

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Nineteen Tribal Nations Shared Governance Agreement
and Consortia Agreement)**

RESOLUTION NO. 21-408

- 1 **WHEREAS,** **the Tohono O'odham Legislative Council is authorized to "provide for, appoint, or**
2 **provide for the appointment of, and prescribe the duties and powers of**
3 **committees, boards, officers and agents . . ." and to "consult, negotiate and**
4 **conclude agreements and contracts on behalf of the Tohono O'odham Nation**
5 **with Federal, State and local governments and other Indian tribes or their**
6 **departments, agencies, or political subdivisions, or with private persons or**
7 **organizations on all matters within the authority of the Tohono O'odham**
8 **Council." (Constitution of the Tohono O'odham Nation Article VI, Section 1(b) and**
9 **Section 1(f)); and**
- 10 **WHEREAS,** **the Constitution vests the Nation's chairperson with the authority to "exercise all**
11 **other powers delegated to him by the Tohono O'odham Council. . ." (Constitution,**
12 **Article VII, Section 2(d)); and**
- 13 **WHEREAS,** **workforce development and training is crucial to the Nation's members who need**
14 **assistance in obtaining employment and training on the Tohono O'odham**
15 **Nation; and**
- 16 **WHEREAS,** **the Workforce Innovation and Opportunity Act ("WIOA"), Public Law 113- 128**
17 **provides that there shall be established in each local area of a State, and certified**
18 **by the Governor of the State, a local workforce development board; and**
- 19 **WHEREAS,** **the Nineteen Tribal Nations Workforce Development Local Area is comprised of**
20 **thirteen tribal nations, including the Tohono O'odham Nation; and**
- 21 **WHEREAS,** **each of the thirteen tribal nations' chief elected officials, under the proposed**
22 **Shared Governance Agreement, appoints a tribal representative to the Nineteen**
23 **Tribal Nations Local Workforce Development Board ("LWDB"); and**
- 24 **WHEREAS,** **since 1983, the LWDB has provided assistance to tribal nations for the purpose of**
25 **providing workforce development and training opportunities in accordance with**
26 **the WIOA; and**
- 27 **WHEREAS,** **the U.S. Department of Labor distributes WIOA funding ("Funds") directly to the**
28 **Arizona Department of Economic Security ("ADES"), which then allocates the**
29 **Funds to the LWDB, which in turn allocates Funds to each of the member tribal**
30 **nations of the LWDB, including the Tohono O'odham Nation; and**
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(Approving Nineteen Tribal Nations Shared Governance Agreement and Consortia Agreement)
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1 **WHEREAS, the Tohono O'odham Nation Department of Education One Stop Division uses the**
2 **Funds to deliver services to tribal youth, adults, and dislocated workers who seek**
3 **employment and training; and**

4 **WHEREAS, the WIOA Federal governing legislation requires local boards, such as LWDB, to**
5 **enter into both a Consortia Agreement and a Shared Governance Agreement**
6 **(together the "Agreements"), which are incorporated by these references, to**
7 **specify the authority given to the LWDB and each CEO in their management of the**
8 **Funds; and**

9 **WHEREAS, the Consortia Agreement takes effect upon signature of all parties and continues**
10 **until terminated, or until the Nineteen Tribal Nations Workforce Development**
11 **Local Area/Board is amended or dissolved, or WIOA is rescinded or repealed; and**

12 **WHEREAS, the Shared Governance Agreement is for a perpetual term, which ends at the**
13 **earliest occurrence of: (1) LWDB is dissolved; (2) funds from the State or U.S.**
14 **Department of Labor is discontinued; or (3) termination pursuant to the**
15 **provisions of the Shared Governance Agreement; and**

16 **WHEREAS, the Human Resources Development Committee has reviewed the Consortia**
17 **Agreement and the Shared Governance Agreement and recommends approval.**

18 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
19 **Consortia Agreement and the Shared Governance Agreement substantially in the**
20 **forms attached, provided that the Nation's chairperson is delegated the authority**
21 **to appoint the Nation's tribal representative to the LWBD.**

22 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham**
23 **Nation's chairperson or any designated official is authorized to enter into the**
24 **Agreements, provided that any amendments to the Agreements shall be**
25 **submitted for prior approval by the Tohono O'odham Legislative Council.**

26 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 14TH**
27 **day of OCTOBER, 2021 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;**
28 **~~0~~ AGAINST; ~~0~~ NOT VOTING; and ~~0~~ ABSENT, pursuant to the powers vested in the Council by,**
29 **Article VI, Section 1(b) and Section 1(f), Article VII, Section 2(d) of the Constitution of the Tohono**
30 **O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by**
31 **the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant**
32 **to Section 16 of the Act of June 18, 1934 (48 Stat.984).**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

18 day of October, 2021

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

15 day of October, 2021

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 18 day of October, 2021 at 10:00 o'clock, a.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 18 day of October, 2021

DISAPPROVED

at 4:20 o'clock, p.m.

Ned Norris, Jr.

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

Returned to the Legislative Secretary on the 19 day of

October, 2021, at 5:00 o'clock, p.m.

Evonne Wilson

Evonne Wilson, Legislative Secretary

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ACTION: APPROVING NINETEEN TRIBAL NATIONS SHARED GOVERNANCE AGREEMENT AND CONSORTIA AGREEMENT**MOVED: VICE CHAIRWOMAN ALBERTA J. RAY****SECOND: COUNCILWOMAN JANICE FELIX****DATE: OCTOBER 14, 2021**

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