

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Low Income Home Energy Assistant Program Intergovernmental Agreement  
Amendment No. 4 between the Tohono O'odham Nation and the Arizona Department of  
Economic Security and Approving FY 2019 Department of Health and Human Services  
Division of Family Assistance State Low Income Home Energy Assistance Program  
Budget Amendment No. 1)**

**RESOLUTION NO. 18-489**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**  
2 **the power "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 other Indian tribes or their departments, agencies, or political subdivisions,**  
5 **or with private persons or organizations on all matters within the authority of the**  
6 **Tohono O'odham Council." (Constitution Article VI, Section 1(f)); and**

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

13 **WHEREAS, the Low Income Home Energy Assistance Program ("LIHEAP") is a federally**  
14 **funded program, administered through the Arizona Department of Economic**  
15 **Security ("ADES"), that helps low-income households pay their heating/cooling**  
16 **bills, minimize crises, and make energy costs more affordable; and**

17 **WHEREAS, the LIHEAP Intergovernmental Agreement ("IGA") between the Nation and ADES**  
18 **was approved by Resolution No. 16-212 for the period of July 1, 2015 through June**  
19 **30, 2020 which will provide funding to the Nation for the LIHEAP on an annual**  
20 **basis in the amount of \$62,572.00; and**

21 **WHEREAS, the ADES has submitted LIHEAP IGA Amendment No. 4 to revise the Case**  
22 **Management Service Budget by \$62,428.00 from \$62,572.00 to \$125,000.00 for the**  
23 **period of July 1, 2018 through June 30, 2019; and**

24 **WHEREAS, the FY 2019 Department of Health and Human Services Division of Family**  
25 **Assistance LIHEAP Budget in the amount of \$62,572.00 was approved by**  
26 **Resolution No. 18-151; and**

27 **WHEREAS, the Department of Health and Human Services Division has prepared and**  
28 **submitted for review and approval its FY 2019 Division of Family Assistance**  
29 **LIHEAP Budget Amendment No. 1, which is incorporated by this reference and**  
30 **which will adjust operational line items; and**

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**RESOLUTION NO. 18-489**

**(Approving Low Income Home Energy Assistant Program Intergovernmental Agreement Amendment No. 4 between the Tohono O'odham Nation and the Arizona Department of Economic Security and Approving FY 2019 Department of Health and Human Services Division of Family Assistance State Low Income Home Energy Assistance Program Budget Amendment No. 1)**

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1 **WHEREAS, the FY 2019 Department of Health and Human Services Division of Family**  
2 **Assistance LIHEAP Budget Amendment No. 1 will increase the FY 2019**  
3 **Department of Health and Human Services Division of Family Assistance LIHEAP**  
4 **Budget by \$62,428.00 from \$62,572.00 to \$125,000.00; and**

5 **WHEREAS, the Health and Human Services and Budget and Finance Committees have**  
6 **reviewed LIHEAP IGA Amendment No. 4 and FY 2019 Department of Health and**  
7 **Human Services Division of Family Assistance LIHEAP Budget Amendment No. 1**  
8 **and recommend approval.**

9 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**  
10 **LIHEAP IGA Amendment No. 4 and FY 2019 Department of Health and Human**  
11 **Services Division of Family Assistance LIHEAP Budget Amendment No. 1 and**  
12 **authorizes the Tohono O'odham Nation chairperson to execute the LIHEAP IGA**  
13 **Amendment No. 4 in substantially the form attached, provided that any**  
14 **amendments shall be submitted for prior approval by the Tohono O'odham**  
15 **Legislative Council.**

16 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham**  
17 **Nation chairperson or any designated official is authorized to administer and**  
18 **expend the FY 2019 Department of Health and Human Services Division of Family**  
19 **Assistance LIHEAP Budget as amended, provided that any amendments or**  
20 **modifications shall be submitted for prior approval by the Tohono O'odham**  
21 **Legislative Council.**

22 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10<sup>TH</sup>**  
23 **day of DECEMBER, 2018 at a meeting at which a quorum was present with a vote of 2,813.7 FOR;**  
24 **-0- AGAINST; -0- NOT VOTING; and 270.9 [09] ABSENT, pursuant to the powers vested in the**  
25 **Council by Article VI, Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted by**  
26 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
27 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
28 **18, 1934 (48 Stat.984).**

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30 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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34 **Timothy Joaquin, Legislative Chairman**

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36 **10 day of December, 2018**  
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**RESOLUTION NO. 18-489**

**(Approving Low Income Home Energy Assistant Program Intergovernmental Agreement Amendment No. 4 between the Tohono O'odham Nation and the Arizona Department of Economic Security and Approving FY 2019 Department of Health and Human Services Division of Family Assistance State Low Income Home Energy Assistance Program Budget Amendment No. 1)**

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1 **ATTEST:**

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4 **Evonne Wilson, Legislative Secretary**

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6 10 day of December, 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 10 day of December, 2018 at 5:02 o'clock, P .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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18 **Timothy Joaquin, Legislative Chairman**

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23  **APPROVED**

on the 17 day of December, 2018

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25  **DISAPPROVED**

at 4:45 o'clock, P .m.

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

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35 **Returned to the Legislative Secretary on the 18 day of**

36 December, 2018, at 8:42 o'clock, A .m.

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41 **Evonne Wilson, Legislative Secretary**

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**ACTION:** APPROVING LOW INCOME HOME ENERGY ASSISTANT PROGRAM INTERGOVERNMENTAL AGREEMENT AMENDMENT NO. 4 BETWEEN THE TOHONO O'ODHAM NATION AND THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY AND APPROVING FY 2019 DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF FAMILY ASSISTANCE STATE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BUDGET AMENDMENT NO. 1

**Moved:** COUNCILWOMAN JANICE FELIX

**Second:** COUNCILWOMAN ADRIANNE TILLER

**DATE:** DECEMBER 10, 2018

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDA 235.8	1. MARY LOPEZ ( )	117.9	X			X
	2. LUCINDA ALLEN ( <i>Absent</i> ) (Yolonda Garcia) ( <i>Present</i> )	117.9	X			
SELLS 527.2	1. ARTHUR WILSON ( <i>Absent</i> ) (Evelyn Juan Manuel) ( <i>Present</i> )	263.6	X			
	2. ADRIANNE TILLER (Idaleen Reyes)	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. ( <i>Absent</i> ) (Teresa F. Donahue) ( <i>Present</i> )	92.85	X			X
	2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III ( <i>Absent</i> ) (Felicia Nunez) ( <i>Present</i> )	116.15	X			X
	2. JANICE FELIX ( )	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA ( <i>Absent</i> ) (Diana Manuel) ( <i>Present</i> )	115.55	X			X
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55	X			
PISINEMO 225.9	1. CHESTER ANTONE ( <i>Absent</i> ) (Caroline D. Garcia) ( <i>Present</i> )	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			X
GU VO 256.9	1. GRACE MANUEL ( )	128.45	X			
	2. DALLAS LEWIS (Nacho Flores)	128.45	X			X
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN ( <i>Absent</i> ) (Louis L. Johnson) ( <i>Present</i> )	135.45				X
	2. LORETTA LEWIS ( <i>Absent</i> ) (Victoria Hobbs) ( <i>Present</i> )	135.45				X
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL ( <i>Absent</i> ) (Robertta E. Harvey) ( <i>Present</i> )	186.05	X			X
	2. LEANDER MASE (Francine Schooling)	186.05	X			
<b>TOTAL</b>		<b>3,084.6</b>	<b>2,813.7</b>	<b>-0-</b>	<b>-0-</b>	<b>270.9</b> [09]