

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Authorizing the Expenditure of General Funds of the Nation for  
Title II-B while Contract is being Negotiated; All expenditures  
Subject to Reimbursement Upon Execution of Contract)

RES. NO. 91-097

WHEREAS, the Tohono O'odham Legislative Council did by Resolution  
No. 436-90, authorize the Executive Branch to negotiate  
and execute, on behalf of the Nation, a contract for Title  
II-B funding with the State of Arizona; and

WHEREAS, in the course of negotiating the contract, the Nation was  
advised of a new provision that would require the Nation  
to conduct background checks and fingerprinting of all  
personnel under the contract pursuant to Arizona State  
law, and submit these fingerprints to the State Department  
of Economic Security for computer check; and

WHEREAS, the Nation views this requirement as an imposition upon  
the sovereignty of the Nation and has requested a  
modification to the contract provision which may achieve  
the objectives of the State while protecting the Nation's  
sovereignty; and

WHEREAS, the Executive Branch anticipates that considerable time  
will be engaged to resolve this matter which will affect  
the implementation of the Title II-B program; and

WHEREAS, the Executive Branch requires authorization to expend  
general funds from the Nation's treasury to provide for  
the timely implementation of the Title II-B program as  
approved by the Legislature, while the Nation and the  
State negotiate an agreement.

NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative  
Council that it does hereby authorize the expenditure of

((Authorizing the Expenditure of General Funds of the Nation for Title II-B while Contract is being Negotiated; All expenditures Subject to Reimbursement Upon Execution of Contract)

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General Funds of the Nation for the Title II-B program while the contract is being negotiated.

BE IT FURTHER RESOLVED that such funding authorization is limited to \$148,309.00, the amount represented in the contract noted above.

BE IT FINALLY RESOLVED that the Executive Branch is hereby directed to take all steps necessary to secure funds from the State of Arizona for reimbursement of the Nation's funds upon execution of the contract.

The foregoing Resolution was passed by the Tohono O'odham Council on the 8th day of March, 1991 at a meeting at which a quorum was present with a vote of 1,558.0 for; -0- against; -0- not voting; 166.0 (04) absent, pursuant to the powers vested in the Council by Section 1(d) (2) & (f) of Article VI 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

*Edward D. Manuel*  
for Edward D. Manuel, Legislative Chairman  
8th day of March, 1991.

ATTEST:

*Teresa M. Choyguha*  
Teresa M. Choyguha, Legislative Secretary  
8th day of March, 1991.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 8th day of March, 1991, at 4:33 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.

((Authorizing the Expenditure of General Funds of the Nation for Title II-B while Contract is being Negotiated; All expenditures Subject to Reimbursement Upon Execution of Contract)

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

*Edward D. Manuel*  
for Edward D. Manuel, Legislative Chairman

[  ] APPROVED ) on the 8<sup>th</sup> day of March, 19 91,  
[  ] DISAPPROVED) at 4:38 o'clock, P.M.

*Angelo Joaquin, Sr.*  
ANGELO J. JOAQUIN, SR., Chairman  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 8<sup>th</sup> day of  
March, 19 91, at 4:47 o'clock, P.M.

*Teresa M. Choyguha*  
Teresa M. Choyguha  
Legislative Secretary

MOVED: COUNCILMAN VIRGIL LEWISSUBJECT: AUTHORIZING CONTRACT EXPENDITURE OF GENERALSECOND: COUNCILMAN WILLARD JUAN, SR.FUNDS FOR TITLE II-B WHILE CONTRACT IS BEING NEGOTIATEDDATE: MARCH 8, 1991ALL EXPENDITURES SUBJECT TO REIMBURSEMENT UPON EXECUTION

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BAGOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico)	114.5	X			
	2. Joann Garcia (Frances Niquel)	114.5	X			
CHUKUT KUK 163.0	1. Rosita Ruiz (Rosemary Lopez)	81.5	X			
	2. Kenneth Williams (Harriet Toro)	81.5	X			
GU ACHI 166.0	1. Percy Lopez ( )	83.0				X
	2. Alex Ramon (Fernando Joaquin)	83.0				X
GU VO 114.0	1. Cross Antone (Juan Joe Cipriano)	57.0	X			
	2. Virgil Lewis (Michael Flores)	57.0	X			
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5	X			
	2. Lenora Montana ( )	62.5	X			X
PISINEMO 119.0	1. Johnson Jose ( )	59.5	X			
	2. Edward Manuel (Alex Antone)	59.5	X			
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0	X			
	2. John Reno ( )	53.0	X			
SAN XAVIER 127.0	1. Eugene Enis, Sr. (Michael Rios)	63.5	X			
	2. Joanne C. Preston (Carmelita Mattias)	63.5	X			
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela, Sr)	53.5	X			
	2. Joseph Juan (Frances Francisco)	53.5	X			
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Daniel Lopez)	155.0	X			
SIF Oidak 158.0	1. Mary Ann Antone (Nina Jose)	79.0	X			X
	2. Willard Juan, Sr. (Melissa Gregorio)	79.0	X			
	TOTAL	1,724.0	1,558.0	-0-	-0-	166.0 (04)

\*\*PASSED VOTES