

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Two Intergovernmental Agreements Between the City of Glendale
and the Tohono O'odham Nation)**

RESOLUTION NO. 15-091

1 **WHEREAS,** the Legislative Council is vested with the power to “consult, negotiate and
2 conclude agreements and contracts on behalf of the Tohono O’odham Nation
3 with Federal, State and local governments and other Indian tribes or their
4 departments, agencies, or political subdivisions, or with private persons or
5 organization on all matters within the authority of the Tohono O’odham
6 Council” (Constitution of the Tohono O’odham Nation, Article VI, Section 1(f));
7 and

8 **WHEREAS,** in 1986, the United States Congress enacted the Gila Bend Indian Reservation
9 Lands Replacement Act as Pub. L. No. 99-503 (the “*Replacement Act*”), which
10 authorized the Tohono O’odham Nation (the “*Nation*”) to acquire new lands to
11 replace lands damaged by the Painted Rock Dam and required the United States
12 to hold eligible replacement lands in trust for the benefit of the Nation; and

13 **WHEREAS,** by Resolution No. 13-446 the Legislative Council delegated to the Economic
14 Development Delegation authority to negotiate with the City of Glendale the
15 terms of agreements designed to ensure adequate police, fire and emergency
16 services at the property located at 91st and Northern Avenues; and

17 **WHEREAS,** the Nation through the Economic Development Delegation has negotiated a
18 Mutual Protection and Law Enforcement Agreement and a Mutual Fire
19 Protection and Emergency Services Agreement with the City of Glendale (the
20 “*Agreements*”); and

21 **WHEREAS,** the Agreements require a limited waiver of the sovereign immunity of the
22 Nation in favor of the City of Glendale to allow the indemnification provisions of
23 the Agreements to be enforced in accordance with their terms; and

24 **WHEREAS,** the Domestic Affairs, and Commerce Committees of the Legislative Council have
25 reviewed the Agreements, including the proposed limited waivers of the
26 sovereign immunity of the Nation, and recommend that the Nation enter into
27 the Agreements with the City of Glendale on terms that are substantially the
28 same as those set forth in the attached Agreements.
29

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Page 2 of 3

NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves and authorizes the following:

- 1. The Legislative Council approved the Intergovernmental Agreements with the City of Glendale for police, fire, and emergency services and authorizes the Nation's Chairman to execute the agreements in substantially the form presented to the Legislative Council.**
- 2. The Nation hereby grants a limited waiver of the sovereign immunity from suit of the Nation in favor of the City of Glendale in accordance with the attached Exhibit A.**

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH day of APRIL, 2015 at a meeting at which a quorum was present with a vote of 2,946.5 FOR; -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(f) 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).

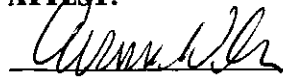
TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

15 day of April, 2015

ATTEST:

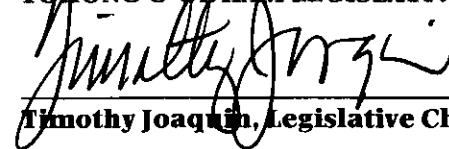


Evonne Wilson, Legislative Secretary

15 day of April, 2015

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 15 day of April, 2015 at 1:10 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



Timothy Joaquin, Legislative Chairman

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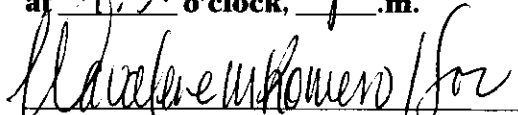
Page 3 of 3

APPROVED

on the 15 day of April, 2015

DISAPPROVED

at 8:58 o'clock, P.m.



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

Returned to the Legislative Secretary on the 16 day of

April, 2015, at 9:30 o'clock, A.m.



Evonne Wilson, Legislative Secretary

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ACTION: APPROVING TWO INTERGOVERNMENTAL AGREEMENTS BETWEEN THE CITY OF GLENDALE AND THE TOHONO O'ODHAM NATION

Moved: COUNCILWOMAN ETHEL GARCIA

SECOND: COUNCILMAN BILLMAN LOPEZ

DATE: APRIL 07, 2015

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ()	112.1	X			
SELLS 502.0	1. ARTHUR WILSON (Ophelia Patten)	251.0	X			
	2. BARBARA HAVIER (Beverly Rivas)	251.0	X			
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1	X			X
	2. QUINTIN C. LOPEZ (John Fendenhelm)	87.1	X			
SAN XAVIER 224.2	1. HILARION CAMPUS (Daniel L.A. Preston, III)	112.1	X			
	2. RACHEAL VILSON-STONER (Absent) (Olivia Villeras-Liston) (Present)	112.1	X			X
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			
	2. JANA MONTANA ()	109.8	X			
PISINEMO 210.6	1. CHESTER ANTONE (Tony Murrietta)	105.3	X			
	2. EDWARD MANUEL, SR. ()	105.3	X			
HICKIWAN 196.9	1. LOUIS R. LOPEZ ()	98.45	X			
	2. SANDRA ORTEGA (Absent) (Manuel Osequeda, Jr.) (Present)	98.45	X			X
HIA CED 19.6	1. PATRICK ANDREWS (Janice E. Paul)	9.8	X			
	2. VIRGINIA GARCIA ()	9.8	X			
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ()	128.65	X			
	2. LORETTA LEWIS (Louis Johnson)	128.65	X			
CHUKUT KUK 319.2	1. ETHEL GARCIA (Marlakay C. Henry)	159.6	X			
	2. BILLMAN LOPEZ ()	159.6	X			
BABOQUIVARI 357.7	1. FRANCES MIGUEL (Roberta Harvey)	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
TOTAL		2,946.5	2,946.5	-0-	-0-	[03]