RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL

(Approving Amendment No. 1 and Proposed Budget of the Intergovernmental Agreement with Arizona Department of Health Services on Preparedness and Response for Bioterrorism)

RESOLUTION NO. 05-230

1	WHEREAS,	the Tohono O'odham Nation did by Resolution No. 04-265 enter into an
2		Intergovernmental Agreement with the Arizona Department of Health Services for
3		Preparedness and Response to Bioterrorism, Contract No. HG454313; and
4	WHEREAS,	federal funds in the amount of \$260,192.00 are available to the Tohono O'odham
5		Nation through an Intergovernmental Agreement with the Arizona Department of
6		Health Services; and
7	WHEREAS,	by Amendment No. 1, it was mutually agreed that the Intergovernmental Agreement
8		be extended to August 30, 2008 and the funding for grant year 2004 must be billed by
9		July 31, 2005; and
10	WHEREAS,	the \$260,192.00 is included as a part of the Intergovernmental Agreement and
11		includes special provision that "The indirect costs shall not exceed 15% of the total
12		Personnel and ERE expenses"; and
13	WHEREAS,	the Department of Human Services, Division of Community Health did submit to
14		reclassify title change of two internal position descriptions of Community Health
15		Assistant Manager and Tuberculosis Control/LPN to include duties and
16		responsibilities of preparedness and response to bioterrorism activities; and
17	WHEREAS,	the Tohono O'odham Nation has negotiated provisions in the special terms and
18		$condition\ of the\ Intergovernmental\ Agreement\ which\ preserve\ the\ Nation's\ sovereign$
19		immunity from suit and restrict the application of state law on the Nation's
20		government; and
21	WHEREAS,	this governmental agreement has been reviewed by the Health and Human Services
22		Committee and the Budget and Finance Committee, which recommend approval by
23		the Legislative Council.
24	NOW, THEF	REFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves
25		Amendment No.1of theIntergovernmentalAgreement withtheArizonaDepartment
26		of Health Services, Contract No. HG454313, on Preparedness and Response for
27		Bioterrorism, and authorizes the Chairwoman of the Nation to execute the agreement
28		and any related documents reasonably necessary to receive and expend the

	RESOLUTION NO. <u>05-230</u> (Approving Amendment No. 1 and Proposed Budget of the Intergovernmental Agreement with Arizona Department of Health Services on Preparedness and Response for Bioterrorism) Page 2 of 3
1	\$260,192.00 allocated funds in accordance with the terms of the Intergovernmental
2	Agreement starting July 1, 2004 or earlier as may be determined by both parties.
3	BE IT FURTHER RESOLVED that by Amendment No. 1 of the Intergovernmental Agreement that
4	it be extended to August 30, 2008 and funding for grant year 2004 be billed by July 31,
5	2005.
6	BE IT FURTHER RESOLVED that the Department of Human Services, Division of Community Health
7	did identify two internal positions and amended position descriptions to include
8	duties and responsibilities of preparedness and response to bioterrorism activities.
9	BE IT FINALLY RESOLVED that the Tohono O'odham Nation's Officials, to wit: the Chairwoman, the
10	Vice-Chairman or any designated official is hereby authorized to negotiate and
11	execute this agreement.
12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27	The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06 The May, 2005 at a meeting at which a quorum was present with a vote of 2,453.6 FOR; -0 AGAINST; -0 NOT VOTING; and 176.1 [08] ABSENT, pursuant to the powers vested in the Council by Section 1 (f) 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 Isidro Lopez, Legislative Chairman
28	ATTEST:
29	
30	Junia, Joh.
31 32	Lucille Lopez, Acting Legislative Secretary
33	
34	12th day of May, 2005.
35	
36	Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
37	O'Odham Nation on the 12 day of 10 m, 2005 at 3'02 o'clock, 12 .M.
38	pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
39	upon her approval or upon her failure to either approve or disapprove it within 48 hours of
40	submittal.

	RESOLUTION NO. <u>05-230</u>
	(Approving Amendment No. 1 and Proposed Budget of the Intergovernmental Agreement with Arizona Department of Health Services on Preparedness and Response for Bioterrorism) Page 3 of 3
1 2 3 4 5	TOHONO O'ODHAMLEGISLATIVE COUNCIL Isidro Lopez, Legislative Chairman
6	
7	
8 9	[APPROVED on the 12 day of may , 2005
10	
11	V
12	Viniau fran Saunders
13	MUAU MAN SAUMADA
14 15	VIVIAN JUAN SAUNDERS, CHAIRWOMAN
16	TOHONO O'ODHAM NATION
17	TOHONG G DAMAN WITTON
18	
19	
20	Returned to the Legislative Secretary on the Aday of
21	<u> </u>
22	My, 2005, at <u>5.09</u> o'clock, <u>P</u> .M.
23	
24	General of 1
25	Sum Styles
26	Lucille Lopez, Acting Legislative Secretary
27	
28 29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42 43	
43 44	
45	

ACTION: APPROVING AMENDMENT NO. 1 AND PROPOSED BUDGET OF THE INTERGOVERNMENTAL AGREEMENT

WITH ARIZONA DEPARTMENT OF HEALTH SERVICES ON PREPAREDNESS AND RESPONSE FOR

BIOTERRORISM

MOVED: COUNCILWOMAN PATRICIA CRUZ

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE:

MAY 06, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSEN'
SIF OIDAK	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	x			
192.6	(Nicholas Jose) 2. DARLENE ANDREW (Rita Martinez)	96.30	x			Х
SELLS	1. DENNIS E. JOSE	232.80	x			
465.6	2. EVELYN JUAN ()	232.80	X			
SCHUK TOAK	1. FRANCES B. CONDE	88.05				х
176.1	2. PHYLLIS JUAN	88.05				х
SAN XAVIER	1. FELICIA NUÑEZ	107.70	X			x
215.4	(Olivia Liston-Villegas) 2. DENNIS RAMON (Eleanor Hunter)	107.70	X			
SAN LUCY	1. JOHN W. LAWSON, SR.	83.15	X			
166.3	2. GLORIA RAMIREZ	83.15	X			Х
PISINEMO	1. BARBARA SALVICIO	87.70	X			
175.4	2. PATRICIA CRUZ	87.70	х			
HICKIWAN	1. DELMA GARCIA	85.15	X			
170.3	(Mary E. Sam) 2. SANDRA ORTEGA ()	85.15	X			
GU VO	1. RAYMOND VICTOR	95.70	X			
191.4	() 2. MICHAEL FLORES (Willard Manuel)	95.70	X			х
GU ACHI	TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
253.6	2. JEROME JOAQUIN (Roberta Picard)	126.80	X			
CHUKUT KUK	1. KENNETH WILLIAMS (Absent)	129.45	x			
258.9	(Juanita Homer) (Present) 2. VERLON M. JOSE (David Garcia)	129.45	X			x
BABOQUIVARI	1. FRANCES MIGUEL	182.05	X			
364.1	(Lucilda Norris-Valenzuela) 2. FRANCES G. ANTONE ()	182.05	X			х
	TOTAL	2,629.7	2,453.6	-0-	-0-	176.1 [08]