

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Low Income Home Energy Assistance Program Intergovernmental  
Agreement Amendment No. 3 between the Tohono O'odham Nation and the  
Arizona Department of Economic Security)**

**RESOLUTION NO. 22-362**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**  
2 **the power "to 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 Low-Income Home Energy Assistance Program ("LIHEAP") is a federally**  
8 **funded program, administered through the Arizona Department of Economic**  
9 **Security ("ADES"), that helps low-income households pay their heating/cooling**  
10 **bills, minimize crises, and make energy costs more affordable; and**

11 **WHEREAS, the LIHEAP Intergovernmental Agreement ("IGA") between the Nation and ADES**  
12 **was approved by Resolution No. 20-234 for the period of July 1, 2020 through June**  
13 **30, 2025 which will provide funding to the Nation for the LIHEAP on an annual**  
14 **basis; and**

15 **WHEREAS, Amendment No. 1 was approved by Resolution No. 21-351, which revised the Case**  
16 **Management Service Budget in the amount of \$125,000.00 for the period of July 1,**  
17 **2021 through June 30,2022; and**

18 **WHEREAS, Amendment No. 2 was approved by Resolution No. 22-021, which increased the**  
19 **Case Management Service Budget from \$125,000.00 to \$197,000.00 for the period**  
20 **of July 1, 2021 through June 30, 2022, a total increase of \$72,000.00; and**

21 **WHEREAS, the ADES has submitted LIHEAP IGA Amendment No. 3, which will provide the**  
22 **original Case Management Service Budget for the period of July 1, 2021 through**  
23 **June 30, 2022; and**

24 **WHEREAS, in accordance with the Alert issued on June 6, 2022 the initial allocation is as**  
25 **follows: The total value of the budget is \$90,420.00 as detailed in the attached**  
26 **itemized service budget. This amount includes estimated carryover funding from**  
27 **State Fiscal Year 2022 in the amount of \$27,920.00; and**

28 **WHEREAS, on June 14, 2022, TON Family Assistance Division submitted its ARPA carryover**  
29 **budget amount of \$26,620.00 to process and expedite as the budget must be**  
30 **expended before September 30, 2022, but the amended ADES IGA amendment No.**  
31 **3 was pending; and**

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1 **WHEREAS, on August 4, 2022, ADES provided the Nation with the ARPA estimated carryover**  
2 **amount of \$27,920.00 noted in the ADES IGA Amendment No. 3 and the attached**  
3 **Itemized Service Budget, which provides an estimated carryover amount; and**

4 **WHEREAS, the ARPA carryover funding is to pay eligible applicants' heating and cooling bills**  
5 **as an ongoing service which must be expended before September 30, 2022; and**

6 **WHEREAS, the ARPA estimated carryover amount provided by ADES is more than the amount**  
7 **budgeted by the Nation, with a difference of \$1,300.00 which was not budgeted**  
8 **and will revert to the grantor; and**

9 **WHEREAS, the Health and Human Services Committee has reviewed the LIHEAP IGA**  
10 **Amendment No. 3 and recommends its approval.**

11 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**  
12 **LIHEAP IGA Amendment No. 3 and authorizes the Tohono O'odham Nation**  
13 **chairperson to execute the LIHEAP IGA Amendment No. 3 in substantially the**  
14 **form attached, provided that any further amendments or modifications shall be**  
15 **submitted for prior approval by the Tohono O'odham Legislative Council.**

16 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21<sup>ST</sup>**  
17 **day of SEPTEMBER, 2022 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;**  
18 **-0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by,**  
19 **Article VI, Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono**  
20 **O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**  
21 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934**  
22 **(48 Stat.984).**

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24 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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28 **Timothy Joaquin, Legislative Chairman**

29  
30 22 day of September, 2022

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33 **ATTEST:**

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36 **Evonne Wilson, Legislative Secretary**

37  
38 22 day of September, 2022  
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**(Approving Low Income Home Energy Assistance Program Intergovernmental Agreement Amendment No. 3 between the Tohono O'odham Nation and the Arizona Department of Economic Security)**

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 22 day of September, 2022 at 1:16 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, Legislative Chairman

APPROVED

on the 22 day of September, 2022

DISAPPROVED

at 1:23 o'clock, P.m.

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

Returned to the Legislative Secretary on the 22 day of

September, 2022, at 1:25 o'clock, P.m.

  
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Evonne Wilson, Legislative Secretary

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**ACTION: APPROVING LOW INCOME HOME ENERGY ASSISTANCE PROGRAM INTERGOVERNMENTAL AGREEMENT AMENDMENT NO. 3 BETWEEN THE TOHONO O'ODHAM NATION AND THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY**

**Moved: COUNCILMAN LEANDER MASE**

**SECOND: COUNCILWOMAN MARIETTA MARTIN**

**DATE: SEPTEMBER 21, 2022**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 245.6	1. MARY LOPEZ (Ann M. Garcia) 2. LUCINDA ALLEN (Francis Homewytewa)	122.8 122.8	X X			X
SELLS 556.5	1. ARTHUR WILSON ( <i>Absent</i> ) (Shelia Espino) ( <i>Present</i> ) 2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25 278.25	X X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza) 2. DELISA M. RAMON (Sharon A. Francisco)	95.25 95.25	X X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner) 2. JANICE FELIX (Adam P. Andrews)	121.3 121.3	X X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler) 2. ROGER MANUEL (Christina Andrews)	121.9 121.9	X X			
PISINEMO 232.7	1. MARIETTA MARTIN ( ) 2. EDWARD D. MANUEL (Monica Morgan)	116.35 116.35	X X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ( ) 2. DELMA M. GARCIA ( )	108.3 108.3	X X			
GU VO 270.7	1. GRACE MANUEL ( ) 2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35 135.35	X X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ( ) 2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25 139.25	X X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez) 2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8 175.8	X X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone) 2. LEANDER MASE (Francine Schooling)	194.45 194.45	X X			
	<b>TOTAL</b>	<b>3,218.0</b>	<b>3,218.0</b>	<b>-0-</b>	<b>-0-</b>	<b>[01]</b>