

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Contracting and Procurement)**

RESOLUTION NO. 19-465

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**
2 **the power "to promote, protect and provide for . . . general welfare of the Tohono**
3 **O'odham Nation and its members" and "[t]o consult, negotiate and conclude**
4 **agreements and contracts on behalf of the Tohono O'odham Nation with Federal,**
5 **State and local governments . . . on all matters within the authority of the Tohono**
6 **O'odham Council." (Constitution, Article VI, Section 1(c)(2) and Section 1(f)); and**

7 **WHEREAS, 26 T.O.C. Chapter One, Article 4, Contracting and Procurement Authority, was**
8 **enacted and codified by Resolution No. 08-707, as amended by Resolution No. 18-**
9 **168, to confirm and clarify the authority to enter contracts on the Nation's behalf;**
10 **and**

11 **WHEREAS, pursuant to 26 Tohono O'odham Code Chapter 1 Article 4, Section 1406, the**
12 **Nation's chairperson is the "designated signatory and official representative of**
13 **the Nation on all contracts and agreements" unless otherwise provided by law;**
14 **and**

15 **WHEREAS, consistent with 26 T.O.C. Chapter One, Article 4 and the authorities vested in the**
16 **Legislative Council Commerce, Agricultural and Natural Resources, and Budget**
17 **and Finance Committees, the Committees have reviewed an agreement to benefit**
18 **the Tohono O'odham Nation ("the Agreement") and recommend its approval.**

19 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
20 **Agreement in substantially in the form presented to the Legislative Council in**
21 **closed session on December 17, 2019, and authorizes the Nation's Chairman to**
22 **execute it, provided that:**

23 **(1) within 90 days of the Agreement's execution, the Legislative Council**
24 **Commerce, Agricultural and Natural Resources, and Budget and Finance**
25 **Committees are directed to provide an update on the Agreement to the**
26 **Legislative Council in closed session; and**

27 **(2) any additional appropriation of Nation's funds to implement the**
28 **Agreement will require approval by Legislative Council resolution.**

29 **BE IT FINALLY RESOLVED that the Agreement shall remain confidential and shall not be**
30 **reported or disclosed.**

31 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 17TH**
32 **day of DECEMBER, 2019 at a meeting at which a quorum was present with a vote of 2,940.1 FOR;**
33 **-0- AGAINST; [01] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**
34 **Article VI, Section 1(c)(2) and Section 1(f) of the Constitution of the Tohono O'odham Nation,**
35 **adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**
36 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**
37 **Act of June 18, 1934 (48 Stat.984).**

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin
Timothy Joaquin, Legislative Chairman
18 day of December, 2019

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary
18 day of December, 2019

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 18 day of December, 2019 at 9:51 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

on the 20 day of December, 2019

DISAPPROVED

at 5:45 o'clock, a.m.

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

Returned to the Legislative Secretary on the 20 day of
December, 2019, at 9:47 o'clock, a.m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

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ACTION: CONTRACTING AND PROCUREMENT

MOVED: COUNCILWOMAN MARY LOPEZ

SECOND: COUNCILWOMAN MARLAKAY HENRY

DATE: DECEMBER 17, 2019

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling)	192.40	X			
	2. ALBERTA J. RAY (Frances G. Antone)	192.40	X			
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer)	173.75	X			
	2. MARLAKAY HENRY (Billman Lopez)	173.75	X			
GUACHI 279.3	1. VICTORIA HOBBS ()	139.65	X			
	2. TIMOTHY L. JOAQUIN (Louis L. Johnson)	139.65	X			
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			
	2. GRACE MANUEL ()	132.25	X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA ()	106.90	X			X
	2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90	X			
PISINEMO 230.7	1. MONICA K. MORGAN ()	115.35	X			
	2. MARIETTA MARTIN ()	115.35	X			
SAN LUCY 235.6	1. GLORIA RAMIREZ ()	117.80		X		
	2. JANA MONTANA (Lorraine M. Eiler)	117.80		X	X	
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	119.45	X			
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ()	273.55	X			
	2. ARTHUR WILSON ()	273.55	X			
SIF OIDAK 244.5	1. LUCINDA ALLEN <i>(Absent)</i> (Yolonda Garcia) <i>(Present)</i>	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
TOTAL		3,175.7	2,940.1	235.6	[01]	[01]