

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2021 Attorney Contract with the Law Offices of Kevin G. Hunter PLLC)

RESOLUTION NO. 20-361

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

9 **WHEREAS,** the Legislative Council is further authorized "to manage any funds within the
10 exclusive control of the Tohono O'odham Nation . . . and to appropriate these
11 funds for the benefit of the nation and its members" provided that "[a]ll
12 expenditures of these funds shall be pursuant to appropriations or budgets"
13 authorized by resolution or ordinance (Constitution of the Tohono O'odham
14 Nation, Article VI, Section 1(d)(2)); and

15 **WHEREAS,** attorney contracts on behalf of the Nation require Legislative Council approval
16 (26 Tohono O'odham Code Chapter 1, Article 4); and

17 **WHEREAS,** the Office of Attorney General requires the legal services of the Law Offices of
18 Kevin G. Hunter PLLC to represent the Tohono O'odham Nation in gaming and
19 related matters; and

20 **WHEREAS,** the Office of Attorney General has prepared and submitted for review and
21 approval the FY 2021 Attorney Contract with the Law Offices of Kevin G. Hunter
22 PLLC ("Contract"), which is incorporated by this reference; and

23 **WHEREAS,** the Gaming Negotiating and Domestic Affairs Committees have reviewed and
24 recommend approval of the FY 2021 Attorney Contract with the Law Offices of
25 Kevin G. Hunter PLLC.

26 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves the
27 FY 2021 Attorney Contract with the Law Offices of Kevin G. Hunter PLLC for the
28 period of October 1, 2020 to September 30, 2021, which shall be funded by the
29 Tohono O'odham Gaming Enterprise pursuant to 16 T.O.C Chapter 2, Section
30 7(b)(6).

31 **BE IT FINALLY RESOLVED** that the Tohono O'odham Legislative Council authorizes and directs
32 the Nation's chairperson to execute the Contract, provided that if the Legislative
33 Council fails to appropriate or authorize the expenditure of sufficient funds to
34 provide for payment under the Contract, the Contract shall terminate on the date

RESOLUTION NO. 20-361

(Approving FY 2021 Attorney Contract with the Law Offices of Kevin G. Hunter PLLC)

Page 2 of 3

such funds are no longer available without any termination charges or other liability to the Nation

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15TH day of OCTOBER, 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 2(a) and 1(d)(2) and 1(f) 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

16 day of October, 2020

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

16 day of October, 2020

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 19 day of October, 2020 at _____ o'clock, _____ .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 19 day of October, 2020

at 3:00 o'clock, P.M.

Ned Norris, Jr.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53

RESOLUTION NO. 20-361

(Approving FY 2021 Attorney Contract with the Law Offices of Kevin G. Hunter PLLC)

Page 3 of 3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

Returned to the Legislative Secretary on the 19 day of
October, 2020, at 3:24 o'clock, P.m.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING FY 2021 ATTORNEY CONTRACT WITH THE LAW OFFICES OF KEVIN G. HUNTER PLLC

MOVED: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILWOMAN MARLAKAY HENRY

DATE: OCTOBER 15, 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			
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			
GUVO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			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			
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			
SELLS 547.1	1. EVELYN JUAN MANUEL ()	273.55	X			
	2. ARTHUR WILSON ()	273.55	X			
SIF Oidak 244.5	1. LUCINDA ALLEN (Yolonda Garcia)	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
TOTAL		3,175.7	3,175.7	-0-	-0-	[03]