

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Appointing Delma M. Garcia to the TERO Commission for a Term Expiring
January 31, 2020)**

RESOLUTION NO. 17-019

1 **WHEREAS,** the Tohono O'odham Legislative Council is vested with the power to
2 "provide for, appoint, or provide for the appointment of, and prescribe the
3 duties and powers of committees, boards, officers and agents" (Constitution of
4 the Tohono O'odham Nation, Article VI, Section 1(b)); and

5 **WHEREAS,** the Tribal Employment Rights law vests the Legislative Council with the power to
6 appoint Tribal Employment Rights Commission members ("TERO
7 Commissioners") (13 Tohono O'odham Code Chapter 1, Section 1106 (B)); and

8 **WHEREAS,** Section 1106 (C) of the Tribal Employment Rights law provides that
9 "[c]ommissioners shall be appointed for terms of three years, or until their
10 successors are appointed and qualified, provided, however, that appointments
11 to the Commission shall be made in such a way and for such terms that their
12 terms shall be staggered so that the terms of office of only two Commissioners
13 will end in any single year"; and

14 **WHEREAS,** in 2012, the Nation suspended the TERO Commissioners by Resolution No. 12-
15 384 "Suspending TERO Commissioners" and ultimately removed the TERO
16 Commissioners by Resolution No. 14-060 "Removing TERO Commissioners"; and

17 **WHEREAS,** in 2013 when the TERO Commissioners were suspended but had not yet been
18 removed, interim TERO Commissioners were appointed to serve until
19 successors could be appointed so that the Commission could conduct business,
20 ensure that Indian preference was enforced, and provide necessary services for
21 the Nation's members (Resolution Nos. 13-093, 13-094, 13-095, 13-096); and

22 **WHEREAS,** after all interim Commissioners resigned, Representatives Chester Antone,
23 Louis R. Lopez, Daniel L.A. Preston, III, Sandra Ortega, and Barbara Havier were
24 appointed as interim TERO Commissioners until successors were appointed or
25 as otherwise provided for by subsequent action of the Legislative Council
26 (Resolution No. 16-063); and

27 **WHEREAS,** by Resolution No. 16-412, interim Commissioners appointments were extended
28 until successors are appointed to exercise the Commission's functions and
29 evaluate TERO operations; and

RESOLUTION NO. 17-019

(Appointing Delma M. Garcia to the TERO Commission for a Term Expiring January 31, 2020)

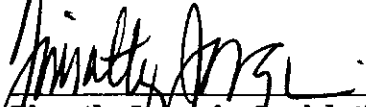
Page 2 of 3

1 **WHEREAS, the Human Resources Development Committee recommends that Delma Garcia**
2 **be appointed to replace Interim Commissioner Representative Barbara Havier**
3 **for a term ending January 31, 2020 or until her successor is appointed and**
4 **qualified.**

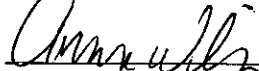
5 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council appoints**
6 **Delma Garcia to the TERO Commission to replace Interim Commissioner**
7 **Representative Barbara Havier commencing on February 1, 2017 and ending**
8 **January 31, 2020 or until her successor is appointed and qualified.**

9 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10TH**
10 **day of JANUARY, 2017 at a meeting at which a quorum was present with a vote of 3,021.4 FOR;**
11 **-0- AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**
12 **Article VI, Section 1(b) of the Constitution of the Tohono O'odham Nation, adopted by the**
13 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
14 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of**
15 **June 18, 1934 (48 Stat.984).**

16
17 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

18
19
20
21 
22 **Timothy Joaquin, Legislative Chairman**
23 18 day of January, 2017

24
25
26
27 **ATTEST:**

28 
29
30 **Evonne Wilson, Legislative Secretary**
31
32 17 day of January, 2017

33
34 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
35 **O'odham Nation on the 18 day of January, 2017 at 1:26 o'clock, P .m.,**
36 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
37 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
38 **hours of submittal.**

39
40 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

41
42
43
44 
45 **Timothy Joaquin, Legislative Chairman**

46
47

RESOLUTION NO. 17-019

(Appointing Delma M. Garcia to the TERO Commission for a Term Expiring January 31, 2020)

Page 3 of 3

APPROVED

on the 18 day of January, 2017

DISAPPROVED

at 10:39 o'clock, p. .m.

Verlon Jose for:
EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19 day of

January, 2017, at 10:50 o'clock, a. .m.

Evonne Wilson
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
53

ACTION: APPROVING DELMA GARCIA TO THE TERO COMMISSION FOR A TERM EXPIRING JANUARY 31, 2020

MOVED: COUNCILMAN ANTHONY J. FRANCISCO, JR.

SECOND: COUNCILMAN LOUIS R. LOPEZ

DATE: JANUARY 10, 2017

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			
	2. VERNON J. SMITH (Gloria Zazueta)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GU ACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ()	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			X
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			
	2. SANDRA ORTEGA ()	102.90	X			
PISINEMO 219.9	1. CHESTER ANTONE ()	109.95	X			
	2. MONICA K. MORGAN ()	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL (<i>Absent</i>) (Lorraine Eiler) (<i>Present</i>)	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III (Felcia Nunez)	114.3	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.3	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. (Mario J.B. Juan)	90.3	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.3	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER (Idaleen Reyes)	256.75	X			
SIF OIDA 231.6	1. LUCINDA ALLEN ()	115.80	X			
	2. MARY LOPEZ ()	115.80	X			X
TOTAL		3,021.4	3,021.4	-0-	-0-	[02]