

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2024 Professional Services Contract between the Tohono O'odham
Nation and Benjamin Aguilera, Esq.)

RESOLUTION NO. 23-349

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**
2 **the power to “employ legal counsel for the protection and advancement of the**
3 **Tohono O'odham Nation” (Constitution of the Tohono O'odham Nation, Article VI,**
4 **Section 2(a)); and**

5 **WHEREAS, the increasing needs of tribal members for legal representation in criminal and**
6 **juvenile offender matters has caused a need for attorneys to handle cases where**
7 **the Tohono O'odham Advocate Program is ethically conflicted out of the**
8 **representation; and**

9 **WHEREAS, the Tohono O'odham Advocate Program has prepared and submitted for review**
10 **and approval FY 2024 Professional Services Contract between the Tohono**
11 **O'odham Nation and Benjamin Aguilera Esq, to represent clients who cannot be**
12 **represented by the Nation's Advocate Program due to a conflict of interest; and**

13 **WHEREAS, fees for services provided under this Contract will be paid out of the FY 2024**
14 **Advocate Program Budget in accordance with the terms of the FY 2024**
15 **Professional Services Contract with Benjamin Aguilera, Esq., for the period of**
16 **October 1, 2023 to September 30, 2024; and**

17 **WHEREAS, the Domestic Affairs Committee has reviewed the contract and recommends**
18 **approval by the Legislative Council.**

19 **NOW, THEREFORE BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
20 **FY 2024 Professional Services Contract between the Tohono O'odham Nation and**
21 **Benjamin Aguilera, Esq., in substantially the form attached.**

22 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes the Nation's**
23 **chairperson to execute the Professional Services Contract with Benjamin**
24 **Aguilera, Esq., provided that any amendments to the Professional Services**
25 **Contract shall be submitted for prior approval by the Tohono O'odham**
26 **Legislative Council.**

27 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH**
28 **day of SEPTEMBER 2023 at a meeting at which a quorum was present with a vote of 3,263.3 FOR;**
29 **-0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**
30 **Article VI, Section 2(a) of the Constitution of the Tohono O'odham Nation, adopted by the**
31 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
32 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
33 **18, 1934 (48 Stat.984).**

34
35

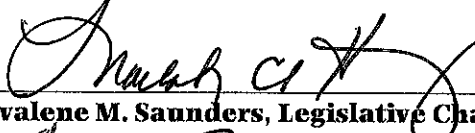
RESOLUTION NO. 23-349

(Approving FY 2024 Professional Services Contract between the Tohono O'odham Nation and Benjamin Aguilera, Esq.)

Page 2 of 2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Wavalene M. Saunders, Legislative Chairwoman

18th day of SEPTEMBER, 2023

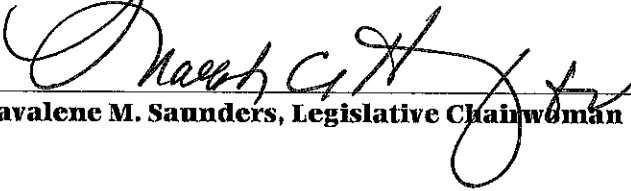
ATTEST:


Evonne Wilson, Legislative Secretary

15 day of September, 2023

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 18th day of SEPTEMBER, 2023 at 12:56 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


Wavalene M. Saunders, Legislative Chairwoman

APPROVED

on the 19 day of September, 2023

DISAPPROVED

at 6:47 o'clock, p.m.


VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19 day of

September, 2023, at 1:00 o'clock, p.m.


Evonne Wilson, Legislative Secretary

ACTION: APPROVING FY 2024 PROFESSIONAL SERVICES CONTRACT BETWEEN THE TOHONO O'ODHAM NATION AND BENJAMIN AGUILERA, ESQ.

Moved: COUNCILMAN TIMOHTY L. JOAQUIN

SECOND: COUNCILWOMAN VIVIAN JUAN-SAUNDERS

DATE: SEPTEMBER 12, 2023

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 394.2	1. LEANDER MASE (<i>Absent</i>) (Francine Schooling) (<i>Present</i>)	197.1	X			
	2. JESSE NAVARRO (Alberta J. Ray)	197.1	X			
CHUKUT KUK 354.7	1. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	177.35	X			
	2. MARLAKAY HENRY ()	177.35	X			
GUACHI 282.7	1. VICTORIA HOBBS (Tonya L. Joaquin)	141.35	X			
	2. TIMOTHY L. JOAQUIN (Jerome L. Joaquin)	141.35	X			
GU VO 276.0	1. DALLAS LEWIS ()	138.0	X			
	2. LESLIE LUNA (Grace Manuel)	138.0	X			
HICKIWAN 220.5	1. DELMA M. GARCIA ()	110.25	X			
	2. LOUIS R. LOPEZ (Loretta A. Ortega)	110.25	X			X
PISINEMO 236.2	1. EDWARD D. MANUAL (Monica Morgan)	118.1	X			
	2. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	118.1	X			
SAN LUCY 257.6	1. ROGER MANUEL (Christina Andrews)	128.8	X			
	2. GLORIA M. RAMIREZ (Lorraine M. Eiler)	128.8	X			
SAN XAVIER 244.5	1. JANICE FELIX ()	122.25	X			
	2. DANIEL L.A. PRESTON III ()	122.25	X			
SCHUK TOAK 191.8	1. DELISA M. RAMON (Sharon A. Francisco)	95.9	X			
	2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9	X			
SELLS 558.0	1. EVELYN JUAN-MANUEL (Arvada Liston)	279.0	X			
	2. JANET B. ELEANDO ()	279.0	X			
SIF OIDAK 247.1	1. LUCINDA ALLEN (Francis Homewytewa)	123.55	X			
	2. WAVALENE M. SAUNDERS (Mary Lopez)	123.55	X			
TOTAL		3,263.30	3,263.30	-0-	-0-	[01]