

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Intergovernmental Agreement No. ADHS2020-007 between the Tohono**  
**O'odham Nation and the Arizona Department of Health Services for Public Health**  
**Emergency Preparedness Program)**

**RESOLUTION NO. 20-241**

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with  
2 the power "to consult, negotiate and conclude agreements and contracts on  
3 behalf of the Tohono O'odham Nation with Federal, State and local governments  
4 and other Indian tribes or 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 Arizona Department of Health Services, through the Bureau of Public Health  
8 Emergency Preparedness, has worked with Arizona tribes to improve the  
9 preparedness of each community in the event of any public health emergency,  
10 with most projects funded by grants from the U.S. Department of Health and  
11 Human Services Centers for Disease Control; and

12 **WHEREAS,** the Tohono O'odham Nation ("Nation") has negotiated an Intergovernmental  
13 Agreement with the Arizona Department of Health Services, No. ADHS2020-007,  
14 for Public Health Emergency Preparedness Program, which is incorporated by  
15 this reference, for a period of five years from July 1, 2020 to June 30, 2025; and

16 **WHEREAS,** while the Intergovernmental Agreement ("IGA") does not expressly require a  
17 waiver of the Nation's sovereign immunity, the IGA includes a mutual  
18 indemnification clause, arbitration clause, and the IGA is subject to the laws of  
19 Arizona; and

20 **WHEREAS,** the Intergovernmental Agreement stipulates a 10% match requirement, which  
21 will be met through cost share of the Department of Health and Human Services  
22 Division of Community Health Services Public Health Preparedness Coordinator  
23 salary; and

24 **WHEREAS,** the Health and Human Services Committee has reviewed the Intergovernmental  
25 Agreement between the Nation and the Arizona Department of Health Services  
26 and recommend its approval.

27 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council:

- 28 1. Approves the Intergovernmental Agreement, No. ADHS2020-007, between  
29 the Nation and the Arizona Department of Health Services for Public  
30 Health Emergency Preparedness Program as a fixed price contract for a  
31 period of five years from July 1, 2020 to June 30, 2025; provided that  
32 nothing in the Intergovernmental Agreement or this resolution shall be  
33 construed as a waiver of the Nation's sovereign immunity.

RESOLUTION NO. 20-241

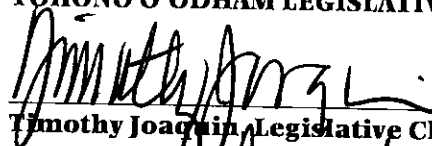
(Approving Intergovernmental Agreement No. ADHS2020-007 between the Tohono O'odham Nation and the Arizona Department of Health Services for Public Health Emergency Preparedness Program)  
Page 2 of 3

- 1                    2. Approves the 10% match requirement, which will be met through cost  
2                    share of the Department of Health and Human Services Division of  
3                    Community Health Services Public Health Preparedness Coordinator  
4                    salary.

5 BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council authorizes the  
6                    chairperson or any designated official to execute the Intergovernmental  
7                    Agreement between the Nation and the Arizona Department of Health Services  
8                    provided that any amendments affecting the Intergovernmental Agreement shall  
9                    be submitted for further prior approval by the Tohono O'odham Legislative  
10                  Council.

11 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04<sup>TH</sup>  
12 day of AUGUST, 2020 at a meeting at which a quorum was present with a vote of 3,175.7 FOR; -0-  
13 AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by  
14 Article VI, Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono  
15 O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -  
16 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934  
17 (48 Stat.984).  
18  
19

20 TOHONO O'ODHAM LEGISLATIVE COUNCIL

21   
22  
23 Timothy Joaquin, Legislative Chairman

24 7 day of August, 2020

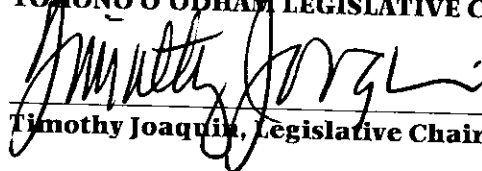
25  
26  
27  
28 ATTEST:

29   
30  
31 Evonne Wilson, Legislative Secretary

32 6 day of August, 2020  
33  
34

35 Said Resolution was submitted for approval to the office of the Chairman of the Tohono  
36 O'odham Nation on the 7 day of August, 2020 at 9:25 o'clock, a.m.,  
37 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
38 effective upon his approval or upon his failure to either approve or disapprove it within 48  
39 hours of submittal.  
40

41 TOHONO O'ODHAM LEGISLATIVE COUNCIL

42   
43  
44 Timothy Joaquin, Legislative Chairman  
45  
46  
47  
48

**RESOLUTION NO. 20-241**

**(Approving Intergovernmental Agreement No. ADHS2020-007 between the Tohono O'odham Nation and the Arizona Department of Health Services for Public Health Emergency Preparedness Program)**  
Page 3 of 3

**APPROVED**

on the 07 day of August, 2020

**DISAPPROVED**

at 10:59 o'clock, a.m.

  
\_\_\_\_\_  
**NED NORRIS, JR., CHAIRMAN**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 7 day of

August, 2020, at 11:15 o'clock, a.m.

  
\_\_\_\_\_  
**Evonne Wilson, Legislative Secretary**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52

**ACTION: APPROVING INTERGOVERNMENTAL AGREEMENT NO. ADHS2020-007 BETWEEN THE TOHONO O'ODHAM NATION AND THE ARIZONA DEPARTMENT OF HEALTH SERVICES FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS PROGRAM**

**Moved: COUNCILMAN LEANDER MASE**

**SECOND: COUNCILWOMAN JANICE FELIX**

**DATE: AUGUST 04, 2020**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling)	192.40	X			
	2. ALBERTA J. RAY (Frances G. Antone)	192.40	X			
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer)	173.75	X			
	2. MARLAKAY HENRY (Billman Lopez)	173.75	X			
GUACHI 279.3	1. VICTORIA HOBBS ( )	139.65	X			
	2. TIMOTHY L. JOAQUIN (Louis L. Johnson)	139.65	X			
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			
	2. GRACE MANUEL ( )	132.25	X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA ( )	106.90	X			X
	2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90	X			
PISINEMO 230.7	1. MONICA K. MORGAN ( )	115.35	X			
	2. MARIETTA MARTIN ( )	115.35	X			
SAN LUCY 235.6	1. GLORIA RAMIREZ ( )	117.80	X			
	2. JANA MONTANA (Lorraine M. Eiler)	117.80	X			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	119.45	X			
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ( )	273.55	X			
	2. ARTHUR WILSON ( )	273.55	X			
SIF OIDAK 244.5	1. LUCINDA ALLEN (Yolonda Garcia)	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
<b>TOTAL</b>		<b>3,175.7</b>	<b>3,175.7</b>	<b>-0-</b>	<b>-0-</b>	<b>[01]</b>