

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2022 Professional Services Contract between the Tohono
O'odham Nation and Michael Brown, Esq.)**

RESOLUTION NO. 21-476

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

9 **WHEREAS,** attorney contracts on behalf of the Nation require Legislative Council approval
10 (26 Tohono O'odham Code Chapter 1, Article 4); and

11 **WHEREAS,** the increasing needs of tribal members for legal representation in criminal and
12 juvenile offender matters has caused a need for attorneys to handle cases where
13 the Tohono O'odham Advocate Program is ethically conflicted out of the
14 representation; and

15 **WHEREAS,** the Tohono O'odham Advocate Program has prepared and submitted for review
16 and approval the FY 2022 Professional Services Contract between the Tohono
17 O'odham Nation and Michael Brown Esq., to represent clients who cannot be
18 represented by the Nation's Advocate Program due to a conflict of interest; and

19 **WHEREAS,** the Domestic Affairs Committee has reviewed the FY 2022 Professional Services
20 Contract between the Tohono O'odham Nation and Michael Brown, Esq., and
21 recommends approval.

22 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves the
23 **FY 2022 Professional Services Contract between the Tohono O'odham Nation and**
24 **Michael Brown Esq., in substantially the form attached, for the period of October**
25 **1, 2021 to September 30, 2022.**

26 **BE IT FINALLY RESOLVED** that the Tohono O'odham Legislative Council authorizes and directs
27 the Nation's chairperson to execute the Professional Services Contract, provided
28 that any amendments to the Professional Services Contract shall be submitted for
29 prior approval by the Tohono O'odham Legislative Council.
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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 16TH day of DECEMBER, 2021 at a meeting at which a quorum was present with a vote of 2,695.95 FOR; 522.05 AGAINST; [01] NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by, Article VI, Section 2(a) 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

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

16 day of December, 2021

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

16 day of December, 2021

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 17 day of December, 2021 at 8:24 o'clock, 9 .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 20 day of December, 2021

DISAPPROVED

at 2:35 o'clock, P .m.

Ned Norris, Jr.

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

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Returned to the Legislative Secretary on the 10 day of
November, 2021, at 2:57 o'clock, p.m.


Evonne Wilson, Legislative Secretary

ACTION: APPROVING FY 2022 PROFESSIONAL SERVICES CONTRACT BETWEEN THE TOHONO O'ODHAM NATION AND MICHAEL BROWN, ESQ.

MOVED: COUNCILWOMAN GRACE MANUEL

SECOND: COUNCILWOMAN JANICE FELIX

DATE: DECEMBER 16, 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 (<i>Absent</i>) (Racheal Vilson-Stoner) (<i>Present</i>)	121.3	X			X
	2. JANICE FELIX (Adam P. Andrews)	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9		X		X
	2. ROGER MANUEL (Christina Andrews)	121.9		X		
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X		X	
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. SANDRA D. ORTEGA (Delma M. Garcia)	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	2,695.95	522.05	[01]	[02]