

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the FY 2024 San Xavier Cooperative Association 9B Farm Cashout
Budget and Expenditure of SAWRSA Amendments 9B Farm Cashout Fund)**

RESOLUTION NO. 23-405

- 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 . . .**
3 **with Federal, State, and local governments . . ." and to "consult with the Congress**
4 **of the United States and appropriate federal agencies regarding federal activities**
5 **that affect the Tohono O'odham Nation . . ." and to "enact laws, ordinances and**
6 **resolutions necessary or incidental to the exercise of its legislative powers."**
7 **(Constitution, Article VI, Section l(f), l(j), and 1(1)); and**
- 8 **WHEREAS, on December 10, 2004, the United States Congress enacted the Arizona Water**
9 **Settlement Act, P.L. 1 08-451, including Title III, the Southern Arizona Water**
10 **Rights Settlement Act Amendment ("SAWRSA Amendments"), which authorized**
11 **the San Xavier District to elect to receive \$18.3 million in lieu of the federal**
12 **government's obligation to construct the proposed "9B Farm" (SAWRSA**
13 **Amendments, Section 304 (c)(3)(A)(ii)); and**
- 14 **WHEREAS, the San Xavier District Council elected to receive the in lieu payment plus interest**
15 **pursuant to SXDC Resolution No. 10-09-10 ("9B Farm Cashout Fund"); and**
- 16 **WHEREAS, expenditures from the 9B Cashout Fund must be authorized and approved in**
17 **accordance with a budget authorized by the San Xavier District Council and**
18 **approved by resolution of the Legislative Council (SAWRSA Amendments, Section**
19 **304(f)(l)(B)(i) and (ii)); and**
- 20 **WHEREAS, the SAWRSA Amendments provide that the 9B Farm Cashout Fund may be**
21 **expended for various designated purposes, including; subjugation of land,**
22 **development of water resources, or construction, operation, maintenance or**
23 **replacement of facilities within the San Xavier Reservation not required to be**
24 **carried out by the United States under the SAWRSA amendments; economic**
25 **development loans and assistance; to provide benefits to allottees; and to pay any**
26 **administrative costs incurred by the Nation or the San Xavier District in**
27 **conjunction with any of these uses (SAWRSA Amendments, Section 304(f)(l)(C));**
28 **and**
- 29 **WHEREAS, the San Xavier District Council has authorized the FY 2024 San Xavier Cooperative**
30 **Association 9B Farm Cashout Fund Budget, which is incorporated by this**
31 **reference, in the amount of \$2,086,691.07 to be funded from the San Xavier**
32 **District 9B Farm Cashout Fund for salaries and wages, farm operations and farm**

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(Approving the FY 2024 San Xavier Cooperative Association 9B Farm Cashout Budget and Expenditure of SAWRSA Amendments 9B Farm Cashout Fund)

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1 equipment costs (Resolution No. SXDC 09-19-23) and FY 2024 farm revenue
2 budget; and

3 **WHEREAS, the Budget and Finance Committee has reviewed the FY 2024 San Xavier**
4 **Cooperative Association 9B Farm Cashout Fund Budget and recommends**
5 **approval.**

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

7 (1) **approves the FY 2024 San Xavier Cooperative Association 9B Farm Cashout**
8 **Fund Budget in the amount of \$2,086,691.07, effective October 1, 2023**
9 **through September 30, 2024, which shall be funded as follows:**

10 (a) **San Xavier District 9B Farm Cashout Fund in the amount of**
11 **\$1,701,634.72, and**

12 (b) **FY 2024 Farm Revenue Budget in the amount of \$385,056.35, provided**
13 **that any amendments or modifications shall be submitted for prior**
14 **approval by the San Xavier District Council and the Tohono O'odham**
15 **Legislative Council; and**

16 (2) **approves the expenditure of the SAWRSA Amendments 9B Farm Cashout**
17 **Funds in accordance with the FY 2024 San Xavier Cooperative Association**
18 **9B Farm Cashout Budget.**

19 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11TH**
20 **day of OCTOBER 2023 at a meeting at which a quorum was present with a vote of 3,263.3 FOR; -0-**
21 **AGAINST; -0- NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council by**
22 **Article VI, Section 1(f), 1(j), and 1(1) of the Constitution of the Tohono O'odham Nation, adopted**
23 **by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**
24 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**
25 **Act of June 18, 1934 (48 Stat.984).**

26
27 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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30 **Wavalene M. Saunders, Legislative Chairwoman**

31
32 17 day of October, 2023

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RESOLUTION NO. 23-405

(Approving the FY 2024 San Xavier Cooperative Association 9B Farm Cashout Budget and Expenditure of SAWRSA Amendments 9B Farm Cashout Fund)

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ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary

12 day of October, 2023

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 12 day of October, 2023 at 1:20 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

Wavalene M. Saunders
Wavalene M. Saunders, Legislative Chairwoman

APPROVED

on the 12 day of October, 2023

DISAPPROVED

at 2:31 o'clock, P.m.

Verlon M. Jose
VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 12 day of October, 2023, at 4:07 o'clock, P.m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

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ACTION: APPROVING THE FY 2024 SAN XAVIER COOPERATIVE ASSOCIATION 9B FARM CASHOUT BUDGET AND EXPENDITURE OF SAWRSA AMENDMENTS 9B FARM CASHOUT FUND

MOVED: COUNCILMAN DANIEL L.A. PRESTON III

SECOND: COUNCILWOMAN JANICE FELIX

DATE: OCTOBER 11, 2023

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 394.2	1. LEANDER MASE (Francine Schooling) 2. JESSE NAVARRO (Alberta J. Ray)	197.1 197.1	X X			
CHUKUT KUK 354.7	1. VIVIAN JUAN-SAUNDERS (Cornelius Antone) 2. MARLAKAY HENRY ()	177.35 177.35	X X			
GUACHI 282.7	1. VICTORIA HOBBS (Tonya L. Joaquin) 2. TIMOTHY L. JOAQUIN (Jerome L. Joaquin)	141.35 141.35	X X			
GU VO 276.0	1. DALLAS LEWIS () 2. LESLIE LUNA (Grace Manuel)	138.0 138.0	X X			
HICKIWAN 220.5	1. DELMA M. GARCIA () 2. LOUIS R. LOPEZ (Loretta A. Ortega)	110.25 110.25	X X			
PISINEMO 236.2	1. EDWARD D. MANUEL (Monica Morgan) 2. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	118.1 118.1	X X			
SAN LUCY 257.6	1. ROGER MANUEL (Christina Andrews) 2. GLORIA M. RAMIREZ (Lorraine M. Eiler)	128.8 128.8	X X			
SAN XAVIER 244.5	1. JANICE FELIX () 2. DANIEL L.A. PRESTON III ()	122.25 122.25	X X			
SCHUK TOAK 191.8	1. DELISA M. RAMON (Sharon A. Francisco) 2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9 95.9	X X			
SELLS 558.0	1. EVELYN JUAN-MANUEL (Arvada Liston) 2. JANET B. ELEANDO ()	279.0 279.0	X X			
SIF OIDAK 247.1	1. LUCINDA ALLEN (Francis Homewytewa) 2. WAVALENE M. SAUNDERS (Mary Lopez)	123.55 123.55	X X			
TOTAL		3,263.30	3,263.3	-0-	-0-	-0-