

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Extending TONHC Amendments to Contracting and Procurement Authority,
26 Tohono O'odham Code Chapter 1, Article 4)**

RESOLUTION NO. 20-338

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**
2 **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 subdivisions,**
5 **or with private persons or organizations on all matters within the authority of the**
6 **Tohono O'odham Council." (Constitution, Article VI, Section 1(f)); and**

7 **WHEREAS, by Resolution No. 08-707, the Legislative Council enacted Contracting and**
8 **Procurement Authority, 26 Tohono O'odham Code Chapter 1, Article 4, which**
9 **clarifies the contracting authorities of the Nation's three branches of**
10 **government and specifies which contracts require Legislative Council approval;**
11 **and**

12 **WHEREAS, by Resolution No. 16-261, the Legislative Council approved authorization for the**
13 **Nation to assume federal programs, functions, services or activities through a**
14 **self-governance compact pursuant to Title V of the Indian Self-Determination**
15 **and Education Assistance Act with the Secretary of the U.S. Department of Health**
16 **and Human Services, Indian Health Service; and**

17 **WHEREAS, Tohono O'odham Nation Health Care ("TONHC"), operates the Nation's hospital**
18 **and clinics for the benefit of the Nation's members, requires contracts for goods**
19 **and services that are necessary to maintain operations, services, and to comply**
20 **with Centers for Medicare and Medicaid Services conditions of participation; and**

21 **WHEREAS, by Resolution No. 18-168, the Tohono O'odham Legislative Council adopted**
22 **amendments to the Contracting and Procurement Authority, 26 Tohono O'odham**
23 **Code Chapter 1, Article 4 to include contracting authority for Tohono O'odham**
24 **Nation Health Care, which are set to expire September 30, 2020; and**

25 **WHEREAS, the Health and Human Services Committee recommends that the contracting**
26 **authority for TONHC be extended for an additional three years, expiring on**
27 **September 30, 2023.**

28 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
29 **extension of the amendments to the Contracting and Procurement Authority, 26**
30 **Tohono O'odham Code Chapter 1, Article 4 to include contracting authority for**
31 **Tohono O'odham Nation Health Care until September 30, 2023.**

32 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council adopts the following**
33 **amendment to Section 1403(D) of 26 Tohono O'odham Code Chapter 1, Article 4:**

RESOLUTION NO. 20-338

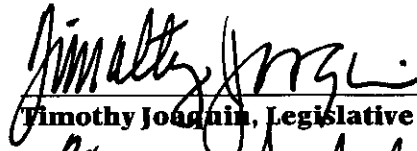
(Extending TONHC Amendments to Contracting and Procurement Authority, 26 Tohono O'odham Code Chapter 1, Article 4)

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(D) Unless otherwise extended by Legislative Council resolution, this section and the Operational and Revenue Contracts provisions of Section 1406(A) and (C)(2) will be repealed effective September 30, 2020 2023.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 29TH day of SEPTEMBER, 2020 at a meeting at which a quorum was present with a vote of 3,175.7 FOR; -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(d)(2)and(3) 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
30 day of September, 2020

ATTEST:



Evonne Wilson, Legislative Secretary
30 day of September, 2020

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 30 day of September, 2020 at 4:00 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 30 day of September, 2020
 DISAPPROVED at 4:10 o'clock, P .m.


NED NOBRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

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RESOLUTION NO. 20-338

(Extending TONHC Amendments to Contracting and Procurement Authority, 26 Tohono O'odham Code Chapter 1, Article 4)

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Returned to the Legislative Secretary on the 30 day of
September, 2020, at 4:16 o'clock, P.m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: EXTENDING TONHC AMENDMENTS TO CONTRACTING AND PROCUREMENT AUTHORITY, 26 TOHONO O'ODHAM CODE CHAPTER 1, ARTICLE 4

MOVED: COUNCILWOMAN MARRIETTA MARTIN

SECOND: COUNCILWOMAN JANICE FELIX

DATE: SEPTEMBER 29, 2020

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			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			
	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			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	119.45	X			X
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			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 (<i>Absent</i>) (Ann M. Garcia) (<i>Present</i>)	122.25	X			
TOTAL		3,175.7	3,175.7	-0-	-0-	[03]