

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2023 Valley Emergency Communications Center Subscriber Services
Agreement between the Tohono O'odham Nation and Drexel Heights Fire District)

RESOLUTION NO. 22-410

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 as 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 sovereign immunity**
22 **because it requires that the parties consent to personal jurisdiction in Arizona;**
23 **and**

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

26 **NOW, THEREFORE, IT BE RESOLVED that the Tohono O'odham Legislative Council Approves the**
27 **FY 2023 Valley Emergency Communications Center Subscriber Services**
28 **Agreement between the Tohono O'odham Nation and Drexel Heights Fire District**
29 **in substantially the form attached.**
30

RESOLUTION NO. 22-409

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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 17th day of NOVEMBER, 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(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, Legislative Chairman
18 day of November, 2022

ATTEST:

Evonne Wilson, Legislative Secretary
18 day of November, 2022

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 18 day of November, 2022 at 9:00 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

[X] APPROVED

on the 27 day of November, 2022

[] DISAPPROVED

at 9:58 o'clock, a.m.

Ned Norris, Jr., Chairman
TOHONO O'ODHAM NATION

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1 Returned to the Legislative Secretary on the 22 day of

2 November, 2022, at 1:01 o'clock, p.m.

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7 **Evonne Wilson, Legislative Secretary**

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ACTION: APPROVING FY 2023 VALLEY EMERGENCY COMMUNICATIONS CENTER SUBSCRIBER SERVICES AGREEMENT BETWEEN THE TOHONO O'ODHAM NATION AND DREXEL HEIGHTS FIRE DISTRICT

MOVED: COUNCILMAN LEANDER MASE

SECOND: COUNCILWOMAN JANICE FELIX

DATE: NOVEMBER 17, 2022

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDA 245.6	1. MARY LOPEZ (Ann M. Garcia) 2. LUCINDA ALLEN (Francis Homewytewa)	122.8 122.8	X X			
SELLS 556.5	1. ARTHUR WILSON (Shelia Espino) 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 <i>(Absent)</i> (Racheal Wilson-Stoner) <i>(Present)</i> 2. JANICE FELIX (Adam P. Andrews)	121.3 121.3	X X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eller) 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			X
GU VO 270.7	1. GRACE MANUEL () 2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35 135.35	X 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 <i>(Absent)</i> (Cornelius Antone) <i>(Present)</i>	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			
	TOTAL	3,218.0	3,218.0	-0-	-0-	[02]