## **RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL** (Authorizing Updated Negotiation Terms and Negotiating Team)

## **RESOLUTION NO. 21-287**

1	WHEREAS,	the Constitution of the Tohono O'odham Nation vests the Legislative Council with
2		the authority to "promote, protect and provide for public health, peace, morals,
3		education and general welfare of the Tohono O'odham Nation and its members"
4		(Constitution, Article VI, Section 1(c)(2)); and
5	WHEREAS,	the Constitution of the Tohono O'odham Nation also vests the Legislative Council
6		with the authority to "consult, negotiate and conclude agreements and contracts
7		on behalf of the Tohono O'odham Nation with Federal, State and local
8		governments and other Indian tribes or their departments, agencies, or political
9		subdivisions, or with private persons or organizations on all matters within the
10		authority of the Tohono O'odham Council" (Constitution, Article VI, Section 1(f));
11		and
12	WHEREAS,	by Resolution No. 20-331, the Legislative Council approved option one from a
13		closed session September 15, 2020 update and authorized the Office of the
14		Chairman and Vice Chairwoman to implement option one, provided that the
15		Office of the Chairman and Vice Chairwoman regularly update respective
16		oversight committees, the Legislative Council, and Traditional O'odham Leaders;
17		and
18	WHEREAS,	by Resolution No. 20-441, the Legislative Council approved confidential
19		Negotiation Terms and authorized the Office of the Chairman and Vice
20		Chairwoman to continue negotiating with the appropriate parties in accordance
21		with the Negotiation Terms, provided that prior to any execution and finalization
22		of option one, the Office of the Chairman and Vice Chairwoman would confer with
23		the Legislative Council for further approval; and
24	WHEREAS,	in the course of the negotiations, it has become necessary to update the
25		confidential Negotiation Terms, which are incorporated by this reference, and
26		which shall remain confidential until any agreement is reached; and
27	WHEREAS,	the Committee recommends formally adding a member of the Committee to
28		participate with the Office of the Chairman and Vice Chairwoman in the
29		negotiations; and
30	WHEREAS,	the Agricultural and Natural Resources Committee reviewed the Updated
31	No	Negotiation Terms and recommend approval.
32	NOW, THERE	FORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:
33		1. Approves the Updated Negotiation Terms; and

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2. Authorizes the Office of the Chairman and Vice Chairwoman and one designated Agricultural and Natural Resources Committee member to continue negotiating with the appropriate parties in accordance with the Updated Negotiation Terms dated for reference August 2021, provided that prior to any execution and finalization of any agreement, the Office of the Chairman and Vice Chairwoman and designated Agricultural and Natural Resources Committee member shall confer with the Legislative Council for further approval.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13<sup>TH</sup> day of <u>AUGUST</u>, 2021 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0-AGAINST; [01] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(c)(2) and Section 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 mothy Joaqu Legislative Chairman 

ATTES

**Evonne Wilson, Legislative Secretary** 

O day of Unput \_, 2021

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the \_\_\_\_\_ day of \_\_\_\_\_  $m_{\chi}$ , 2021 at 4/4/2 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.

**TQHONO O'QDHAM LEGISLATIVE COUNCIL** 

Jegislative Chairman imothy Joaquii

**RESOLUTION NO. 21-287** (Authorizing Updated Negotiation Terms and Negotiating Team) Page 3 of 3 \_ day of \_\_\_\_\_ APPROVED on the \_\_\_\_ 2 3 4 5 6 7 8 9 10 , 2021 at <u>4:1K</u> o'clock, f [] DISAPPROVED .m. NED NORRIS, JR., CHAIRMAN **TOHONO O'ODHAM NATION** Returned to the Legislative Secretary on the \_\_\_\_\_day of , 2021, at <u>9110</u> o'clock, <u>Q</u>.m. LA1 **Evonne Wilson, Legislative Secretary** 22 23 24 25 26 27 29 36 

## ACTION: AUTHORIZING UPDATED NEGOTIATION TERMS AND NEGOTIATING TEAM

# MOVED: COUNCILWOMAN MARLAKAY HENRY SECOND: COUNCILWOMAN EVELYN JUAN MANUEL

DATE: AUGUST 13, 2021

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK	1. MARY LOPEZ	122.8	x			
245.6	(Ann M. Garcia)	122.8	х			
	2. LUCINDA ALLEN (Francis Homewytewa)	1110				
SELLS	1. ARTHUR WILSON	278.25	x			
556.5		278.25	x			
	2. EVELYN JUAN-MANUEL (Arvada Liston)					
SCHUK TOAK	1. TERESA F. DONAHUE	95.25	x			
190.5	(Alberta Espinoza) 2. DELISA M. RAMON	95.25	x			
	(Sharon A. Francisco)					
SAN XAVIER	1. DANIEL L.A. PRESTON III	121.3	х			
242.6	(Racheal Vilson-Stoner) 2. JANICE FELIX	121.3	х			
	(Adam P. Andrews)					
SAN LUCY	1. JANA MONTANA	121.9	x			
243.8	(Lorraine M. Eiler) 2. ROGER MANUEL	121.9	x			
	(Christina Andrews)					
PISINEMO	1. MARIETTA MARTIN	116.35	x			
232.7	( ) 2. EDWARD D. MANUAL	116.35	х			
	(Monica Morgan)					
HICKIWAN	1. LOUIS R. LOPEZ	108.3	x			
216.6	2. SANDRA D. ORTEGA (Absent)	108.3	х		х	
	(Delma M. Garcia) <i>(Present)</i>					
GU VO 270.7	1. GRACE MANUEL	135.35	x			
270.7	( ) 2. CYNTHIA SAAVEDRA	135.35	x			
	(Dallas Lewis)					
GU ACHI	1. TIMOTHY L. JOAQUIN	139.25	x			
278.5	( ) 2. VICTORIA HOBBS	139.25	x			
	(Tonya L. Joaquin)					
CHUKUT KUK	1. MARLAKAY HENRY	175.8	x			
351.6	(Billman Lopez)	175.8	x			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)					
BABOQUIVARI	1. ALBERTA J. RAY	194.45	x			x
388.9	(Frances G. Antone)	194.45	x			
	2. LEANDER MASE (Francine Schooling)					
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