

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approval of the Intergovernmental Agreement between Maricopa County and
the Tohono O'odham Nation for Mutual Law Enforcement Aid in and around the
San Lucy District and the City of Gila Bend)

RESOLUTION NO. 16-109

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 has members who reside in the San Lucy District in**
9 **Maricopa County; and**

10 **WHEREAS, the Tohono O'odham Nation Police Department provides law enforcement**
11 **services to the San Lucy District, but on occasion requires mutual aid assistance**
12 **from other law enforcement agencies to meet the needs at San Lucy District; and**

13 **WHEREAS, the Tohono O'odham Nation and Maricopa County have negotiated the attached**
14 **Mutual Aid Agreement, which provides the San Lucy District with Law**
15 **Enforcement assistance from the Maricopa County Sheriff's Office; and**

16 **WHEREAS, the Maricopa County Sheriff's Office Deputies will have the authority to assist**
17 **the Tohono O'odham Nation Police Department, within the boundaries of the**
18 **reservation, by enforcing the laws of the Tohono O'odham Nation; and**

19 **WHEREAS, in exchange the Tohono O'odham Police Department will provide law**
20 **enforcement services when requested to assist the Maricopa County Sheriff's**
21 **Office in enforcing the law relating to all crimes of the State of Arizona as set out**
22 **by the Arizona Revised Statutes within the boundaries of the City of Gila Bend;**
23 **and**

24 **WHEREAS, this agreement will remain in effect until March 1, 2021; and**

25 **WHEREAS, the Mutual Aid Agreement requires a limited waiver of the sovereign immunity**
26 **of the Nation in favor of the Maricopa County Sheriff's Office to allow the terms**
27 **of the Mutual Aid Agreement to be enforced; and**

28 **WHEREAS, the Domestic Affairs Committee of the Legislative Council has reviewed this**
29 **Intergovernmental Agreement, including the limited waiver of sovereign**
30 **immunity, and recommends its approval.**

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

- 33 **1. Waiver of the Nation's Sovereign Immunity. The Legislative Council**
34 **grants a limited waiver of the sovereign immunity of the Nation from suit**

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1 or action in favor of the Maricopa County Sheriff's Office on the terms set
2 forth in the Mutual Aid Agreement.

- 3 2. Approval of the Mutual Aid Agreement. The Legislative Council
4 authorizes and approves the Mutual Aid Agreement with the Maricopa
5 County Sheriff's Office in substantially the form attached and authorizes
6 the Nation's Chairman to execute the Mutual Aid Agreement.

7 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10TH
8 day of MARCH, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR; -0-
9 AGAINST; [02] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by
10 Article VI, Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the
11 Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
12 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of
13 June 18, 1934 (48 Stat.984).

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16 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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21 Timothy Joaquin, Legislative Chairman

22 15 day of March, 2016

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25 ATTEST:

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28 Evonne Wilson, Legislative Secretary

29 15 day of March, 2016

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32 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
33 O'odham Nation on the 15 day of March, 2016 at 4:50 o'clock, P.m.,
34 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
35 effective upon his approval or upon his failure to either approve or disapprove it within 48
36 hours of submittal.

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38 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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43 Timothy Joaquin, Legislative Chairman

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APPROVED

on the 17th day of March, 2016

DISAPPROVED

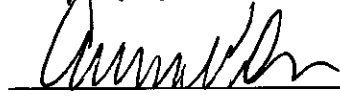
at 3:35 o'clock, p.m.



EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 17 day of

March, 2016, at 3:40 o'clock, p.m.



Evonne Wilson, Legislative Secretary

ACTION: APPROVAL OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN MARICOPA COUNTY AND THE TOHONO O'ODHAM NATION FOR MUTUAL LAW ENFORCEMENT AID IN AND AROUND THE SAN LUCY DISTRICT AND THE CITY OF GILA BEND

Moved: COUNCILWOMAN SANDRA ORTEGA

SECOND: COUNCILWOMAN GRACE MANUEL

DATE: MARCH 10, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta E. Harvey) (<i>Present</i>)	183.60	X			
	2. VERNON J. SMITH (Gloria Zazueta)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (<i>Absent</i>) (Marlakay K. Henry) (<i>Present</i>)	166.05	X			
	2. BILLMAN LOPEZ (<i>Absent</i>) (Patricia Vicenti) (<i>Present</i>)	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			
	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		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		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-	[02]	[01]