## RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL

(Acceptance of the Grant Agreement and Approval of the FY 2023 City of Tucson High Intensity Drug Trafficking Area (HIDTA) for the Native American Targeted Investigations of Violent Enterprises (NATIVE) Budget)

## RESOLUTION NO. 22-344

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 Tohono O'odham Legislative Council is vested with the power to "consult,
8		negotiate and conclude agreements and contracts on behalf of the Tohono
9		O'odham Nation ("Nation") with Federal, State and local governments."
10		(Constitution of the Tohono O'odham Nation, Article VI, Section l(f)); and
11	WHEREAS,	the Department of Public Safety Law Enforcement was awarded the City of Tucson
12		High Intensity Drug Trafficking Area (HIDTA) Grant, Grant No. HT-21-2966, for the
13		Native American Targeted Investigations of Violent Enterprises (NATIVE) Task
14		Force; and
15	WHEREAS,	the Tohono O'odham Nation Department of Public Safety Police Department has
16		negotiated an Agreement with the City of Tucson HIDTA, Agreement No. HT-21-
17		2966 which is incorporated by this reference, for the grant period of January 1,
18		2021 through December 31, 2022; and
19	WHEREAS,	the Department of Public Safety Police Department has prepared and submitted
20		for review its FY 2023 City of Tucson HIDTA NATIVE Task Force budget which is
21		incorporated by this reference, in the amount of \$17,282.00, effective January 1,
22		2021 through December 31, 2022, to be funded by the City of Tucson HIDTA NATIVE
23		Agreement No. HT-21-2966 and does not allow for Indirect Cost; and
24	WHEREAS,	a limited waiver of Sovereign Immunity is required for the City of Tucson High
25		Intensity Drug Trafficking Area Grant Agreement No. HT-21-2966 to be enforced;
26		and
27	WHEREAS,	the Domestic Affairs and Budget and Finance Committees have reviewed the
28		Agreement and FY 2023 City of Tucson HIDTA NATIVE Task Force budget and
29		recommend its approval.
30	NOW, THERE	FORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:

## RESOLUTION NO. 22-344

(Acceptance of the Grant Agreement and Approval of the FY 2023 City of Tucson High Intensity Drug Trafficking Area (HIDTA) for the Native American Targeted Investigations of Violent Enterprises (NATIVE) Budget)

Page 2 of 3

1. accepts the City of Tucson HIDTA Grant Agreement for the NATIVE Task Force; and

- 2. accepts the Agreement for the City of Tucson HIDTA NATIVE Task Force in substantially the form attached hereto; and
- 3. approves the FY 2023 City of Tucson HIDTA NATIVE Task Force Budget, effective January 1, 2021 through December 31, 2022, for overtime cost, and no indirect cost charges, substantially in the form attached hereto; and
- 4. authorizes the Chairman of the Nation to execute the Agreement.

BE IT FURTHER RESOLVED that the Tohono O'odham Nation Legislative Council approves a limited waiver of sovereign immunity for the provisions of the City of Tucson High Intensity Drug Trafficking Area Grant Agreement No. HT-21-2966 to be enforced.

BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham Nation chairperson or any designated official is authorized to administer and expend the FY 2023 City of Tucson HIDTA NATIVE Budget, provided however, 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 15<sup>TH</sup> day of SEPTEMBER, 2022 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0-AGAINST; -0-NOT VOTING; and [02] 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).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquiy, Legislative Chairman

10 day of

. 2022

Evonne Wilson, Legislative Secretary

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RESOLUTION NO. 22-342 (Acceptance of the Grant Agreement and Approval of the FY 2023 City of Tucson High Intensity Drug Trafficking Area (HIDTA) for the Native American Targeted Investigations of Violent Enterprises (NATIVE) Budget) Page 3 of 3 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 mothy Joagyin, Legislative Chairman [X] APPROVED on the 22 day of 47 o'clock, [ ] DISAPPROVED NED NORRIS, JR., CHĂIRMAN TOHONO O'ODHAM NATION Returned to the Legislative Secretary on the 22 day of

\_\_\_\_\_, 2022, at 12:7240'clock, P\_\_.m. **Evonne Wilson, Legislative Secretary** 

ACTION: ACCEPTANCE OF THE GRANT AGREEMENT AND APPROVAL OF THE FY 2023 CITY OF TUCSON HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) FOR THE NATIVE AMERICAN TARGETED INVESTIGATIONS OF VIOLENT ENTERPRISES (NATIVE) BUDGET

MOVED: COUNCILMAN LEANDER MASE

SECOND: COUNCILWOMAN GRACE MANUEL

DATE: SEPTEMBER 15, 2022

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSEN'
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	Х	12		
243,0	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON (Absent) (Shelia Espino) (Present)	278.25	x			
330.3	2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE	95.25	x		· · · · · · · · · · · · · · · · · · ·	**
190.3	(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 (Absent)	121.9	x			*****
243.8	(Lorraine M. Eiler) (Present)  2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN	116.35	x			
232.7	( ) 2. EDWARD D. MANUEL (Monica Morgan)	116.35	x			
HICKIWAN	1. LOUIS R. LOPEZ	108.3	X			
216.6	2. DELMA M. GARCIA ( )	108.3	X			
GU VO	1. GRACE MANUEL	135.35	Х			
270.7	( ) 2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X		į	
GUACHI	1. TIMOTHY L. JOAQUIN	139.25	X			
278.5	( ) 2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	Х			
CHUKUT KUK	1. MARLAKAY HENRY (Absent)	175.8	X			X
351.6	(Billman Lopez) (Present) 2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	x			
BABOQUIVARI	1. ALBERTA J. RAY (Absent)	194.45	х			X
388,9	(Frances G. Antone) <i>(Present)</i> 2. LEANDER MASE (Francine Schooling)	194.45	X			
	TOTAL	3,218.0	3,218.0	-0-	-0-	[02]