

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving FY2016 Attorney Contract for Anthony Payson II to Serve as Conflict Attorney)**

**RESOLUTION NO. 16-059**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council**  
2 **with the power "to employ legal counsel for the protection and advancement of**  
3 **the Tohono O'odham Nation..." (Constitution, Article VI, Section 2(a)); and**

4 **WHEREAS, the increasing needs of tribal members for legal representation in civil and**  
5 **criminal matters has caused a need for attorneys to handle cases where the**  
6 **Tohono O'odham Advocate Program is ethically conflicted out of the**  
7 **representation; and**

8 **WHEREAS, the Tohono O'odham Advocate Program proposes to contract with Anthony**  
9 **Payson II to represent clients who cannot be represented by the Nation's**  
10 **Advocate Program due to a conflict of interest; and**

11 **WHEREAS, the Tohono O'odham Advocate Program has presented a contract for Anthony**  
12 **Payson II, which details the terms and conditions of his services, a copy of which**  
13 **is attached hereto; and**

14 **WHEREAS, the Domestic Affairs and Budget and Finance Committees of the Nation**  
15 **recommends approval by the Legislative Council of the Professional Services**  
16 **Contract between the Tohono O'odham Nation and Anthony Payson II.**

17 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves**  
18 **the Professional Services Contract between the Tohono O'odham Nation and**  
19 **Anthony Payson II, in substantially the form attached hereto in an amount not to**  
20 **exceed \$35,000.**

21 **BE IT FURTHER RESOLVED that the Contract shall be effective as of October 1, 2015 and shall**  
22 **end on September 30, 2016.**

23 **BE IT FURTHER RESOLVED that the funding source, for the Professional Services Contract for**  
24 **Anthony Payson II, shall be provided under the operating budget of the Tohono**  
25 **O'odham Advocate Program for fiscal year 2016.**

26 **BE IT FINALLY RESOLVED that the Tohono O'odham Nation Chairman is authorized to execute**  
27 **the Professional Services Contract and any subsequent amendments to extend**  
28 **the term of the Professional Services contract, provided that, any amendments**  
29 **affecting the funds or funding level shall be submitted for further approval by**  
30 **the Tohono O'odham Legislative Council.**

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11<sup>TH</sup> day of FEBRUARY, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 2(a) 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*

Timothy Joaquin, Legislative Chairman

17 day of February, 2016

ATTEST:

*Evonne Wilson*

Evonne Wilson, Legislative Secretary

12 day of February, 2016

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 17 day of February, 2016 at 1:28 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

*Timothy Joaquin*

Timothy Joaquin, Legislative Chairman

APPROVED

DISAPPROVED

on the 16 day of February, 2016  
at 4:43 o'clock, P.M.

*Edward D. Manuel*

EDWARD D. MANUEL, CHAIRMAN  
TOHONO O'ODHAM NATION

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**RESOLUTION NO. 16-059**

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Returned to the Legislative Secretary on the 19 day of

January, 2016, at 9:35 o'clock, a.m.

  
Evonne Wilson, Legislative Secretary

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**ACTION: APPROVING FY2016 ATTORNEY CONTRACT FOR ANTHONY PAYSON II TO SERVE AS CONFLICT ATTORNEY**

**MOTION: COUNCILWOMAN ETHEL GARCIA**

**SECOND: COUNCILMAN BILLMAN LOPEZ**

**DATE: FEBRUARY 11, 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 ( <i>Absent</i> ) (Gloria Zazueta) ( <i>Present</i> )	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GU ACHI 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			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 ( <i>Absent</i> ) (John Fendenheim) ( <i>Present</i> )	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			
<b>TOTAL</b>		<b>3,021.4</b>	<b>3,021.4</b>	<b>-0-</b>	<b>-0-</b>	<b>[01]</b>