

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Amendment to the FY 2020 Attorney Contract between the Tohono  
O'odham Nation and The Clark Law Firm, P.C.)**

**RESOLUTION NO. 20-310**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**  
2 **the power "to employ legal counsel for the protection and advancement of the**  
3 **rights of the Tohono O'odham Nation" (Constitution, Article VI, Section 2(a)); and**

4 **WHEREAS, the Tohono O'odham Nation has for several years contracted with The Clark Law**  
5 **Firm, P.C. for legal services related to employment issues in which the Office of**  
6 **Attorney General is unable to provide legal advice due to conflict of interest; and**

7 **WHEREAS, the Tohono O'odham Legislative Council by Resolution No. 19-460 approved the**  
8 **Attorney Contract regarding employment issues with the law firm of The Clark**  
9 **Law Firm, P.C., in the amount of \$15,000 for the period of October 1, 2019 through**  
10 **September 30, 2020; and**

11 **WHEREAS, the Human Resources Department has determined that additional legal**  
12 **assistance is required during the current fiscal year with regard to the**  
13 **employment issues; and**

14 **WHEREAS, the Human Resources Department has prepared an Amendment to the Attorney**  
15 **Contract with The Clark Law Firm, P.C. regarding employment issues to increase**  
16 **the budget amount from \$15,000 to \$35,000 for the period of October 1, 2019**  
17 **through September 30, 2020; and**

18 **WHEREAS, the Attorney Contract regarding employment issues is under the oversight of the**  
19 **Attorney General, but is paid for out of the Human Resources Department budget;**  
20 **and**

21 **WHEREAS, the Human Resources Development Committee has reviewed the amendment to**  
22 **the Attorney Contract and recommends its approval.**

23 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**  
24 **Amendment to the Attorney Contract regarding employment issues with The**  
25 **Clark Law Firm, P.C., in the amount of \$35,000 for the period of October 1, 2019**  
26 **through September 30, 2020, which shall be funded from the Human Resources**  
27 **Department budget.**

28 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative that the chairperson of the Nation**  
29 **is authorized to execute the Amendment to the Attorney Contract in substantially**  
30 **the form attached.**

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18<sup>th</sup> day of SEPTEMBER, 2020 at a meeting at which a quorum was present with a vote of 2,628.6 FOR; 547.1 AGAINST; [01] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 2(a) 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

*Timothy Joaquin*

Timothy Joaquin, Legislative Chairman

22 day of September, 2020

ATTEST:

*Evonne Wilson*

Evonne Wilson, Legislative Secretary

21 day of September, 2020

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 22 day of September, 2020 at 10:05 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

*Timothy Joaquin*

Timothy Joaquin, Legislative Chairman

APPROVED

on the 23 day of September, 2020

DISAPPROVED

at 1:12 o'clock, P.m.

*Ned Norris, Jr.*

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

**RESOLUTION NO. 20-310**

**(Approving Amendment to the FY 2020 Attorney Contract between the Tohono O'odham Nation and The Clark Law Firm, P.C.)**

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1 Returned to the Legislative Secretary on the 24 day of  
2  
3 September, 2020, at 12:35 o'clock, p.m.  
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6 Evonne Wilson  
7 **Evonne Wilson, Legislative Secretary**  
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**ACTION:** APPROVING AMENDMENT TO THE FY 2020 ATTORNEY CONTRACT BETWEEN THE TOHONO O'ODHAM NATION AND THE CLARK LAW FIRM, P.C.

**MOVED:** COUNCILWOMAN MARLAKAY HENRY

**SECOND:** COUNCILWOMAN ALBERTA J. RAY

**DATE:** SEPTEMBER 18, 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			
	2. LOUIS R. LOPEZ <i>(Absent)</i> (Delma M. Garcia) <i>(Present)</i>	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			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	X	
	2. ARTHUR WILSON ( )	273.55		X		
SIF OIDAK 244.5	1. LUCINDA ALLEN <i>(Absent)</i> (Yolonda Garcia) <i>(Present)</i>	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
<b>TOTAL</b>		<b>3,175.7</b>	<b>2,628.6</b>	<b>547.1</b>	<b>[01]</b>	<b>[01]</b>