

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Letter of Offer and Acceptance Between the State of Arizona and Tohono
O'odham Nation for Homeland Security Funds)

RESOLUTION NO. 09-256

1 **WHEREAS, the United States Department of Homeland Security has distributed grants to counties**
2 **through their respective states to fund equipment purchases and training by**
3 **departments that provide public safety services within their respective jurisdictions;**
4 **and**

5 **WHEREAS, Indian tribes have been designated to receive funds through their respective states**
6 **and are required to enter agreements to accept such funds; and**

7 **WHEREAS, the Tohono O'odham Nation entered into a Letter of Offer and Acceptance with the**
8 **State of Arizona in 2005 for the purpose of obligating and distributing funds from the**
9 **U.S. Department of Homeland Security, State Homeland Security Program Grant on**
10 **a reimbursement basis to finance equipment purchases, training costs, and position**
11 **costs; and**

12 **WHEREAS, the Letter of Offer and Acceptance has provided a mechanism for three years for**
13 **transferring federal Homeland Security funds to the Nation to purchase equipment,**
14 **fund training, and for other purposes; and**

15 **WHEREAS, the 2005 agreement has expired and a successor agreement has been negotiated by**
16 **the parties; and**

17 **WHEREAS, the Letter of Offer and Acceptance and attached Standard Terms and Conditions**
18 **(collectively, "Letter of Offer and Acceptance"), is incorporated by this reference, will**
19 **remain in effect for three years unless terminated, canceled, or extended as provided**
20 **in the Letter of Offer and Acceptance; and**

21 **WHEREAS, the Letter of Offer and Acceptance will allow the Nation to receive additional funding**
22 **that will be subject to annual review and acceptance by the Tohono O'odham**
23 **Legislative Council; and**

24 **WHEREAS, the Letter of Offer and Acceptance is an intergovernmental agreement between the**
25 **Nation and State of Arizona that has been reviewed and approved by the Office of**
26 **Attorney General, Grants and Contracts, Domestic Affairs Committee, and Budget and**
27 **Finance Committee, which committees recommend approval by the Legislative**
28 **Council.**

29 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
30 **Letter of Offer and Acceptance with the State of Arizona substantially in the form**
31 **attached hereto, which shall remain in effect for three years after the Letter of Offer**

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Page 2 of 3

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and Acceptance becomes effective pursuant to its terms; provided that awards made thereunder shall be subject to annual review and acceptance by the Legislative Council.

BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes the Chairman of the Nation to execute the State of Arizona Letter of Offer and Acceptance and take other actions reasonably necessary to obtain reimbursements of State Homeland Security Program Grant funds; provided expenditures of such funds shall be authorized by further action of the Legislative Council.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11TH Day of MAY, 2009 at a meeting at which a quorum was present with a vote of 2,089.8 FOR; ~~0~~ AGAINST; 444.7 NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by Article IV, Section 1 (f) and 1 (j) 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


Verlon M. Jose, Legislative Chairman

13th day of May, 2009

ATTEST:


Evonne Wilson, Legislative Secretary

11 day of May, 2009.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 13th day of May, 2009 at 3:53 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


Verlon M. Jose, Legislative Chairman

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Page 3 of 3


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APPROVED

on the 14 day of May, 2009

DISAPPROVED

at 3:25 o'clock, P.M.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14 day of

May, 2009, at 3:40 o'clock, P.M.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING LETTER OF OFFER AND ACCEPTANCE BETWEEN THE STATE OF ARIZONA AND TOHONO O'ODHAM NATION FOR HOMELAND SECURITY FUNDS

MOVED: COUNCILWOMAN ETHEL GARCIA

SECOND: COUNCILMAN TIMOTHY JOAQUIN

DATE: MAY 11, 2009

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta Harvey) (<i>Present</i>)	158.45	X			
	2. FRANCES G. ANTONE (Vernon Smith)	158.45	X			
CHUKUT KUK 264.8	1. ETHEL GARCIA ()	132.40	X			
	2. VERLON M. JOSE ()	132.40	X			X
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ()	113.95	X			
GU VO 199.2	1. GRACE MANUEL ()	99.60	X			X
	2. RAYMOND VICTOR ()	99.60	X			
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			
	2. SANDRA ORTEGA (Louie Lopez)	86.00	X			
PISINEMO 182.4	1. CHESTER ANTONE (Tony Murrietta)	91.20	X			
	2. GERALD FAYUANT ()	91.20	X			X
SAN LUCY 181.1	1. LORRAINE EILER ()	90.55	X			X
	2. GLORIA RAMIREZ ()	90.55	X			
SAN XAVIER 196.5	1. FELICIA NUÑEZ ()	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			X
SCHUK TOAK 154.6	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			X
SELLS 444.7	1. KIMBERLY LISTO ()	222.35			X	
	2. EVELYN B. JUAN MANUEL ()	222.35			X	
SIF OIDAK 194.4	1. WAVALENE ROMERO ()	97.20	X			
	2. MARY LOPEZ ()	97.20	X			
TOTAL		2,534.5	2,089.8	-0-	444.7	[06]

**PASSED VOTES