

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2024 Valley Emergency Communications Center Subscriber Services
Agreement between the Tohono O'odham Nation and Drexel Heights Fire District)**

RESOLUTION NO. 24-025

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 Tohono O'odham Nation with Federal, State and local governments and**
4 **other Indian Tribes or their departments, agencies, or political subdivisions, or**
5 **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 an Emergency Dispatch Services Agreement**
8 **with the Drexel Heights Fire District on or about August 16, 2022, 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 Service Agreement, the Valley Emergency Communications**
13 **Center will provide emergency dispatch services to the Tohono O'odham Nation**
14 **Fire Department for the Nation's San Xavier District at a cost of \$15,000.00 per**
15 **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 to indemnify each other; and**

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

26 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approved the**
27 **FY 2024 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 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council approves a limited**
31 **waiver of sovereign immunity pursuant to the Subscriber Services Agreement**

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that requires parties to indemnify each other and to consent to personal jurisdiction in Arizona.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 17TH day of JANUARY 2024 at a meeting at which a quorum was present with a vote of 3,167.4FOR; 95.9 AGAINST; -0- NOT VOTING; and [04] 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

Wavalene M. Saunders
Wavalene M. Saunders, Legislative Chairwoman

24 day of January, 2024

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary

24 day of January, 2024

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 24 day of January, 2024 at 1:50 o'clock, 1 .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
Wavalene M. Saunders, Legislative Chairwoman

on the 24 day of January, 2024

at 4:14 o'clock, 16 .m.

Verlon M. Jose
VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

APPROVED

DISAPPROVED

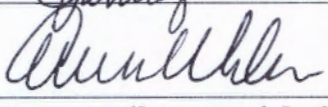
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1 Returned to the Legislative Secretary on the 25 day of

2
3 January, 2024, at 9:19 o'clock, a.m.

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7 **Evonne Wilson, Legislative Secretary**

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ACTION: APPROVING FY 2024 VALLEY EMERGENCY COMMUNICATIONS CENTER SUBSCRIBER SERVICES AGREEMENT BETWEEN THE TOHONO O'ODHAM NATION AND DREXEL HEIGHTS FIRE DISTRICT

Moved: COUNCILMAN TIMOTHY L. JOAQUIN

SECOND: COUNCILMAN LEANDER MASE

DATE: JANUARY 17, 2024

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 394.2	1. LEANDER MASE (Francine Schooling) 2. JESSE NAVARRO (Alberta J. Ray)	197.1 197.1	X X			
CHUKUT KUK 354.7	1. VIVIAN JUAN-SAUNDERS (Cornelius Antone) 2. MARLAKAY HENRY ()	177.35 177.35	X X			X
GU ACHI 282.7	1. VICTORIA HOBBS (Tonya L. Joaquin) 2. TIMOTHY L. JOAQUIN (Jerome L. Joaquin)	141.35 141.35	X X			
GU VO 276.0	1. DALLAS LEWIS () 2. LESLIE LUNA (Grace Manuel)	138.0 138.0	X X			X
HICKIWAN 220.5	1. DELMA M. GARCIA () 2. LOUIS R. LOPEZ (<i>Absent</i>) (Loretta A. Ortega) (<i>Present</i>)	110.25 110.25	X X			
PISINEMO 236.2	1. EDWARD D. MANUEL (Monica Morgan) 2. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	118.1 118.1	X X			X
SAN LUCY 257.6	1. ROGER MANUEL (<i>Absent</i>) (Christina Andrews) (<i>Present</i>) 2. GLORIA M. RAMIREZ (<i>Absent</i>) (Lorraine M. Eiler) (<i>Present</i>)	128.8 128.8	X X			X
SAN XAVIER 244.5	1. JANICE FELIX () 2. DANIEL L.A. PRESTON III ()	122.25 122.25	X X			
SCHUK TOAK 191.8	1. DELISA M. RAMON (Sharon A. Francisco) 2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9 95.9	X	X		
SELLS 558.0	1. EVELYN JUAN-MANUEL (Arvada Liston) 2. JANET B. ELEANDO ()	279.0 279.0	X X			
SIF OIDAK 247.1	1. LUCINDA ALLEN (Francis Homewytewa) 2. WAVALENE M. SAUNDERS (Mary Lopez)	123.55 123.55	X X			
	TOTAL	3,263.30	3,167.4	95.9	-0-	[04]