution in said amount with repayment
18 to be made from the Ten Million Dollars (\$10,000,000.00) plus interest
19 when said sum is received by the Nation under the provisions of Public
20 Law 99-503.

21
22 NOW, THEREFORE, BE IT RESOLVED that the Legislative Council does hereby approve
23 and authorize a loan of One Million Eight Hundred Ninety Two Thousand
24 Eight Hundred Fifty-Five Dollars (\$1,892,855.00) to the San Lucy
25 District, with interest at the rate of 8% annually, provided funding
26 can be found available for that purpose. Said funds shall be used for
27 the purposes set forth in San Lucy District budget attached hereto and
28 made a part hereof. In the event Nation funds are not available for
29 that purpose, then the Council does hereby approve and authorize the
30 Chairman of the Nation to execute, on behalf of the Nation, a loan
31 guarantee on a loan secured by the San Lucy District Council not to
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exceed the sum set forth herein. Such sum shall be repaid from the Ten Million Dollars (\$10,000,000.00) plus interest when said sum is received by the Nation under the provisions of Public Law 99-503.

The foregoing resolution was passed by the Tohono O'odham Council on the 3rd. day of November, 1987, at a meeting at which a quorum was present with a vote of 963.5 for; 195 against; 364.5 not voting; and 117.0 absent, pursuant to the powers vested in the Council by Section 1 (d)(2)(3) 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).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Harriet Toro
Harriet Toro, Legislative Chairperson
4th day of November, 1987.

ATTEST:

Teresa M. Choyguha
Teresa M. Choyguha, Legislative Secretary
4th day of November, 1987.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 6th day of Nov., 1987, at 3:26 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

Andrew M. Francisco
For Harriet Toro, Legislative Chairperson

APPROVED) on the 6th day of November, 1987, at
 DISAPPROVED) 4:48 o'clock, P.M.

Enos J. Francisco Jr.
ENOS J. FRANCISCO, JR., Chairman
TOHONO O'ODHAM NATION

Returned to Legislative Secretary on the 6th day of November, 1987, at 4:58 o'clock, P.M.

Teresa M. Choyguha
Teresa M. Choyguha, Legislative Secretary

MOVED: JOHN RENO

SUBJECT: APPROVAL OF SAN LUCY DISTRICT BUDGET

SECOND: MAX JOSE

AND LOAN OR LOAN GUARANTEE

DATE: NOVEMBER 3, 1987

RESOLUTION ~~NOVEMBER~~ # 399-87

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 138.0	1. Nicholas Jose (Letitia Garcia) 2. Willard Juan, Sr. (Melissa Gregorio)	69.0 69.0	X X			
SELLS 257.0	1. Andrew Patricio (Daniel Lopez) 2. Fred Stevens ()	128.5 128.5	X X			
SCHUK TOAK 105.0	1. Julia Carrillo (JoAnn Francisco) 2. Joseph Juan (Frances Francisco)	52.5 52.5		X		X
SAN XAVIER 126.0	1. Eugene Enis (Michael Rios) 2. Tony Felix (Carmelita Mattias)	63.0 63.0			X X	X
BABOQUIVARI 241.0	1. Kenneth Chico, Sr. () 2. Joann Garcia (Frances Miguel)	120.5 120.5	X X			X
GU ACHI 158.0	1. Percy Lopez () 2. Fernando Joaquin ()	79.0 79.0	X X			
PISINEMO 116.0	1. Johnson Jose () 2. Edward Manuel (Alex Antone)	58.0 58.0		X		
SAN LUCY 85.0	1. Max Jose (Dewey Ortega) 2. John Reno ()	42.5 42.5	X X			
GU VO 117.0	1. Virgil Lewis (Roy Montana) 2. Cross Antone (Juan Joe Cipriano)	58.5 58.5				X X
HICKIWAN 128.0	1. Henry Ramon (Billy Manuel) 2. Lloyd Francisco (Eleanor Santos)	64.0 64.0			X X	
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez) 2. Harriet Toro ()	84.5 84.5		X		
TOTALS		1640.0	963.5	195.0	364.5	117.0