

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Authorization to Expend Funds for FY 2009 on Bureau of Reclamation
638 Construction Contract No. 02-NA-32-0030 for Schuk Toak New Farm Development)

DEFEATED
RESOLUTION NO. 09-317

1 **WHEREAS, by Resolution No. 02-317 the Tohono O'odham Legislative Council approved a**
2 **Construction Contract (the "Contract") under P.L. 93-638, 25 CFR, Subpart J, §900.110**
3 **et seq., with the U.S. Bureau of Reclamation (the "BOR") to finance the remaining**
4 **construction items that were not included in the original BOR Grant Agreement No.**
5 **6-FG-32-00100; and**

6 **WHEREAS, BOR and the Nation's Water Projects Office have completed the remediation of**
7 **construction items for the Schuk Toak New Farm Development which included block**
8 **lateral upgrades and repairs and structural remediation of the delivery system; and**

9 **WHEREAS, BOR and the Nation's Water Projects Office have identified the remaining funds under**
10 **Construction Contract No. 02-NA-32-0030 and will fund efforts to explore possible**
11 **expansion and establishment of a CAP water recharge project at Schuk Toak Farm and**
12 **repair, maintenance and replacement of turn out structures due to normal wear and**
13 **tear; and**

14 **WHEREAS, the current expiration date of the Construction Contract 02-NA-32-0030 is September**
15 **30, 2008, and the construction and the management work now scheduled cannot be**
16 **completed within the time remaining; and**

17 **WHEREAS, the Water Projects Office has assessed the work in progress and funds remaining, and**
18 **has recommended to the Legislative Council that the Construction Contract be**
19 **extended for an additional year so as to expire on September 30, 2009, and include the**
20 **budget for FY 2009 as attached and incorporated by this reference; and**

21 **WHEREAS, the Nation's Water Projects Office has presented the Contract and funding agreements**
22 **to the appropriate oversight committees for review and approval.**

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

24 **1. Approves a one-year extension of Construction Contract 02-NA-32-0030 with the**
25 **Bureau of Reclamation from October 1, 2008 through September 30, 2009, in order**
26 **to complete activities related to expansion, recharge, repair, maintenance and**
27 **replacement of delivery structures.**

28 **2. Grants authorization to the Water Projects Office to expend funds of \$118,685.52**
29 **in accordance with Construction Contract 02-NA-32-0030 FY2008 budget and**

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(Approving a One Year Extension and Authorization to Expend Funds for FY 2009 on Bureau of Reclamation 638 Construction Contract No. 02-NA-32-0030 for Schuk Toak New Farm Development)

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3. Authorizes and directs the Chairperson of the Nation to negotiate and execute a one-year extension of BOR Construction Contract 02-NA-32-0030.

4. The FY2009 budget is retroactive to October 01, 2008.

BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council hereby authorizes the Chairperson and any designated official to expend and administer the budget as attached, provided that any amendments affecting the funds or funding level shall be submitted for further prior approval by the Tohono O'odham Legislative Council.

The foregoing Resolution was defeated by the Tohono O'odham Legislative Council on the 22ND Day of MAY, 2009 at a meeting at which a quorum was present with a vote of 1,153.7 FOR; 1181.6 AGAINST; 0- NOT VOTING; and 199.2[09] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (f) 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).

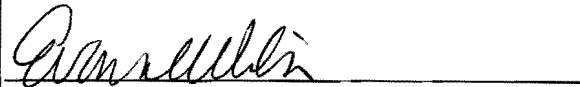
TOHONO O'ODHAM LEGISLATIVE COUNCIL



Verlon M. Jose, Legislative Chairman

22 day of June, 2009

ATTEST:



Evonne Wilson, Legislative Secretary

22 day of May, 2009.

**DEFEATED
RESOLUTION NO. 09-317**

ACTION: APPROVING A ONE YEAR EXTENSION AND AUTHORIZATION TO EXPEND FUNDS FOR FY 2009 ON BUREAU OF RECLAMATION 638 CONSTRUCTION CONTRACT NO. 02-NA-32-0030 FOR SCHUK TOAK NEW FARM DEVELOPMENT

Moved: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

SECOND: COUNCILWOMAN FRANCES MIGUEL

DATE: MAY 22, 2009

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE (Vernon Smith)	158.45	X			X
CHUKUT KUK 264.8	1. ETHEL GARCIA ()	132.40	X			
	2. VERLON M. JOSE ()	132.40	X			X
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95		X	X	
	2. CYNTHIA E. MANUEL ()	113.95		X		
GU VO 199.2	1. GRACE MANUEL ()	99.60				X
	2. RAYMOND VICTOR ()	99.60				X
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00		X		X
	2. SANDRA ORTEGA (Louie Lopez)	86.00		X		
PISINEMO 182.4	1. CHESTER ANTONE (<i>Absent</i>) (Tony Murrietta) (<i>Present</i>)	91.20		X		
	2. GERALD FAYUANT ()	91.20		X		X
SAN LUCY 181.1	1. LORRAINE EILER ()	90.55	X			
	2. GLORIA RAMIREZ ()	90.55	X			
SAN XAVIER 196.5	1. FELICIA NUÑEZ ()	98.25	X		X	
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
SCHUK TOAK 154.6	1. FRANCES B. CONDE (<i>Absent</i>) (Frederick Jose) (<i>Present</i>)	77.30		X		
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30		X		X
SELLS 444.7	1. KIMBERLY LISTO ()	222.35		X		X
	2. EVELYN B. JUAN MANUEL ()	222.35		X		
SIF OIDAK 194.4	1. WAVALENE ROMERO ()	97.20	X			X
	2. MARY LOPEZ ()	97.20	X			