

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Valley Emergency Communications Center Subscriber Services
Agreement Between the Nation and Drexel Heights Fire District for FY 2016)**

RESOLUTION NO. 16-023

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

8 **WHEREAS, the Tohono O'odham Nation entered into an intergovernmental agreement**
9 **called Emergency Dispatch Services Agreement with the Drexel Heights Fire**
10 **District on or about August 16, 2002, and it has been extended annually; and**

11 **WHEREAS, the Drexel Heights Fire District is now the Managing Administrative Principal of**
12 **the Valley Emergency Communications Center; and**

13 **WHEREAS, under the Subscriber Services Agreement, the Valley Emergency**
14 **Communications Center will provide emergency dispatch services to the**
15 **Tohono O'odham Nation Fire Department for the Nation's Sax Xavier District at**
16 **a cost of \$6,750.00 per quarter ; and**

17 **WHEREAS, the parties have agreed to execute the Subscriber Services Agreement; and**

18 **WHEREAS, the Subscriber Services Agreement requires a limited waiver of the sovereign**
19 **immunity of the Nation in favor of Valley Emergency Communications Center to**
20 **allow the terms of the Subscriber Services Agreement to be enforced in**
21 **accordance with its terms; and**

22 **WHEREAS, the Budget and Finance and Domestic Affairs Committees of the Legislative**
23 **Council have reviewed the terms of the Subscriber Services Agreement,**
24 **including the limited waiver of sovereign immunity; and**

25 **WHEREAS, the Budget and Finance and Domestic Affairs Committees of the Legislative**
26 **Council recommend that the Nation grant a limited waiver of the sovereign**
27 **immunity of the Nation in favor of Valley Emergency Communications Center to**

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1 **allow the Subscriber Services Agreement to be enforced in accordance with its**
2 **terms; and**

3 **WHEREAS, the Nation's best interests will be served entering into the Subscriber Services**
4 **Agreement.**

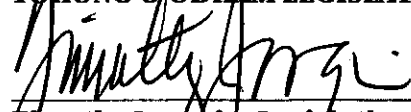
5 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves**
6 **and authorizes the following:**

7 **1. Waiver of the Nation's Sovereign Immunity. The Legislative Council**
8 **grants a waiver of the sovereign immunity of the Nation from suit or**
9 **action in favor of Valley Emergency Communications Center on the terms**
10 **set forth in the Subscriber Services Agreement.**

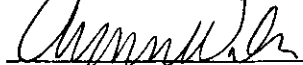
11 **2. Approval of Commitment Letter. The Legislative Council authorizes and**
12 **approves the Subscriber Services Agreement with Valley Emergency**
13 **Communications Center in substantially the form attached and authorizes**
14 **the Nation's Chairman to execute the Subscriber Services**
15 **Agreement.**

16 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH**
17 **day of JANUARY, 2016 at a meeting at which a quorum was present with a vote of 3,021,4 FOR;**
18 **-0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**
19 **Article VI, Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the**
20 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
21 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of**
22 **June 18, 1934 (48 Stat.984).**

23
24 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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26 _____
27 **Timothy Joaquin, Legislative Chairman**
28 **15** day of **January**, 2016

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33 **ATTEST:**

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35 _____
36 **Evonne Wilson, Legislative Secretary**
37 **15** day of **January**, 2016
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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 15 day of January, 2016 at 5:00 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

APPROVED

on the 20 day of January, 2016
at 11:14 o'clock, A.m.

DISAPPROVED



EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 20 day of

January, 2016, at 12:31 o'clock, P.m.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING VALLEY EMERGENCY COMMUNICATIONS CENTER SUBSCRIBER SERVICES AGREEMENT BETWEEN THE NATION AND DREXEL HEIGHTS FIRE DISTRICT FOR FY 2016

Moved: COUNCILWOMAN ETHEL GARCIA

SECOND: COUNCILWOMAN LUCINDA ALLEN

DATE: JANUARY 13, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			
	2. VERNON J. SMITH (Gloria Zazueta)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ()	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			
	2. SANDRA ORTEGA ()	102.90	X			
PISINEMO 219.9	1. CHESTER ANTONE ()	109.95	X			
	2. MONICA K. MORGAN ()	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ()	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ()	114.30	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.30	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	90.30	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.30	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ()	256.75	X			
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ()	115.80	X			X
TOTAL		3,021.4	3,021.4	-0-	-0-	[01]