

**RESOLUTION OF THE TOHONO O’ODHAM LEGISLATIVE COUNCIL
(Approving FY 2022 Valley Emergency Communications Center Subscriber Services
Agreement between the Tohono O’odham Nation and Drexel Heights Fire District)**

RESOLUTION NO. 21-442

1 **WHEREAS,** the Constitution of the Tohono O’odham Nation vests the Legislative Council with
2 the power “[t]o 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,** the Tohono O’odham Nation entered an Emergency Dispatch Services Agreement
8 with the Drexel Heights Fire District on or about August 16, 2002, which has been
9 extended annually; and

10 **WHEREAS,** the Drexel Heights Fire District is now the Managing Administrative Principal of
11 the Valley Emergency Communications Center; and

12 **WHEREAS,** under the Subscriber Services Agreement, the Valley Emergency
13 Communications Center will provide emergency dispatch services to the Tohono
14 O’odham Nation Fire Department for the Nation’s San Xavier District at a cost of
15 \$13,750.00 per quarter; and

16 **WHEREAS,** the parties have agreed to execute the Subscriber Services Agreement, which is
17 incorporated by this reference; and

18 **WHEREAS,** pursuant to 26 Tohono O’odham Code Chapter 1, Article 4 – Contracting and
19 Procurement Authority, intergovernmental agreements require approval by the
20 Legislative Council; and

21 **WHEREAS,** the Subscriber Services Agreement includes a partial waiver of sovereign
22 immunity because it requires that the parties consent to personal jurisdiction in
23 Arizona; and

24 **WHEREAS,** the Domestic Affairs Committee has reviewed the Subscriber Services Agreement
25 and recommends its approval.

26 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O’odham Legislative Council approves the
27 **FY 2022 Valley Emergency Communications Center Subscriber Services**
28 **Agreement between the Tohono O’odham Nation and Drexel Heights Fire District.**

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RESOLUTION NO. 21-442

(Approving FY 2022 Valley Emergency Communications Center Subscriber Services Agreement between the Tohono O'odham Nation and Drexel Heights Fire District)

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BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council approves a limited waiver of sovereign immunity pursuant to the Subscriber Services Agreement that requires parties to consent to personal jurisdiction in Arizona.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18TH day of NOVEMBER, 2021 at a meeting at which a quorum was present with a vote of 3,001.4 FOR; -0- AGAINST; -0- NOT VOTING; and 216.6[03] ABSENT, pursuant to the powers vested in the Council by, Article VI, 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

Timothy Joaquin
Timothy Joaquin, Legislative Chairman
19 day of November, 2021

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary
19 day of November, 2021

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 19 day of November, 2021 at 2:32 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
Timothy Joaquin, Legislative Chairman

APPROVED

on the 22 day of November, 2021

DISAPPROVED

at 11:10 o'clock, a.m.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

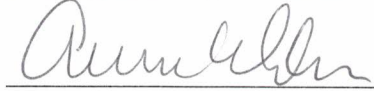
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between the Tohono O'odham Nation and Drexel Heights Fire District)**

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Returned to the Legislative Secretary on the 23 day of

November, 2021, at 10:12 o'clock, a.m.



Evonne Wilson, Legislative Secretary

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ACTION: APPROVING FY 2022 VALLEY EMERGENCY COMMUNICATIONS CENTER SUBSCRIBER SERVICES AGREEMENT BETWEEN THE TOHONO O'ODHAM NATION AND DREXEL HEIGHTS FIRE DISTRICT

MOVED: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILMAN LEANDER MASE

DATE: NOVEMBER 18, 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 (Arvada Liston)	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. Eiler)	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 (<i>Absent</i>) (Dallas Lewis) (<i>Present</i>)	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 (<i>Absent</i>) (Billman Lopez) (<i>Present</i>)	175.8	X			X
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (<i>Absent</i>) (Frances G. Antone) (<i>Present</i>)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
TOTAL		3,218.0	3,001.4	-0-	-0-	216.6 [03]