

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Arizona Department of Economic Security for Workforce Innovation and
Opportunity Act Title 1B Intergovernmental Agreement)**

RESOLUTION NO. 21-343

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to "consult,**
2 **negotiate and conclude agreements and contracts on behalf of the Tohono**
3 **O'odham Nation with Federal, State and local governments and other Indian**
4 **tribes or their departments, agencies, or political subdivisions, or with private**
5 **persons or organizations on all matters within the authority of the Tohono**
6 **O'odham Council" and to "promote, protect and provide for public health, peace,**
7 **morals, education and general welfare of the Tohono O'odham Nation and its**
8 **members"(Constitution of the Tohono O'odham Nation, Article VI, Section 1(f)**
9 **and Article VI, Section 1(c)(2)); and**

10 **WHEREAS, a previous intergovernmental Agreement was established between the Tohono**
11 **O'odham Nation and the Arizona Department of Economic Security to provide the**
12 **Tohono O'odham Nation with funds for specific Workforce Innovation and**
13 **Opportunity Act ("WIOA") employment and training programs operated by the**
14 **Department of Education One Stop Division; and**

15 **WHEREAS, the Tohono O'odham Nation has negotiated a new Intergovernmental Agreement**
16 **with the Arizona Department of Economic Security ("Agreement") for WIOA funds**
17 **for a five-year term from July 1, 2020 through June 30, 2025; and**

18 **WHEREAS, the Agreement requires a limited waiver of the Nation's sovereign immunity**
19 **because it requires disputes to be settled through arbitration under certain**
20 **circumstances; and**

21 **WHEREAS, the Human Resources Development Committee has reviewed the Arizona**
22 **Department of Economic Security Workforce Innovation and Opportunity Act,**
23 **Title 1B Intergovernmental Agreement, including the limited waiver of sovereign**
24 **immunity, and recommends its approval.**

25 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
26 **Arizona Department of Economic Security Workforce Innovation and**
27 **Opportunity Act, Title 1B Intergovernmental Agreement in substantially the form**
28 **attached with a term from July 1, 2020 to June 30, 2025.**

29 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council approves a limited**
30 **waiver of the Nation's sovereign immunity solely for the purposes of enforcement**
31 **of the arbitration clause in the Agreement.**

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1 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the Tohono O'odham
2 **Nation chairperson** or any designated official is authorized to execute the
3 **Intergovernmental Agreement**, provided that any amendments shall be
4 **submitted for prior approval** by the Tohono O'odham Legislative Council.

5 **The foregoing Resolution** was passed by the Tohono O'odham Legislative Council on the 13TH
6 **day of SEPTEMBER, 2021** at a meeting at which a quorum was present with a vote of **3,218.0 FOR;**
7 **-0- AGAINST; -0- NOT VOTING; and [01] ABSENT**, pursuant to the powers vested in the Council by,
8 **Article VI, Sections 1(c)(2) and 1(f) of the Constitution of the Tohono O'odham Nation**, adopted
9 **by the Tohono O'odham Nation on January 18, 1986; and approved** by the Acting Deputy
10 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**
11 **Act of June 18, 1934 (48 Stat.984).**

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13 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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17 **Timothy Joaquin, Legislative Chairman**

18 17 day of Sept, 2021

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22 **ATTEST:**

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24 **Evonne Wilson, Legislative Secretary**

25 15 day of September, 2021

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29 **Said Resolution** was submitted for approval to the office of the Chairman of the Tohono
30 **O'odham Nation on the** 17 **day of** Sept, 2021 at 4:32 o'clock, p .m.,
31 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
32 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
33 **hours of submittal.**

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36 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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40 **Timothy Joaquin, Legislative Chairman**

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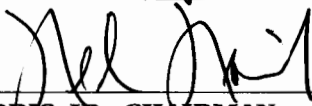
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APPROVED

on the 20 day of September, 2021

DISAPPROVED

at 12:50 o'clock, P.m.



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

Returned to the Legislative Secretary on the 20 day of

September, 2021, at 4:24 o'clock, P.m.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT TITLE 1B INTERGOVERNMENTAL AGREEMENT

Moved: COUNCILWOMAN EVELYN JUAN MANUEL

SECOND: COUNCILWOMAN JANICE FELIX

DATE: SEPTEMBER 13, 2021

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON ()	278.25	X			
	2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
	2. JANICE FELIX (Adam P. Andrews)	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUAL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. SANDRA D. ORTEGA (Absent) (Delma M. Garcia) (Present)	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			X
	2. LEANDER MASE (Francine Schooling)	194.45	X			
TOTAL		3,218.0	3,218.0	-0-	-0-	[01]