

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Amendment no. 1 to use salary savings in the amount of \$204,052.41 from the
Corrections 638 budget and to cover cost of contract beds and approving agreement with
Gallup McKinley Adult Detention Center/Jail Authority Board)

RESOLUTION NO. 08-046

- 1 **WHEREAS, the Corrections Program of the Tohono O'odham Police Department operates a**
2 **detention center in Sells under a P.L. 93-638 contract with the United States**
3 **Department of the Interior; and**
- 4 **WHEREAS, because of an inadequate facility in Sells, the Corrections Program has entered into**
5 **an arrangement with the Gallup McKinley County Adult Detention Center in Gallup,**
6 **New Mexico, to house a fluctuating number of inmates on a contract basis, using**
7 **funding provided by the Bureau of Indian Affairs Law Enforcement Services; and**
- 8 **WHEREAS, the Tohono O'odham Police Department has proposed an Agreement with the Gallup**
9 **McKinley County Adult Detention Center, which is an entity organized by the State of**
10 **New Mexico, with a term from final signature of the Tohono O'odham Nation Chairman**
11 **to October 1, 2008; and**
- 12 **WHEREAS, the Agreement was reviewed by the Domestic Affairs Committee, which recommends**
13 **approval by the Legislative Council; and**
- 14 **WHEREAS, the cost to house inmates under this contract will be at a total cost of \$233,280.00; and**
- 15 **WHEREAS, the Corrections Program has identified the need to utilize salary savings from October**
16 **1, 2007 thru January 31, 2008 to cover the cost of the contract beds in the amount of**
17 **\$204,052.41; and**
- 18 **WHEREAS, the amount of \$204,052.41 will be put into a new line item 810 - Professional Services;**
19 **and**
- 20 **WHEREAS, the creation of the new line item 810 - Professional Services this will change the**
21 **Indirect cost by decreasing it to \$388,466.93 with a decrease in the budget amount of**
22 **\$39,484.14 to bring total amended budget to \$2,600,100.41; and**
- 23 **WHEREAS, the remaining cost of \$29,227.59 will be cost shared under the Law Enforcement tribal**
24 **budget and put into line item 810 - Professional Services; and**
- 25 **WHEREAS, this is recognized as a temporary funding solution that will require special funding for**
26 **the next fiscal year.**
- 27 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
28 **Agreement for Incarceration of Prisoners By and Between Tohono O'odham Nation**
29 **and Gallup McKinley County Adult Detention Center/Jail Authority Board Gallup, New**

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1 **Mexico substantially in the form attached hereto, and authorizes the Chairman of the**
2 **Nation to execute it.**

3 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council hereby accepts, approves**
4 **and authorizes amendment 1 to the 638 Corrections budget by the following:**

- 5 **1) Use of salary savings of \$204,052.41 to cover the cost of contract beds.**
6 **2) To create new line item 810 – Professional Services with the amount of \$204,052.41.**
7 **3) Changes to FY 2008 budget total from \$2,639,584.55 to \$2,600,100.41.**

8 **BE IF FINALLY RESOLVED that the Tohono O'odham Legislative Council hereby authorizes the**
9 **chairman and any designated official to expend and administer the budget as**
10 **attached, provided that any amendments affecting the funds or funding level shall be**
11 **submitted for further prior approval by the Tohono O'odham Legislative Council.**

12 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04TH. Day**
13 **of FEBRUARY, 2008 at a meeting at which a quorum was present with a vote of 2,269.7 FOR; -0-**
14 **AGAINST; -0- NOT VOTING; and 264.8 [05] ABSENT, pursuant to the powers vested in the Council by**
15 **Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**
16 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
17 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
18 **Stat. 984).**

19
20 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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23 _____
24 **Verlon M. Jose, Legislative Chairman**

25
26 13 day of February, 2008

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28 **ATTEST:**

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31 _____
32 **Lucille Lopez, Acting Legislative Secretary**

33
34 04 day of February, 2008.

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37 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
38 **Nation on the 13 day of February, 2008 at 11:51 o'clock, a .M.,**
39 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
40 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
41 **submittal.**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

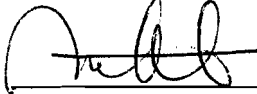

Verlon M. Jose, Legislative Chairman

APPROVED

on the 14 day of February, 2008

DISAPPROVED

at 8:34 o'clock, A.M.


VICE CHAIRMAN
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the H day of

February, 2008, at 10:00 o'clock, A.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING AMENDMENT NO. 1 TO USE SALARY SAVINGS IN THE AMOUNT OF \$204,052.41 FROM THE CORRECTIONS 638 BUDGET AND TO COVER COST OF CONTRACT BEDS AND APPROVING AGREEMENT WITH GALLUP MCKINLEY ADULT DETENTION CENTER/JAIL AUTHORITY BOARD

MOVED: COUNCILWOMAN CYNTHIA MANUEL

SECOND: COUNCILMAN TIMOTHY JOAQUIN

DATE: FEBRUARY 04, 2008

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE (Vernon Smith)	158.45	X			
CHUKUT KUK 264.8	1. ETHEL GARCIA ()	132.40				X
	2. VERLON M. JOSE ()	132.40				X
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ()	113.95	X			
GU VO 199.2	1. GRACE MANUEL ()	99.60	X			
	2. MICHAEL FLORES ()	99.60	X			X
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			
	2. SANDRA ORTEGA ()	86.00	X			X
PISINEMO 182.4	1. CHESTER ANTONE ()	91.20	X			
	2. GERALD FAYUANT ()	91.20	X			X
SAN LUCY 181.1	1. LORRAINE EILER ()	90.55	X			
	2. GLORIA RAMIREZ ()	90.55	X			
SAN XAVIER 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
SCHUK TOAK 154.6	1. FRANCES B. CONDE (<i>Absent</i>) (Frederick Jose) (<i>Present</i>)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
SELLS 444.7	1. KIMBERLY LISTO ()	222.35	X			
	2. EVELYN B. JUAN MANUEL ()	222.35	X			
SIF OIDAK 194.4	1. WAVALENE ROMERO ()	97.20	X			
	2. MARY LOPEZ ()	97.20	X			
TOTAL		2,534.5	2,269.7	-0-	-0-	264.8 [05]

**PASSED VOTES