

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Subrecipient Agreement No. 17-AZDOHS-OPSG-170426-01 between**  
**the Tohono O'odham Nation and the Arizona Department of Homeland Security**  
**and Approving FY 2019 Department of Public Safety Operation Stonegarden**  
**Grant Program – Overtime and Mileage Budget)**

**RESOLUTION NO. 18-085**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council**  
2 **with the power "to adopt, approve and amend annual budgets and to authorize**  
3 **the expenditure of funds in accordance with these budgets," and "to consult,**  
4 **negotiate and conclude agreements and contracts on behalf of the Tohono**  
5 **O'odham Nation with Federal, State and local governments and other Indian**  
6 **tribes on their departments, agencies, or political subdivisions, or with private**  
7 **persons or organizations on all matters within the authority of the Tohono**  
8 **O'odham Council." (Constitution, Article VI, Section 1(d)(3) and 1(f)); and**  
9 **WHEREAS, the Arizona Department of Homeland Security is the State Administrative**  
10 **Agency authorized by the Governor of Arizona to serve as the "pass through"**  
11 **agency for grant funding issued by the United States Department of Homeland**  
12 **Security; and**  
13 **WHEREAS, the Arizona Department of Homeland Security manages the United States**  
14 **Homeland Security Grant Program for eligible local, tribal and state agencies**  
15 **within Arizona, and has awarded the Tohono O'odham Nation Award No. 170426-**  
16 **01, entitled FFY 2017 Operation Stonegarden Grant Program Award – OPSG**  
17 **Overtime and Mileage in the amount of \$329,101.00; and**  
18 **WHEREAS, the grant period runs from January 8, 2018 through December 31, 2018; and**  
19 **WHEREAS, the Arizona Department of Homeland Security Grant Program does not allow for**  
20 **recoupment of indirect costs; and**  
21 **WHEREAS, the Subrecipient Agreement No. 17-AZDOHS-OPSG-170426-01, which is**  
22 **incorporated by this reference requires a limited waiver of the Nation's**  
23 **sovereign immunity in favor of the Arizona Department of Homeland Security to**  
24 **allow the terms of the Subrecipient Agreement to be enforced; and**  
25 **WHEREAS, the Nation's Department of Public Safety has prepared and submitted for review**  
26 **and approval its FY 2019 Department of Homeland Security FFY 2017 Operation**  
27 **Stonegarden Grant – Overtime and Mileage Budget, which is incorporated by**  
28 **this reference, in the amount of \$329,101.00 to be funded from the Nation's**  
29 **general fund pending reimbursement by the grantor; and**  
30 **WHEREAS, the Domestic Affairs and Budget and Finance Committees have reviewed the**  
31 **Subrecipient Agreement and the FY 2019 Department of Homeland Security FFY**  
32 **2017 Operation Stonegarden Grant – Overtime and Mileage Budget and**  
33 **recommend approval, including the grant of a limited waiver of the Nation's**

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1                   **sovereign immunity in favor of the Arizona Department of Homeland Security to**  
2                   **all the Subrecipient Agreement to be enforced in accordance with its terms.**

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

- 4                   **(1) Approves the Subrecipient Agreement No. 17-AZDOHS-OPSG-170426-01 in**  
5                   **the amount of \$329,101.00 from the Arizona Department of Homeland**  
6                   **Security under the FFY 2017 Operation Stonegarden Grant Program for**  
7                   **the period of January 8, 2018 through December 31, 2018.**
- 8                   **(2) Approves the FY 2019 Department of Public Safety, Arizona Department**  
9                   **of Homeland Security FFY 2017 Operation Stonegarden Grant Program**  
10                   **Award - OPSG Overtime and Mileage Budget in the amount of \$329,101.00,**  
11                   **which shall be funded by the Nation's general fund pending**  
12                   **reimbursement.**
- 13                   **(3) Agrees to waive the indirect costs to administer the grant.**
- 14                   **(4) Grants a limited waiver of the Nation's sovereign immunity in favor of the**  
15                   **Arizona Department of Homeland Security in order to allow the**  
16                   **Subrecipient Agreement to be enforced in accordance with its terms.**

17 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono**  
18                   **O'odham Nation chairperson is authorized to execute the Subrecipient**  
19                   **Agreement, provided however, that any amendments or modifications shall be**  
20                   **submitted for prior approval by the Tohono O'odham Legislative Council.**

21 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08<sup>TH</sup>**  
22 **day of MARCH, 2018 at a meeting at which a quorum was present with a vote of 3,084.6 FOR; -0-**  
23 **AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**  
24 **Article VI, Sections 1(d)(3) and (f) of the Constitution of the Tohono O'odham Nation, adopted**  
25 **by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**  
26 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**  
27 **Act of June 18, 1934 (48 Stat.984).**

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29 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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33 **Timothy Joaquin, Legislative Chairman**

34  
35 12 day of March, 2018

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**(Approving Subrecipient Agreement No. 17-AZDOHS-OPSG-170426-01 between the Tohono O'odham Nation and the Arizona Department of Homeland Security and Approving FY 2019 Department of Public Safety Operation Stonegarden Grant Program - Overtime and Mileage Budget)**

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1 **ATTEST:**

2 *Evonne Wilson*  
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4 **Evonne Wilson, Legislative Secretary**

5 12 day of March, 2018  
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8 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**  
9 **O'odham Nation on the 13 day of March, 2018 at 8:50 o'clock, a .m.,**  
10 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**  
11 **effective upon his approval or upon his failure to either approve or disapprove it within 48**  
12 **hours of submittal.**

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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16 *Timothy Joaquin* *for*  
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18 **Timothy Joaquin, Legislative Chairman**

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23  **APPROVED**

on the 14 day of March, 2018

24  **DISAPPROVED**

at 11:33 o'clock, A .m.

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28 *Edward D. Manuel*  
29 **EDWARD D. MANUEL, CHAIRMAN**  
30 **TOHONO O'ODHAM NATION**

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36 **Returned to the Legislative Secretary on the 14 day of**

37 March, 2018, at 12:34 o'clock, P .m.

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40 *Evonne Wilson* *for*  
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42 **Evonne Wilson, Legislative Secretary**

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**ACTION: APPROVING SUBRECIPIENT AGREEMENT NO. 17-AZDOHS-OPSG-170426-01 BETWEEN THE TOHONO O'ODHAM NATION AND THE ARIZONA DEPARTMENT OF HOMELAND SECURITY AND APPROVING FY 2019 DEPARTMENT OF PUBLIC SAFETY OPERATION STONEGARDEN GRANT PROGRAM - OVERTIME AND MILEAGE BUDGET**

**MOVED: COUNCILWOMAN LUCINDA J. ALLEN**

**SECOND: COUNCILWOMAN GRACE MANUEL**

**DATE: MARCH 08, 2018**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ( )	117.9	X			X
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel)	263.6	X			
	2. ADRIANNE TILLER (Idaleen Reyes)	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	92.85	X			
	2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez)	116.15	X			
	2. JANICE FELIX ( )	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel)	115.55	X			
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55	X			
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	112.95	X			
	2. MONICA K. MORGAN ( )	112.95	X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (Shirley Molina)	104.5	X			
	2. SANDRA D. ORTEGA ( )	104.5	X			
GU VO 256.9	1. GRACE MANUEL ( )	128.45	X			X
	2. DALLAS LEWIS <i>(Absent)</i> (Nacho Flores) <i>(Present)</i>	128.45	X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X			X
	2. LORETTA LEWIS (Victoria Hobbs)	135.45	X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Vicenti)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			
	2. LEANDER MASE (Francine Schooling)	186.05	X			
<b>TOTAL</b>		<b>3,084.6</b>	<b>3,084.6</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>