

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Repealing Resolution Nos. 96-559, 96-581, 97-002, 97-003,
97-029 and 97-030; Reauthorizing Negotiation of Contract
for Acquisition of Emergency Response Equipment;
Reauthorizing Negotiation and Execution of Lease for
Fire Equipment; and Reappropriating Funds for such Lease)**

RESOLUTION NO. 97-038

WHEREAS, by Resolution Nos. 96-559, 96-581, 97-002, 97-003, 97-029 and 97-030, the Tohono O'odham Legislative Council authorized certain actions concerning the lease and acquisition of equipment for the Tohono O'odham Fire Department, and overrode four related vetoes by the Chairman of the Nation; and

WHEREAS, the Legislative Council has determined to simplify the approved Resolutions on this subject by repealing the prior Resolutions, reauthorizing and consolidating the actions in this Resolution, and reaffirming the reasons for such actions; and

WHEREAS, the Fire Department is in need of emergency response vehicles to provide adequate services to the members of the Tohono O'odham Nation; and

WHEREAS, the Legislative Council is aware of the needs that exist throughout the Nation in the areas of fire protection and fire safety; and

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WHEREAS, in order to provide adequate services to all areas of the Nation, quality equipment must be provided to meet the needs of the members of the Nation; and

WHEREAS, the Budget & Finance and Commerce Committees of the Legislative Council recommend that a contract to secure quality fire equipment and trucks be negotiated by the Nation; and

WHEREAS, First In, Inc. ("FII") has submitted a proposal to lease a pumper truck to the Nation for use by the Fire Department, pending acquisition of the new pumper trucks and tanker; and

WHEREAS, FII has agreed to lease the pumper truck without charge if the Nation executes a contract to acquire the new equipment within 120 days; and

WHEREAS, rental will be charged at the rate of \$50 per day (totalling \$6,000 for 120 days) if a contract is not entered into within that period; and

WHEREAS, a proposed letter agreement has been prepared to

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outline the terms of such lease, a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Tohono O'odham Legislative Council hereby repeals Resolution Nos. 96-559, 96-581, 97-002, 97-003, 97-029 and 97-030.

2. The Tohono O'odham Legislative Council hereby (a) authorizes the Chairman of the Nation, the Chairpersons of the Commerce and Budget & Finance Committees, Attorney General and the Chief of the Fire Department to negotiate the contract with Pierce Manufacturing, Inc.; and (b) supports the deferred payment plan to purchase three fully equipped fire engine trucks and one pumper tanker for the Fire Department, with authorized payment to be made in Fiscal Year 1998.

3. The Tohono O'odham Legislative Council hereby

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5 (a) authorizes the Chairman of the Nation to
6 execute the lease, provided that it is substantially
7 in the form attached hereto and does not commit
8 the Nation to any financial obligation beyond the
9 obligation prescribed in the lease attached; and
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11 (b) appropriates the sum of \$6,000 from the
12 General Revenue Account for expenditure in the
13 event the contingent rental becomes due.
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16 The foregoing Resolution was passed by the Tohono O'Odham
17 Legislative Council on the 4TH day of FEBRUARY, 1997 at a meeting
18 at which a quorum was present with a vote of 1,315.0 FOR; -0-
19 AGAINST; 247.0 NOT VOTING; and 314.0 [05] ABSENT, pursuant to
20 the powers vested in the Council by Section 1 (d)(2) of Article VI of
21 the Constitution of the Tohono O'Odham Nation, adopted by the
22 Tohono O'Odham Nation on January 18, 1986; and approved by the
23 Acting Deputy Assistant Secretary - Indian Affairs (Operations) on
24 March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
25 Stat. 984).
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

5th day of February, 1997

RESOLUTION NO. 97-038

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ATTEST:

Frances Antone

Frances Antone, Legislative Secretary

5th day of February, 1997.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 5th day of February, 1997, at 8:42 o'clock, A.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

Dennis Ramon

Dennis Ramon, Legislative Chairman

APPROVED on the ____ day of _____, 19____

DISAPPROVED) at 4:55 o'clock, P.M.

Edward D. Manuel
EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

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**Returned to the Legislative Secretary on the 04th day of February
1997, at 5:30 o'clock, P.M.**

Francis Antone

Frances Antone, Legislative Secretary

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REPEALING RESOLUTION NOS. 96-559, 96-581, 97-002, 97-003, 97-029 AND 97-030;
 ACTION AUTHORIZING NEGOTIATION OF CONTRACT FOR ACQUISITION OF EMERGENCY RESPONSE ->

MOVED: COUNCILWOMAN FERN SALCIDO

SECOND: COUNCILWOMAN RITA MARTINEZ

DATE: FEBRUARY 5, 1997

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOING	ABSENT
SIF ODAK 160.0	1. MARY ANN ANTONE (Nellie Miguel)	80.0	X			
	2. RITA MARTINEZ (Maxine Norris)	80.0	X			
SELLS 314.0	1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	157.0				X
	2. LUCILLE ENCINAS (Cynthia Chico)	157.0				X
SCHUK TOAK 117.0	1. KENNETH J. ANTONE ()	58.5				X
	2. JOSEPH JUAN ()	58.5	X			
SAN XAVIER 142.0	1. DENNIS RAMON ()	71.0	X			
	2. TONY BURRELL ()	71.0	X			
BABOQUIVARI 257.0	1. EDWARD KISTO (Idella Stanley)	128.5	X			
	2. FRANCES MIGUEL ()	128.5	X			X
GU ACHI 187.0	1. WILLARD ANITA (Louis Johnson)	93.5	X			
	2. ALEX J. RAMON (Marian Johnson)	93.5	X			
PISINEMO 135.0	1. JOHNSON JOSE (Roseleen Antone)	67.5	X			X
	2. BARBARA SALVICIO ()	67.5	X			X
SAN LUCY 105.0	1. ALBERT MANUEL, JR. ()	52.5			X	X
	2. JOHN RENO (Mary Hoffman)	52.5			X	X
GU VO 134.0	1. GLORIA MONTANA ()	67.0	X			
	2. FERN SALCIDO (Larry Montana)	67.0	X			
HICKIWAN 142.0	1. LLOYD FRANCISCO ()	71.0			X	
	2. ALEX JOSE ()	71.0			X	X
CHUKUT KUK 183.0	1. KENNETH WILLIAMS ()	91.5	X			
	2. DAVID GARCIA (Marvin Thomas)	91.5	X			
TOTAL		1,876.0	1,315.0	-0-	247.0 247.0	314.0 (5)

**PASSED VOTES

