# **RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**

(Accepting USDA Food and Nutrition Service Food Distribution Program CARES Act Grant Award and Approving FY 2023 Department of Health and Human Services Division of Family Assistance Tribal USDA Food Distribution Program CARES Act Match Budget)

## **RESOLUTION NO. 21-365**

1	WHEREAS,	the Tohono O'odham Legislative Council is authorized "to manage any funds
2		within the exclusive control of the Tohono O'odham Nation and to appropriate
3		these funds for the benefit of the nation and its members" provided that "[a]ll
4		expenditures of these funds shall be pursuant to appropriations or budgets"
5		authorized by resolution or ordinance (Constitution of the Tohono O'odham
6		Nation, Article VI, Section 1(d)(2)); and
7	WHEREAS,	the Department of Health and Human Services applied for and was awarded a
8		grant from the USDA Food and Nutrition Services Food Distribution Program
9		("FNS FDP"); and
10	WHEREAS,	while the CARES Act appropriated the funding for the USDA FNS FDP grant award,
11		the grant is implemented in accordance with the Food and Nutrition Act of 2008,
12		which requires a 20% tribal match unless a tribe can demonstrate that the tribe
13		is financially unable to provide a greater non-Federal share of the costs; or that
14		providing a greater non-Federal share of the costs would be a substantial burden
15		for the tribe (7 U.S.C. 2013, (b)(4)(B)(i) and (ii)); and
16	WHEREAS,	the Department of Health and Human Services has prepared and submitted for
17		review and approval its FY 2023 Division of Family Assistance Tribal USDA Food
18		Distribution Program CARES Act Match Budget, which is incorporated by this
19		reference, in the amount of \$27,000.00, which shall be funded by the Nation's
20		general fund; and
21	WHEREAS,	the Health and Human Services and Budget and Finance Committees have
22		reviewed the USDA FNS FDP grant award and FY 2023 Department of Health and
23		Human Services Division of Family Assistance Tribal USDA Food Distribution
24		Program CARES Act Match Budget and recommend accepting the grant award
25		and approving the budget.
26	NOW, THERI	FORE, BE IT RESOLVED that the Tohono O'odham Legislative Council accepts the
27		USDA FNS FDP grant award and approves the FY 2023 Department of Health and
28		Human Services Division of Family Assistance USDA Food Distribution Program
29		CARES Act Match Budget effective August 1, 2020 through September 30, 2023 in
30		the amount of \$27,000.00, which shall be funded by the Nation's general fund.
31	BE IT FINALI	Y RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham
32		Nation chairperson or any designated official is authorized to administer and

#### **RESOLUTION NO. 21-365**

(Accepting USDA Food and Nutrition Service Food Distribution Program CARES Act Grant Award and Approving FY 2023 Department of Health and Human Services Division of Family Assistance Tribal USDA Food Distribution Program CARES Act Match Budget) Page 2 of 3

expend the FY 2023 Department of Health and Human Services Division of Family Assistance Tribal USDA Food Distribution Program CARES Act Match Budget, provided that any amendments or modifications shall be submitted for prior approval by the Tohono O'odham Legislative Council.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the  $16^{TH}$  day of SEPTEMBER, 2021 at a meeting at which a quorum was present with a vote of 3,101.65 FOR; 116.35 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).

IQHONO Q'ODHAM LEGISLATIVE COUNCIL

n, Legislative Chairman day of 

ATTEST

Evonne Wilson, Legislative Secretary day of AMMM, 2021

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2021 at  $\frac{4}{32}$  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

hy Joaquín e tislative Chairman

**RESOLUTION NO. 21-365** (Accepting USDA Food and Nutrition Service Food Distribution Program CARES Act Grant Award and Approving FY 2023 Department of Health and Human Services Division of Family Assistance Tribal **USDA Food Distribution Program CARES Act Match Budget)** Page 3 of 3 APPROVED on the 2 day of -SZ-o'clock, 4 5 6 [] DISAPPROVED at .m. -NED NORRIS, JR., CHARMAN **TOHONO O'ODHAM NATION** Returned to the Legislative Secretary on the \_\_\_\_\_\_ day of \_, 2021, at <u>494</u>0'clock, \_p\_.m. r **Evonne Wilson, Legislative Secretary** 

### ACTION: ACCEPTING USDA FOOD AND NUTRITION SERVICE FOOD DISTRIBUTION PROGRAM CARES ACT GRANT AWARD AND APPROVING FY 2023 DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF FAMILY ASSISTANCE TRIBAL USDA FOOD DISTRIBUTION PROGRAM CARES ACT MATCH BUDGET

MOVED: COUNCILMAN DANIEL L.A. PRESTON III

#### SECOND: COUNCILWOMAN MARLAKAY HENRY

DATE: SEPTEMBER 16, 2021

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK	1. MARY LOPEZ	122.8	x			
245.6	(Ann M. Garcia) 2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS	1. ARTHUR WILSON	278.25	x			x
556.5	( ) 2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK	1. TERESA F. DONAHUE	95.25	x			
190.5	(Alberta Espinoza) 2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER	1. DANIEL L.A. PRESTON III	121.3	x			
242.6	(Racheal Vilson-Stoner) 2. JANICE FELIX (Adam P. Andrews)	121.3	x			
SAN LUCY	1. JANA MONTANA	121.9	x			
243.8	(Lorraine M. Eiler) 2. ROGER MANUEL (Christina Andrews)	121.9	x			
PISINEMO	1. MARIETTA MARTIN	116.35	x			
232.7	( ) 2. EDWARD D. MANUAL (Monica Morgan)	116.35		х		
HICKIWAN	1. LOUIS R. LOPEZ	108.3	x			x
216.6	2. SANDRA D. ORTEGA (Delma M. Garcia)	108.3	x			
GU VO	1. GRACE MANUEL	135.35	x			
270.7	( ) 2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
GU ACHI	1. TIMOTHY L. JOAQUIN	139.25	x			
278.5	( ) 2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	x			
CHUKUT KUK	1. MARLAKAY HENRY	175.8	x			
351.6	(Billman Lopez) 2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	x			
BABOQUIVARI	1. ALBERTA J. RAY	194.45	x			x
388.9	(Frances G. Antone) 2. LEANDER MASE (Francine Schooling)	194.45	x			
· · · · · · · · · · · · · · · · · · ·	TOTAL	3,218.0	3,101.65	116.35	-0-	[03]