

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2023 Professional Services Agreement between the Tohono O'odham
Judicial Branch and Refrigeration Service Solutions)

RESOLUTION NO. 23-223

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**
2 **the authority to “consult, negotiate and conclude agreements and contracts on**
3 **behalf of the Tohono O'odham Nation with . . . private persons or organizations**
4 **on all matters within the authority of the Tohono O'odham Council”**
5 **(Constitution, Article VI, Section 1(f)); and**

6 **WHEREAS, the Tohono O'odham Legislative Council is authorized “to manage any funds**
7 **within the exclusive control of the Tohono O'odham Nation ... and to appropriate**
8 **these funds for the benefit of the nation and its members” provided that “[a]ll**
9 **expenditures of these funds shall be pursuant to appropriations or budgets”**
10 **authorized by resolution or ordinance (Constitution of the Tohono O'odham**
11 **Nation, Article VI, Section 1(d)(2)); and**

12 **WHEREAS, the Judicial Branch has prepared and submitted for review and approval its FY**
13 **2023 Professional Service Agreement between the Tohono O'odham Judicial**
14 **Branch and Refrigeration Service Solutions; and**

15 **WHEREAS, the Professional Service Agreement between the Tohono O'odham Judicial**
16 **Branch and Refrigeration Service Solutions will allow the Judicial Branch to**
17 **purchase and install at the Tohono O'odham Justice Center 15 replacement air**
18 **conditioning units; and**

19 **WHEREAS, the cost for the replacement and installation of the 15 new air conditioning units**
20 **is \$183,956.75; and**

21 **WHEREAS, the Judicial Branch proposes to pay this amount from the Judicial Branch's**
22 **American Rescue Plan Act Budget, approved by Resolution No. 22-070 (“ARPA**
23 **funds”); and**

24 **WHEREAS, this Agreement exceeds the amount the Chief Judge is authorized to negotiate,**
25 **execute, and conclude under 26 Tohono O'odham Code Chapter 1, Article 4,**
26 **Section 1404(B), and therefore, Legislative Council approval is required; and**

27 **WHEREAS, the Judiciary Committee has reviewed the Agreement and recommends its**
28 **approval.**

29 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
30 **FY 2023 Professional Service Agreement between the Tohono O'odham Judicial**
31 **Branch and Refrigeration Service Solutions for the replacement and installation**
32 **of the 15 new air conditioning units in the amount of \$183,956.75, which will be**

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1 paid for from the Judicial Branch's American Rescue Plan Act Budget, approved
2 by Resolution No. 22-070.

3 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the Chief Judge, or
4 his delegate, is authorized to approve and execute the FY 2023 Professional
5 Service Agreement between the Tohono O'odham Judicial Branch and
6 Refrigeration Service Solutions as described herein, provided that any
7 amendments shall be submitted to the Tohono O'odham Legislative Council for
8 prior approval.

9 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 20TH
10 day of JUNE, 2023 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;
11 -0- AGAINST; [01] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by,
12 Article VI, Section 1(f) and Section 1(d)(2) of the Constitution of the Tohono O'odham Nation,
13 adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy
14 Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the
15 Act of June 18, 1934 (48 Stat.984).

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17 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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21 Alberta J. Ray, Legislative Vice Chairwoman

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23 22 day of June, 2023

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27 **ATTEST:**

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30 Evonne Wilson, Legislative Secretary

31
32 22 day of June, 2023

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34 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
35 O'odham Nation on the 22 day of June, 2023 at 4:43 o'clock, P.m.,
36 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
37 effective upon his approval or upon his failure to either approve or disapprove it within 48
38 hours of submittal.

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40 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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44 Alberta J. Ray, Legislative Vice Chairwoman

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APPROVED

on the 26 day of June, 2023

DISAPPROVED

at 4:37 o'clock, P.m.

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

Returned to the Legislative Secretary on the 26 day of

June, 2023, at 4:46 o'clock, P.m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: APPROVING FY 2023 PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOHONO O'ODHAM JUDICIAL BRANCH AND REFRIGERATION SERVICE SOLUTIONS**MOVED: COUNCILMAN LEANDER MASE****SECOND: COUNCILWOMAN CYNTHIA SAAVEDRA****DATE: JUNE 20, 2023**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			X
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON (<i>Absent</i>) (Shelia Espino) (<i>Present</i>)	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 ()	121.3	X			
SAN LUCY 243.8	1. 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. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X		X	
	2. 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	3,218.0	-0-	[01]	[01]