

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Intergovernmental Agreement for Detention Services between
the City of Glendale and the Tohono O'odham Nation)

RESOLUTION NO. 24-345

1 **WHEREAS,** the Tohono O'odham Legislative Council is vested with the power "[t]o consult,
2 negotiate and conclude agreements . . . on behalf of the Tohono O'odham Nation
3 with . . . State and local governments . . . or their departments, agencies, or
4 political subdivisions . . . on all matters within the authority of the Tohono
5 O'odham Council" and "[t]o exercise the inherent powers of the Tohono O'odham
6 Nation by providing . . . resolutions to promote, protect and provide for public
7 health, peace, morals, education and general welfare of the Tohono O'odham
8 Nation and its members" (Constitution of the Tohono O'odham Nation, Article VI,
9 Sections 1(c)(2) and (f); and

10 **WHEREAS,** the Tohono O'odham Nation Legislative Council previously approved the
11 Intergovernmental Agreements for Detention Services between the City of
12 Glendale and the Tohono O'odham Nation by Resolutions No. 15-484, No. 18-052
13 and No. 20-017; and

14 **WHEREAS,** the Nation desires to renew the Intergovernmental Agreement with the City of
15 Glendale to safekeep, care, and maintenance of persons arrested by the Nation
16 and booked into the City of Glendale's detention system at the rate of \$251.90 per
17 inmate per day; and

18 **WHEREAS,** in the event that the Nation is unable to transport prisoners to the City of
19 Glendale's detention facility, the Nation may request the Glendale Police
20 Department to transport the prisoners at a cost of \$50.00 per transport from the
21 property at West Valley Casino at Glendale located at 9431 W. Northern Avenue,
22 Glendale, Az. and \$75.00 per transport from the White Tanks at San Lucy West
23 Valley Casino property located at 8200 N. Sarival Avenue, Waddell, Arizona; and

24 **WHEREAS,** the Intergovernmental Agreement for Detention Services between the City of
25 Glendale and the Tohono O'odham Nation includes a limited waiver of sovereign
26 immunity because it requires that the Agreement be interpreted according to the
27 law of the State of Arizona, and because it requires the Nation to indemnify the
28 City of Glendale for losses, damages and claims arising out of the performance of
29 the Agreement; and

30 **WHEREAS,** the fees accrued, will be paid by the Department of Public Safety, Tohono
31 O'odham Nation Police Department tribal budget; and

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RESOLUTION NO. 24-345

(Approving the Intergovernmental Agreement for Detention Services between the City of Glendale and the Tohono O'odham Nation)

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1 **WHEREAS, the Domestic Affairs Committee has reviewed the Intergovernmental Agreement**
2 **for Detention Services between the City of Glendale and the Tohono O'odham**
3 **Nation and recommends its approval.**


4 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
5 **Intergovernmental Agreement for Detention Services between the City of**
6 **Glendale and the Tohono O'odham Nation for the Nation's Police Department**
7 **servicing the West Valley and White Tanks far West Valley Casinos.**

8 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council approves the limited**
9 **waiver of sovereign immunity in the Intergovernmental Agreement for Detention**
10 **Services between the City of Glendale and the Tohono O'odham Nation which**
11 **requires that the Agreement be interpreted according to the law of the State of**
12 **Arizona, and which requires the Nation to indemnify the City of Glendale for**
13 **losses, damages and claims arising out of the performance of the Agreement.**

14 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham**
15 **Nation's Chairperson or any designated official is authorized to execute the**
16 **Intergovernmental Agreement for Detention Services between the City of**
17 **Glendale and the Tohono O'odham Nation substantially in the form attached**
18 **hereto, provided that any amendments shall be submitted for prior approval by**
19 **the Tohono O'odham Legislative Council.**

20 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH**
21 **day of OCTOBER 2024 at a meeting at which a quorum was present with a vote of 3,263.3 FOR; -0-**
22 **AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by**
23 **Article VI, Sections 1(c)(2) and (f) of the Constitution of the Tohono O'odham Nation, adopted by**
24 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
25 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
26 **18, 1934 (48 Stat.984).**

27 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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31 **Wavalene M. Saunders, Legislative Chairwoman**

32
33 11th day of OCTOBER, 2024

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36 **ATTEST:**

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39 **Evonne Wilson, Legislative Secretary**

40 11 day of October, 2024
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RESOLUTION NO. 24-345

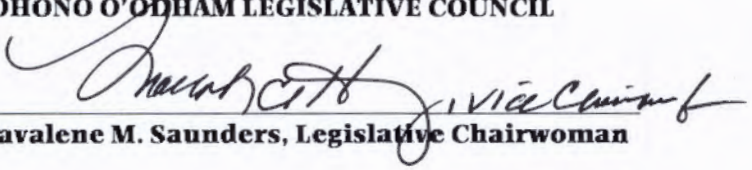
(Approving the Intergovernmental Agreement for Detention Services between the City of Glendale and the Tohono O'odham Nation)

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 11th day of OCTOBER, 2024 at 4:05 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

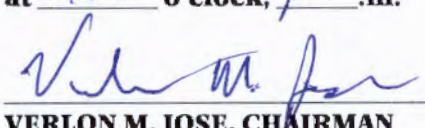

Wavalene M. Saunders, Legislative Chairwoman

APPROVED

on the 14 day of October, 2024

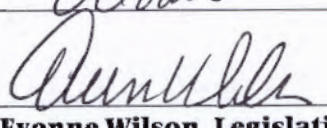
DISAPPROVED

at 3:50 o'clock, P .m.


VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 15 day of

October, 2024, at 10:15 o'clock, A .m.


Evonne Wilson, Legislative Secretary

ACTION: APPROVING THE INTERGOVERNMENTAL AGREEMENT FOR DETENTION SERVICES BETWEEN THE CITY OF GLENDALE AND THE TOHONO O'ODHAM NATION

MOVED: COUNCILMAN LEANDER MASE

SECOND: COUNCILMAN JEROME F. JOAQUIN

DATE: OCTOBER 08, 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. JEROME F. JOAQUIN ()	141.35 141.35	X X			
GU VO 276.0	1. DALLAS LEWIS () 2. LESLIE LUNA ()	138.0 138.0	X X			
HICKIWAN 220.5	1. DELMA M. GARCIA () 2. LOUIS R. LOPEZ (Loretta A. Ortega)	110.25 110.25	X X			
PISINEMO 236.2	1. EDWARD D. MANUEL () 2. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	118.1 118.1	X X			
SAN LUCY 257.6	1. ROGER MANUEL (Christina Andrews) 2. GLORIA M. RAMIREZ (Lorraine M. Eiler)	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			X
SCHUK TOAK 191.8	1. DELISA M. RAMON (Sharon A. Francisco) 2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9 95.9	X 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. FRANCIS HOMEWYTEWA () 2. WAVALENE M. SAUNDERS (Mary Lopez)	123.55 123.55	X X			
	TOTAL	3,263.30	3,263.3	-0-	-0-	[04]