

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Amendments to FY 2001 Attorney Contracts for: Lawrence O. Boswell;
David M. Juarez; and David K. Kovalik)

RESOLUTION NO. 01-227

1 **WHEREAS, on November 01, 2000, the Legislative Council ratified and approved attorney**
2 **contracts for David M. Juarez, Lawrence O. Boswell and David K. Kovalik in Resolution**
3 **No. 2000-519 to serve as conflict attorneys for the Advocate Program for FY 2001; and**

4 **WHEREAS, Paragraph 3, Section C of each contract limits the maximum appropriation for each**
5 **Attorney's fees and expenses to \$27,000.00 for FY 2001; and**

6 **WHEREAS, the \$27,000.00 appropriation for each Attorney is insufficient to meet the Advocate**
7 **Program's need for conflict services; and**

8 **WHEREAS, the Advocate Program has received \$100,000.00 in additional funding from the**
9 **Nation's unobligated budget reserve to be designated for its professional services line**
10 **item, 01.1035.810; and**

11 **WHEREAS, it is estimated that of the \$100,000.00, David M. Juarez, will require \$30,000.00,**
12 **Lawrence O. Boswell \$35,000.00, and David K. Kovalik \$30,000.00 to adequately fund**
13 **their services through the remainder of FY 2001.**

14 **NOW, THEREFORE, BE IT RESOLVED that Paragraph 3, Section C of the FY 2001 attorney contract**
15 **for David M. Juarez and David K. Kovalik be amended as follows:**

16 **3. FEES AND EXPENSES**

17 **A.....**

18 **B.....**

19 **C. LIMITATIONS. The total maximum budget for this Contract is \$57,000.00 for the**
20 **period October 01, 2000, through September 30, 2001.....**

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22 **BE IT FURTHER RESOLVED that Paragraph 3, Section C of the FY 2001 attorney contract for**
23 **Lawrence O. Boswell be amended as follows:**

24 **3. FEES AND EXPENSES**

25 **A.....**

26 **B.....**

27 **C. LIMITATIONS. The total maximum budget for this Contract is \$62,000.00 for the**
28 **period October 01, 2000, through September 30, 2001.....**

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30 **BE IT FURTHER RESOLVED that the Nation and Attorneys have agreed to pursuant "AMENDMENTS**
31 **TO TOHONO O'ODHAM ATTORNEY CONTRACT" for FY 2001 that an additional clause**
32 **be included in Paragraph 6 of each Attorney's FY 2001 contract which shall read as**
33 **follows:**

RESOLUTION NO. 01-227

(Approving Amendments to FY 2001 Attorney Contracts for: Lawrence O. Boswell; David M. Juarez; and David K. Kovalik)

Page 2 of 3

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6. CONFLICT OF INTEREST

During the term of this Contract, the Attorney shall not file a civil claim against the Nation, its Districts, enterprises, departments, officials or employees acting within the scope of their authority on behalf of clients represented by Attorney in Attorney's private practice.

BE IT FINALLY RESOLVED that:

- 1. Documents entitled "AMENDMENTS TO TOHONO O'ODHAM ATTORNEY CONTRACT" for FY 2001 regarding David M. Juarez, Lawrence O. Boswell and David K. Kovalik are hereby ratified and approved; and**
- 2. That each Attorney's contract previously approved by Resolution No. 2000-519 shall be amended as provided herein as to the maximum funding for each Attorney's FY 2001 Contract during the period October 01, 2000 through September 30, 2001; and**
- 3. That each Attorney's FY 2001 Contract shall be amended as provided herein regarding Paragraph 6 of said contract pertaining to conflict of interest; and**
- 4. That all other terms and conditions of each Attorney's FY 2001 Attorney Contract not specifically amended herein shall remain in full force and effect until the expiration of the Contract.**

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10TH. Day of MAY, 2001 at a meeting at which a quorum was present with a vote of 1,094.7 FOR; 1,070.8 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section 2 (a) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Dennis Ramon, Legislative Chairman

10th day of May, 20 01

ATTEST:


Julianna Saraficio, Acting Legislative Secretary

10 day of May, 20 01.

RESOLUTION NO. 01-227

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Page 3 of 3

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 18th day of May, 20 01 at 3:01 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


Dennis Ramon, Legislative Chairman

APPROVED

on the 22nd day of May, 20 01

DISAPPROVED

at 9:38 o'clock, A.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 22 day of

May, 20 01, at 12:09 o'clock, P.M.


Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING AMENDMENTS TO FY 2001 ATTORNEY CONTRACTS FOR: LAWRENCE O. BOSWELL; DAVID M. JUAREZ; AND DAVID K. KOVALIK

MOVED: COUNCILMAN DAVID GARCIA

SECOND: COUNCILMAN ALEX RAMON

DATE: MAY 10, 2001

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9		X		X
	2. RITA MARTINEZ (Nicholas Jose)	85.9		X		
SELLS 372.7	1. DENNIS E. JOSE** ()	186.35		X		
	2. EVELYN JUAN ()	186.35		X		
SCHUK TOAK 133.4	1. MARY FLORES** ()	66.7		X		
	2. AMBROSE ENCINAS ()	66.7		X		
SAN XAVIER 165.9	1. TONY BURRELL ()	82.95	X			
	2. DENNIS RAMON ()	82.95	X			
BABOQUIVARI 286.5	1. FRANCES MIGUEL ()	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			
GU ACHI 209.6	1. CAMILLUS LOPEZ ()	104.8		X		
	2. ALEX J. RAMON ()	104.8	X			
PISINEMO 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ()	78.4	X			
SAN LUCY 128.1	1. ALBERT MANUEL, JR. ()	64.05		X		
	2. GLORIA RAMIREZ ()	64.05		X		X
GU VO 160.0	1. FERN SALCIDO ()	80.0		X		
	2. GLORIA MONTANA (Phillip Antone)	80.0		X		
HICKIWAN 158.1	1. SHIRLEY MOLINA ()	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
CHUKUT KUK 222.6	1. KENNETH WILLIAMS ()	111.3	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
TOTAL		2,165.5	1,094.7	1,070.8	-0-	[03]

**PASSED VOTES