

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving the Intergovernmental Agreement with Arizona Department of Health Services for Tuberculosis Control Services)**

**RESOLUTION NO. 09-124**

1 **WHEREAS, the Arizona Department of Health and Human Services and the Tohono O'odham**  
2 **Nation have provided Tuberculosis Control services through an Intergovernmental**  
3 **Agreement (IGA) to prevent the spread of Tuberculosis (TB) through community**  
4 **education, prevention, early detection, comprehensive regiments; and**

5 **WHEREAS, funds from the State of Arizona, Department of Health Services in support of the TB**  
6 **program are allocated by way of the Intergovernmental Agreement; and**

7 **WHEREAS, the funds appropriated by the State may vary in amounts and for which funds**  
8 **allocated by the state to the Nation may intern vary, the Intergovernmental Agreement**  
9 **is for a period of five years from July1, 2008 to June 30, 2013; and**

10 **WHEREAS, the Tohono O'odham Nation has negotiated provisions in the special terms and**  
11 **condition of the Intergovernmental Agreement which preserves the Nation's sovereign**  
12 **immunity from suit and restricts the application of state law on the Nation's**  
13 **government; and**

14 **WHEREAS, this governmental agreement has been reviewed by the Health and Human Services**  
15 **Committee and the Budget and Finance Committee, which recommend approval by**  
16 **the Legislative Council.**

17 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**  
18 **Intergovernmental Agreement with the Arizona Department of Health Services,**  
19 **Contract No. HG854558 on Tuberculosis Control Services, which terminates on June**  
20 **30, 2013.**

21 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council that the Tohono O'odham**  
22 **Nation's Officials, to wit: The Chairman, and Vice-Chairman or any designated official**  
23 **are hereby authorized to negotiate and execute this IGA, provided however, that any**  
24 **amendment affecting the IGA shall be submitted for further prior approval by the**  
25 **Tohono O'odham Legislative Council.**

26 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11<sup>TH</sup> of**  
27 **MARCH, 2009 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0- AGAINST;**  
28 **-0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article VI,**  
29 **Section 1 (d)(2)&(3) & (f) 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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Page 2 of 2

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Felicia Nunez, Jr.  
Verlon M. Jose, Legislative Chairman

17<sup>th</sup> day of March, 2009

ATTEST:

Lucille Lopez  
Lucille Lopez, Acting Legislative Secretary

11 day of March, 2009.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 17<sup>th</sup> day of March, 2009 at 3:28 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

Felicia Nunez, Jr.  
Verlon M. Jose, Legislative Chairman

APPROVED

on the 18 day of March, 2009

DISAPPROVED

at 1:55 o'clock, P.M.

Ned Norris, Jr.  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 18 day of

March, 2009, at 3:15 o'clock, P.M.

Lucille Lopez  
Lucille Lopez, Acting Legislative Secretary

**ACTION:** APPROVING THE INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR TUBERCULOSIS CONTROL SERVICES

**MOVED:** COUNCILWOMAN SANDRA ORTEGA

**SECOND:** COUNCILWOMAN OLIVIA VILLEGAS-LISTON

**DATE:** MARCH 11, 2009

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE (Vernon Smith)	158.45	X			
<b>CHUKUT KUK</b> 264.8	1. ETHEL GARCIA ( )	132.40	X			
	2. VERLON M. JOSE ( )	132.40	X			X
<b>GU ACHI</b> 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ( )	113.95	X			
<b>GU VO</b> 199.2	1. GRACE MANUEL ( )	99.60	X			
	2. RAYMOND VICTOR ( )	99.60	X			X
<b>HICKIWAN</b> 172.0	1. MICHELLE ORTEGA ( )	86.00	X			
	2. SANDRA ORTEGA ( )	86.00	X			
<b>PISINEMO</b> 182.4	1. CHESTER ANTONE (Tony Murrietta)	91.20	X			
	2. GERALD FAYUANT ( )	91.20	X			
<b>SAN LUCY</b> 181.1	1. LORRAINE EILER ( )	90.55	X			
	2. GLORIA RAMIREZ ** ( )	90.55	X			
<b>SAN XAVIER</b> 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
<b>SCHUK TOAK</b> 154.6	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
<b>SELLS</b> 444.7	1. KIMBERLY LISTO ( )	222.35	X			
	2. EVELYN B. JUAN MANUEL ( )	222.35	X			X
<b>SIF OIDAK</b> 194.4	1. WAVALENE ROMERO ( )	97.20	X			
	2. MARY LOPEZ ( )	97.20	X			
<b>TOTAL</b>		<b>2,534.5</b>	<b>2,534.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>

\*\*PASSED VOTES