

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Repealing Emergency Authorizations in Resolution No. 20-094 "Authorizing Action in
Preparation for and During the COVID-19 Pandemic Public Health Emergency")

RESOLUTION NO. 23-234

1 **WHEREAS,** the Legislative Council is vested with the authority to promote, protect, and
2 provide for the public health, peace, and general welfare of the Tohono O'odham
3 Nation and its members, and to consult with "Federal, State and local
4 governments and other Indian tribes or their departments, agencies, or political
5 subdivisions . . . on all matters within the authority of the Tohono O'odham
6 Council" (Constitution of the Tohono O'odham Nation, Article VI, Section 1(c)(2)
7 and (f)); and

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

14 **WHEREAS,** on March 13, 2020, in response to the rapid spread of COVID-19 in the United
15 States, and confirmed presence in the State of Arizona, the Nation's Chairman
16 declared a State of Emergency for the Tohono O'odham Nation, and established
17 the Nation's Unified Command in order to coordinate necessary policies, and
18 direct resources to the Nation in a timely manner; and

19 **WHEREAS,** by Resolution No. 20-094, the Legislative Council authorized the Nation's
20 Chairman or Vice-Chairwoman or their official designee to prepare, mitigate,
21 prevent, respond, and recover from the COVID-19 pandemic by taking the
22 following actions:

- 23 (1) In consultation with public health officials, issue executive orders to
24 prevent the spread of COVID-19 that enforce quarantine orders, restrict the
25 movement of people and property within the Nation, prohibit meetings,
26 events or gatherings of people in groups within the Nation, that close public
27 facilities and businesses open to the public and/or require compliance with
28 public health orders or directives issued by the State of Arizona or local
29 governments that would not otherwise apply within the Nation;
- 30 (2) Approve contracts for goods and services required to respond to the COVID-
31 19 pandemic that exceed \$500,000 but are less than \$1,000,000 without the

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1 approval of the Legislative Council that would otherwise be required by 26
2 T.O.C. Chapter 1, Section 1402;

3 (3) Coordinating the Nation's response to COVID-19 with other governments and
4 agencies; and

5 (4) Seek outside sources for physical and monetary assistance in response and
6 recovery.

7 (hereafter and collectively, "Emergency Authorizations"); and

8 WHEREAS, since 2021 with the availability of the COVID-19 vaccination and programs to
9 encourage Nation's members and employees to vaccinate, the Nation's Chairman
10 withdrew and scaled back several public health measures in response to
11 declining rates of COVID-19 infections; and

12 WHEREAS, by Executive Order No. 2023-01, the Nation's Chairman terminated the
13 Declaration of a State of Emergency issued on March 13, 2020 and further
14 withdrew Executive Order No. 2022-02, which included all the remaining health
15 measures; and

16 WHEREAS, with the termination of the Declaration of a State of Emergency, the Health and
17 Human Services and Budget and Finance Committees recommend repealing the
18 Emergency Authorizations in Resolution No. 20-094.

19 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council repeals the
20 Emergency Authorizations in Resolution No. 20-094 effective July 24, 2023.

21 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21ST
22 day of JUNE, 2023 at a meeting at which a quorum was present with a vote of 2,634.0 FOR;
23 584.0 AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council
24 by, Article VI, Section 1(c)(2) and (f) of the Constitution of the Tohono O'odham Nation, adopted
25 by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy
26 Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the
27 Act of June 18, 1934 (48 Stat.984).

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30 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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34 Alberta J. Ray, Legislative Vice Chairwoman

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36 22 day of June, 2023
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1 **ATTEST:**

2 *Evonne Wilson*
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4 **Evonne Wilson, Legislative Secretary**

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6 22 day of June, 2023

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

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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16 *Alberta J. Ray*
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18 **Alberta J. Ray, Legislative Vice Chairwoman**

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23 **APPROVED**

on the 26 day of June, 2023

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25 **DISAPPROVED**

at 4:40 o'clock, P.m.

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27 *Ned Norris, Jr.*
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29 **NED NORRIS, JR., CHAIRMAN**
30 **TOHONO O'ODHAM NATION**

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35 Returned to the Legislative Secretary on the 26 day of
36 June, 2023, at 4:46 o'clock, P.m.

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38 *Evonne Wilson*
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40 **Evonne Wilson, Legislative Secretary**

ACTION: REPEALING EMERGENCY AUTHORIZATIONS IN RESOLUTION NO. 20-094 "AUTHORIZING ACTION IN PREPARATION FOR AND DURING THE COVID-19 PANDEMIC PUBLIC HEALTH EMERGENCY"

MOVED: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILMAN DANIEL L.A. PRESTON III

DATE: JUNE 21, 2023

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 (<i>Absent</i>) (Shelia Espino) (<i>Present</i>)	278.25	X			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 (<i>Absent</i>) (Dallas Lewis) (<i>Present</i>)	135.35		X		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 (<i>Absent</i>) (Billman Lopez) (<i>Present</i>)	175.8	X			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	2,634.0	584.0	-0-	[04]