

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting and Approving the Tohono O'odham Nation's Application for the
Nationally Significant Federal Lands and Tribal Projects Program Grant for
BIA Route 1 and Committing a 10% Tribal Match)**

RESOLUTION NO. 21-459

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the authority to "consult,**
2 **negotiate and conclude agreements and contracts on behalf of the Tohono**
3 **O'odham Nation with Federal, State and local governments and other Indian**
4 **tribes or their departments, agencies, or political subdivisions, or with private**
5 **persons or organizations on all matters within the authority of the Tohono**
6 **O'odham Council" (Constitution of the Tohono O'odham Nation, Article VI,**
7 **Section 1(f)); and**

8 **WHEREAS, the Legislative Council is authorized "to manage any funds within the exclusive**
9 **control of the Tohono O'odham Nation...and to appropriate these funds for the**
10 **benefit of the Nation and its members" provided that "[a]ll expenditures of these**
11 **funds shall be pursuant to appropriations or budgets" authorized by resolution**
12 **or ordinance (Constitution of the Tohono O'odham Nation, Article VI, Section**
13 **1(d)(2)); and**

14 **WHEREAS, the Federal Highway Administration ("FHWA") published a Notice of Funding**
15 **Opportunity ("NOFO") in the Federal Register for \$100 million for the Nationally**
16 **Significant Federal Lands and Tribal Projects ("NSFLTP") Program; and**

17 **WHEREAS, the NSFLTP was established under the Fixing America's Surface Transportation**
18 **Act ("FAST-Act") (Pub. L. 114-94, section 1123), to provide federal financial**
19 **assistance for the construction, reconstruction or rehabilitation of**
20 **transportation projects providing access to or located next to or on federal or**
21 **tribal lands; and**

22 **WHEREAS, the NSFLTP Program encourages submittals of \$50 million projects but will**
23 **accept project applications \$25 million or higher; and**

24 **WHEREAS, the NSFLTP Program provides up to a 90% federal share that must be used to**
25 **improve the condition of a critical transportation facility and requires a 10%**
26 **tribal match; and**

27 **WHEREAS, the Department of Planning and Economic Development is preparing and would**
28 **like to submit a grant application for the reconstruction of Bureau of Indian**
29 **Affairs ("BIA") Route 1, which is located within the exterior boundaries on the**
30 **Nation's reservation, to the NSFLTP Program; and**

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1 **WHEREAS,** the Agricultural and Natural Resources and Budget and Finance Committees
2 were notified of the intent to apply for the NSFLTP Program Grant and
3 recommend approval of a 10% tribal match of up to \$5,000,000 should the
4 Department of Planning and Economic Development be awarded the NSFLTP
5 Program Grant.

6 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council supports and
7 approves the Tohono O'odham Nation's application for the NSFLTP Program
8 Grant for the reconstruction of BIA Route 1, and commits a 10% Tribal Match of
9 up to \$5,000,000 should the Department of Planning and Economic Development
10 be awarded the NSFLTP Program Grant.

11 **BE IT FINALLY RESOLVED** that the Tohono O'odham Legislative Council authorizes the Nation's
12 Chairperson or official designee to sign any and all documents related to the
13 NSFLTP Program Grant Application.

14 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH
15 day of DECEMBER, 2021 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;
16 -0- AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by,
17 Article VI, Section 1(f); Article VI, Section 1(d)(2) of the Constitution of the Tohono O'odham
18 Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting
19 Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section
20 16 of the Act of June 18, 1934 (48 Stat.984).

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22 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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26 Timothy Joaquin, Legislative Chairman

27
28 10 day of December, 2021

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31 **ATTEST:**

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34 Evonne Wilson, Legislative Secretary

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36 10 day of December, 2021

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38 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
39 O'odham Nation on the 10 day of December, 2021 at 3:13 o'clock, p.m.,
40 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
41 effective upon his approval or upon his failure to either approve or disapprove it within 48
42 hours of submittal.
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

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APPROVED

on the 10th day of December, 2021

DISAPPROVED

at 3:16 o'clock, P.m.

Ned Norris, Jr.

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

Returned to the Legislative Secretary on the 10 day of

December, 2021, at 3:22 o'clock, P.m.

Evonne Wilson

Evonne Wilson, Legislative Secretary

ACTION: SUPPORTING AND APPROVING THE TOHONO O'ODHAM NATION'S APPLICATION FOR THE NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM GRANT FOR BIA ROUTE 1 AND COMMITTING A 10% TRIBAL MATCH

MOVED: COUNCILWOMAN MARLAKAY HENRY

SECOND: COUNCILMAN ROGER MANUEL

DATE: DECEMBER 07, 2021

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (<i>Absent</i>)	122.8	X			
	(Ann M. Garcia) (<i>Present</i>)	122.8	X			
SELLS 556.5	2. LUCINDA ALLEN					
	(Francis Homewytewa)					
SCHUK TOAK 190.5	1. ARTHUR WILSON	278.25	X			
	()	278.25	X			
SAN XAVIER 242.6	2. EVELYN JUAN-MANUEL					
	(Arvada Liston)					
SAN LUCY 243.8	1. TERESA F. DONAHUE	95.25	X			
	(Alberta Espinoza)	95.25	X			
PISINEMO 232.7	2. DELISA M. RAMON (<i>Absent</i>)					
	(Sharon A. Francisco) (<i>Present</i>)					
HICKIWAN 216.6	1. DANIEL L.A. PRESTON III	121.3	X			
	(Racheal Vilson-Stoner)	121.3	X			
GU VO 270.7	2. JANICE FELIX (<i>Absent</i>)					
	(Adam P. Andrews) (<i>Present</i>)					
GU ACHI 278.5	1. JANA MONTANA	121.9	X			X
	(Lorraine M. Eiler)	121.9	X			
CHUKUT KUK 351.6	2. ROGER MANUEL					
	(Christina Andrews)					
BABOQUIVARI 388.9	1. MARIETTA MARTIN	116.35	X			
	()	116.35	X			
GU VO 270.7	2. EDWARD D. MANUEL					
	(Monica Morgan)					
GU VO 270.7	1. LOUIS R. LOPEZ	108.3	X			
	()	108.3	X			
GU VO 270.7	2. SANDRA D. ORTEGA					
	(Delma M. Garcia)					
GU VO 270.7	1. GRACE MANUEL	135.35	X			
	()	135.35	X			
GU VO 270.7	2. CYNTHIA SAAVEDRA					
	(Dallas Lewis)					
GU VO 270.7	1. TIMOTHY L. JOAQUIN	139.25	X			
	()	139.25	X			
GU VO 270.7	2. VICTORIA HOBBS					
	(Tonya L. Joaquin)					
GU VO 270.7	1. MARLAKAY HENRY	175.8	X			
	(Billman Lopez)	175.8	X			
GU VO 270.7	2. VIVIAN JUAN-SAUNDERS					
	(Cornelius Antone)					
GU VO 270.7	1. ALBERTA J. RAY (<i>Absent</i>)	194.45	X			X
	(Frances G. Antone) (<i>Present</i>)	194.45	X			
GU VO 270.7	2. LEANDER MASE					
	(Francine Schooling)					
TOTAL		3,218.0	3,218.0	-0-	-0-	[02]