

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2023 San Xavier Allottees Association, Inc. Budget and
Expenditure of SAWRSA Amendments 9B Farm Cashout Fund)**

RESOLUTION NO. 22-252

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with
2 the authority to "consult, negotiate and conclude agreements and contracts on
3 behalf of the Tohono O'odham Nation with Federal, State, and local governments
4 ..." and to "consult with the Congress of the United States and appropriate federal
5 agencies regarding federal activities that affect the Tohono O'odham Nation ..."
6 and to "enact laws, ordinances, and resolutions necessary or incidental to the
7 exercise of its legislative powers." (Constitution, Article VI, Section 1(f), 1(j), and
8 1(l)); and

9 **WHEREAS,** on December 10, 2004, the United States Congress enacted the Arizona Water
10 Settlement Act, P.L. 108-451, including Title III, the Southern Arizona Water
11 Rights Settlement Act Amendments ("SAWRSA Amendments"), which authorized
12 the San Xavier District to elect to receive \$18.3 million in lieu of the federal
13 government's obligation to construct the proposed 9B Farm (SAWRSA
14 Amendments, Section 304(c)(3)(A)(ii)); and

15 **WHEREAS,** the San Xavier District Council ("SXDC") elected to receive the in lieu payment
16 plus interest pursuant to SXDC Resolution No. 10-09-10 ("9B Farm Cashout
17 Fund"); and

18 **WHEREAS,** expenditures from the 9B Farm Cashout Fund must be authorized and approved
19 in accordance with a budget authorized by the San Xavier District Council and
20 approved by resolution of the Legislative Council (SAWRSA Amendments, Section
21 304(f)(1)(B)(i) and (ii)); and

22 **WHEREAS,** the SAWRSA Amendments provide that the 9B Farm Cashout Fund may be
23 expended for various designated purposes, including: subjugation of land,
24 development of water resources, or construction, operation, maintenance or
25 replacement of facilities within the San Xavier Reservation not required to be
26 carried out by the United States under the SAWRSA Amendments; economic
27 development loans or assistance; to provide benefits to allottees; and to pay any
28 administrative costs incurred by the Nation or the San Xavier District in
29 conjunction with any of these uses (SAWRSA Amendments, Section 304 (f)(1)(C));
30 and
31

RESOLUTION NO. 22-252

(Approving FY 2023 San Xavier Allottees Association, Inc. Budget and Expenditure of SAWRSA Amendments 9B Farm Cashout Fund)

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1 **WHEREAS, the San Xavier District Council has authorized the FY 2023 San Xavier Allottees**
2 **Association, Inc. Budget, which is incorporated by this reference, in the amount**
3 **of \$706,448.77, that shall be funded by the 9B Farm Cashout Fund (Resolution No.**
4 **SXDC 06-22-12); and**

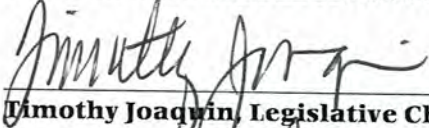
5 **WHEREAS, the Budget and Finance Committee has reviewed the FY 2023 San Xavier Allottees**
6 **Association, Inc. Budget in the amount of \$706,448.77 and recommends its**
7 **approval.**

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

- 9 (1) Approves the FY 2023 San Xavier Allottees Association, Inc. Budget
10 effective October 1, 2022, in the amount of \$706,448.77 to be funded by the
11 9B Farm Cashout Fund, provided that any amendments or modifications
12 shall be submitted for prior approval by the San Xavier District Council
13 and the Tohono O'odham Legislative Council; and
14 (2) Approves the expenditure of SAWRSA Amendments 9B Farm Cashout Fund
15 in accordance with the FY 2023 San Xavier Allottees Association Inc.
16 Budget.

17 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15TH**
18 **day of JULY, 2022 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0-**
19 **AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by,**
20 **Article VI, Section 1(f), 1(j), and 1(l) Constitution of the Tohono O'odham Nation, adopted by the**
21 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
22 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
23 **18, 1934 (48 Stat.984).**

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25 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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29 **Timothy Joaquin, Legislative Chairman**

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31 19 day of July, 2022

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34 **ATTEST:**

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37 **Evonne Wilson, Legislative Secretary**

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39 19 day of July, 2022
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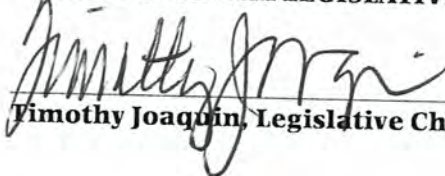
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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 19 day of July, 2022 at 3:05 o'clock, P.m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

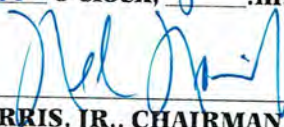

Timothy Joaquin, Legislative Chairman

APPROVED

on the 19 day of July, 2022

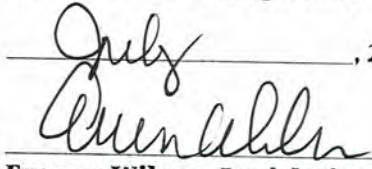
DISAPPROVED

at 4:55 o'clock, P.m.


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

Returned to the Legislative Secretary on the 19 day of

July, 2022, at 4:59 o'clock, P.m.


Evonne Wilson, Legislative Secretary

ACTION: APPROVING FY 2023 SAN XAVIER ALLOTTEES ASSOCIATION, INC. BUDGET AND EXPENDITURE OF SAWRSA AMENDMENTS 9B FARM CASHOUT FUND

Moved: COUNCILMAN DANIEL L.A. PRESTON III

SECOND: COUNCILWOMAN JANICE FELIX

DATE: JULY 15, 2022

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			X
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELS 556.5	1. ARTHUR WILSON ()	278.25	X			X
	2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
	2. JANICE FELIX (Adam P. Andrews)	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			X
	2. DELMA M. GARCIA ()	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			X
	2. CYNTHIA SAAVEDRA (Absent) (Dallas Lewis) (Present)	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Absent) (Francine Schooling) (Present)	194.45	X			
TOTAL		3,218.0	3,218.0	-0-	-0-	[04]