

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving an Indemnification Agreement between the Tohono O'odham Nation and
the Tohono O'odham Community College for Arizona Proposition 301 Funds)

RESOLUTION NO. 02-068

1 **WHEREAS, the Tohono O'odham Legislative Council pursuant to Resolution No.02-067, approved**
2 **a Memorandum of Understanding between the Tohono O'odham Community College,**
3 **the Nation and the State of Arizona which set forth the understandings and**
4 **responsibilities of the foregoing parties for the disbursal and receipt of Proposition**
5 **301 funding for the Tohono O'odham Community College; and**

6 **WHEREAS, pursuant to the aforescribed MOU, the Tohono O'odham Community College is**
7 **required to hold harmless, defend and indemnify the Tohono O'odham Nation from**
8 **any tort claim, demand, suit, liability, judgement and expense (including attorney's**
9 **fees and other costs of litigation) arising out of or relating to any injury, disease,**
10 **death and/or damage to person or property resulting from, or in any way connected**
11 **with, the use of Arizona Proposition 301 funds described in the MOU by the Tohono**
12 **O'odham Community College, its agents, employees, contractors, students,**
13 **subcontractors, or any other person for whom the Tohono O'odham Community**
14 **College may be responsible; and**

15 **WHEREAS, the attached Agreement between the Tohono O'odham Nation and the Tohono**
16 **O'odham Community College provides for said indemnification by the Tohono**
17 **O'odham Community College by the procurement by the Tohono O'odham**
18 **Community College of comprehensive general liability insurance with limits of not**
19 **less than \$1,000,000.00 combined single limit per occurrence and a \$5,000,000.00**
20 **umbrella insurance policy with the Tohono O'odham Nation listed as an additional**
21 **insured.**

22 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves**
23 **the attached Indemnification Agreement between the Tohono O'odham Nation and**
24 **Tohono O'odham Community College and authorizes the Chairman of the Nation to**
25 **execute said Agreement.**

26 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH Day**
27 **of FEBRUARY, 2002 at a meeting at which a quorum was present with a vote of 1,890.8 FOR; -0-**
28 **AGAINST; -0- NOT VOTING; and 526.7 [13] ABSENT, pursuant to the powers vested in the Council by**
29 **Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**
30 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
31 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
32 **Stat. 984).**

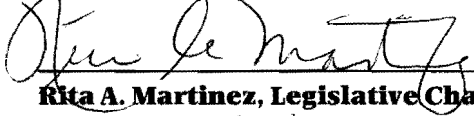
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TOHONO O'ODHAM LEGISLATIVE COUNCIL


Rita A. Martinez, Legislative Chairwoman

12th day of February, 2002

ATTEST:


Julianna Saraficio, Acting Legislative Secretary

08 day of February, 2002.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 12th day of February, 2002 at 2:25 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


Rita A. Martinez, Legislative Chairwoman

APPROVED

on the 12th day of February, 2002

DISAPPROVED


at 3:42 o'clock, P.M.



**EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 12th day of

February, 2002, at 4:22 o'clock, P.M.


Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING AN INDEMNIFICATION AGREEMENT BETWEEN THE TOHONO O'ODHAM NATION AND THE TOHONO O'ODHAM COMMUNITY COLLEGE FOR ARIZONA PROPOSITION 301 FUNDS

MOVED: COUNCILWOMAN GLORIA RAMIREZ

SECOND: COUNCILMAN DAVID GARCIA

DATE: FEBRUARY 08, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			X
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			X
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
GU VO 188.3	1. FERN SALCIDO ()	94.15	X			
	2. EMILIO LEWIS (Michael Flores)	94.15	X			X
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65				X
	2. SANDRA ORTEGA ()	83.65				X
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35				X
	2. PATRICIA CRUZ (Johnson Jose)	87.35				X
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			X
	2. GLORIA RAMIREZ ()	80.35	X			
SAN XAVIER 184.7	1. TONY BURRELL ()	92.35				X
	2. DENNIS RAMON ()	92.35				X
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			X
SELLS 416.1	1. DENNIS E. JOSE ()	208.05	X			
	2. EVELYN JUAN ()	208.05	X			
SIF OIDAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			X
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
TOTAL		2,417.5	1,890.8	-0-	-0-	526.7 [13]

****PASSED VOTES**