

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the FY 2010 Pisinemo District budget F16 Airplane Crash in the
amount of \$205,599.00)

RESOLUTION NO. 09-625

1 **WHEREAS, a U.S. Air Force sponsored F-16 airplane owned by the county of Singapore and**
2 **operated by a Singapore pilot crashed in Pisinemo District on May 19, 2004, causing**
3 **soil contamination and damage to vegetation; and**

4 **WHEREAS, Tohono O'odham Nation prepared a damage estimate for the cost of repairing the 10.5**
5 **miles of road, and submitted a claim to the United States Air Force under the Federal**
6 **Tort Claims Act in the amount of \$294,006.00, of which \$205,599.00 is related to the**
7 **road in Pisinemo District and \$88,407.00 is related to the road in Gu Vo District; and**

8 **WHEREAS, the Pisinemo District Council reviewed the Air Force offer at a regularly scheduled**
9 **meeting on June 24, 2008 and approved the offer and recommended that the Nation**
10 **accept the offer and sign the Stipulation for Compromise Settlement and Release of**
11 **Military Claims Act Claims, and by letter dated July 16, 2008 requested that 100% of the**
12 **\$205,599.00 arising from road damage in Pisinemo District be transferred to Pisinemo**
13 **District; and**

14 **WHEREAS, Tohono O'odham Legislative Council Resolution No. 09-155 further approves the**
15 **payment of the settlement amount by the United States to the Treasurer of the Nation,**
16 **and approves transfer of \$205,599.00 to the Pisinemo District in accordance with the**
17 **policies of the Treasurer's Office for transfer of funds to the District and in compliance**
18 **with Article IX, Section 7, of the Nation's Constitution regarding expenditure of district**
19 **funds in accordance with a budget approved by the Legislative Council, which funds**
20 **shall only be expended in accordance with such approved budget; and**

21 **WHEREAS, the Pisinemo District presented an alternative budget proposal for use of the F16**
22 **Claim Fund to all of its respective communities and a majority of the Pisinemo District**
23 **Council at a regular scheduled meeting on December 1, 2009; and**

24 **WHEREAS, the Pisinemo District Council agrees that it would be in the best interest of its District**
25 **members to use such funds to conduct home renovations of homes located within**
26 **Pisinemo District.**

27 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves**
28 **the FY 2010 Pisinemo District budget F16 Airplane Crash Claim as submitted by the**
29 **District Administration in the total amount of \$205,599.00.**

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1 BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council approves the entire
2 amount of \$205,599.00 be transferred to an account under the Pisinemo District.

3 BE IT FINALLY RESOLVED that any amendments affecting the funds or funding level of this budget
4 shall be submitted to the Tohono O'odham Legislative Council for further prior
5 approval.

6 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH Day
7 of DECEMBER, 2009 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0-
8 AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Article
9 IV, Section 1 (d)(2) and (3) of the Constitution of the Tohono O'Odham Nation, adopted by the
10 Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
11 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
12 18, 1934 (48 Stat. 984).

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14 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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18 Verlon M. Jose, Legislative Chairman

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20 16 day of December, 2009
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26 ATTEST:

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29 Evonne Wilson, Legislative Secretary

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31 7 day of December, 2009.
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33 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham
34 Nation on the 16 day of December, 2009 at 5:03 o'clock, P. M.,
35 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
36 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
37 submittal.

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39 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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43 Verlon M. Jose, Legislative Chairman

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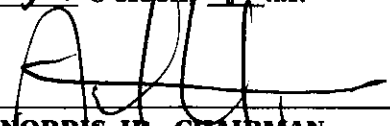
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APPROVED

on the 17 day of December, 2009

DISAPPROVED

at 2:59 o'clock, P..M.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION
VICE CHAIRMAN

Returned to the Legislative Secretary on the 17 day of

December, 2009, at 3:59 o'clock, P..M.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING THE FY 2010 PISINEMO DISTRICT BUDGET F16 AIRPLANE CRASH IN THE AMOUNT OF \$205,599.00

MOVED: COUNCILMAN TIMOTHY JOAQUIN

SECOND: COUNCILMAN EDWARD MANUEL

DATE: DECEMBER 07, 2009

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			X
	2. MARY LOPEZ ()	99.35	X			
SELLS 449.6	1. KIMBERLY LISTO ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER (Charlotte Cadavas)	93.55	X			X
	2. GLORIA RAMIREZ ()	93.55	X			
PISINEMO 184.5	1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i>	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			
	2. SANDRA ORTEGA ()	87.25	X			X
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL (Louis J. Johnson)	115.05	X			
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			X
BABOQUIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	162.0	X			
TOTAL		2,595.50	2,595.50	-0-	-0-	[04]