

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Transferring the Career Center from the Tohono O'odham Department of
Education to the Tohono O'odham Community College)

RESOLUTION NO. 2000-514

- 1 **WHEREAS, the Tohono O'odham Nation ('Nation') has decided to merge the ongoing Operation**
2 **of the Career Center, currently operated by the Tohono O'odham Department of**
3 **Education, into the Tohono O'odham Community College ('TOCC'); and**
- 4 **WHEREAS, the TOCC is currently operating out of the buildings and facilities of the current**
5 **Career Center; and**
- 6 **WHEREAS, the TOCC sought approval of Sells District to utilize the land previously allocated for**
7 **vocational training by the Career Center in Sells District Resolutions No. 0179 and SD-**
8 **7-95 for a period of five years and by a vote of the Sells District Council was denied;**
9 **and**
- 10 **WHEREAS, the Tohono O'odham Community College plans to vacate the Career Center site within**
11 **six months of approval of this proposal; and**
- 12 **WHEREAS, the Districts of the Nation and the HRDC and Budget and Finance Committees of the**
13 **Legislative Council have reviewed this proposal; and**
- 14 **WHEREAS, the Office of Attorney General recommended that a Transition Plan be developed**
15 **which addresses all aspects of the proposed merger, including the employment status**
16 **of current employees of the Career Center and their salary, benefits, and**
17 **accumulated leave, and the status of the current Career Center programs; and**
- 18 **WHEREAS, the TOCC has prepared a Transition Plan, has reviewed it with the Tohono O'odham**
19 **Education Department, the Career Center, and the Legislative Council Budget and**
20 **Finance Committee, and has presented it to the full Legislative Council; and**
- 21 **WHEREAS, the Office of Attorney General is preparing an Agreement on Transfer of Assets and**
22 **Liabilities which will specify the property that is being transferred from the Nation's**
23 **Career Center to the TOCC; and**
- 24 **WHEREAS, in August, 2000 an unauthorized solid waste dump was discovered on the Career**
25 **Center property for which the Career Center received a Notice of Violation from the**
26 **Nation's Solid Waste Regulatory Office on August 30, 2000, which orders the Career**
27 **Center to submit a plan of remedial or corrective action within ten (10) days and to**
28 **come into compliance with the Nation's Solid Waste Management Code within ninety**
29 **(90) days; and**

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1 **WHEREAS, the Legislative Council tabled this proposed merger in September 2000, separated the**
2 **TOCC and Career Center budgets and subsequently approved the TOCC budget but**
3 **not the Career Center budget. The Career Center budget is now presented to the**
4 **Legislative Council for approval as attached.**

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

- 6 **1. Approves the Transition Plan which includes continuance of the apprenticeship**
7 **programs and standards as required by the Department of Labor as well as the**
8 **transfer of all Career Center employees to the employment of the TOCC with their**
9 **salaries and benefits preserved at least at the levels provided by the Nation.**
- 10 **2. Authorizes the administrative transfer of the Career Center and the transfer of all**
11 **existing assets, liabilities (excluding the liabilities arising from the Solid Waste**
12 **Notice of Violation referred to above), property and facilities of the Career Center**
13 **to the TOCC, effective October 1, 2000.**
- 14 **3. Agrees that any structural development to the Career Center site will be presented**
15 **to the Sells District Council for its approval.**

16 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council fully supports and**
17 **appropriates \$453,877 from the Projected Revenue savings, to be set aside in an**
18 **interest bearing account to be maintained by the TOCC Board for those purposes of**
19 **operating the Apprenticeship Program for Fiscal Year 2001, October 01, 2000 - June**
20 **30, 2001.**

21 **BE IT FURTHER RESOLVED that the TOCC Board of Trustees is hereby authorized to utilize any and**
22 **all funds provided by the Tohono O'odham Legislative Council in furtherance of the**
23 **Charter.**

24 **BE IT FURTHER RESOLVED that the TOCC Board of Trustees has authority within the parameters**
25 **of the TOCC Charter to identify, receive and expend any funds in furtherance of the**
26 **Charter, including but not limited to any funds available pursuant to P.L. 93-638,**
27 **funds appropriated by the Tohono O'odham Nation for TOCC and any other funds**
28 **from any source previously identified.**

29 **BE IT FINALLY RESOLVED that this appropriation and the use of such funds by the TOCC Board is**
30 **subject to the requirements set forth under the Charter of the TOCC as enacted by**

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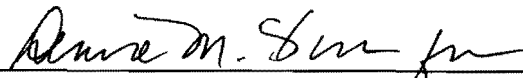
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Returned to the Legislative Secretary on the 3rd day of

November, 2000, at 10:29 o'clock, A.M.


Julianna Saraficio, Acting Legislative Secretary

ACTION: TRANSFERRING THE CAREER CENTER FROM THE TOHONO O'ODHAM DEPARTMENT OF EDUCATION TO THE TOHONO O'ODHAM COMMUNITY COLLEGE

MOVED: COUNCILWOMAN FERN SALCIDO

SECOND: COUNCILMAN DAVID GARCIA

DATE: OCTOBER 27, 2000

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
SELLS 372.7	1. DENNIS E. JOSE ** ()	186.35		X		
	2. EVELYN JUAN ()	186.35		X		
SCHUK TOAK 133.4	1. MARY FLORES ()	66.7	X			
	2. AMBROSE ENCINAS ()	66.7		X		
SAN XAVIER 165.9	1. TONY BURRELL ()	82.95	X			
	2. DENNIS RAMON ()	82.95	X			
BABOQUIVARI 286.5	1. FRANCES MIGUEL ()	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25		X		
GU ACHI 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8		X		
	2. ALEX J. RAMON ** ()	104.8		X		
PISINEMO 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ()	78.4	X			
SAN LUCY 128.1	1. ALBERT MANUEL, JR. ()	64.05	X			
	2. GLORIA RAMIREZ ()	64.05	X			
GU VO 160.0	1. FERN SALCIDO ()	80.0	X			
	2. GLORIA MONTANA (Phillip Antone)	80.0	X			
HICKIWAN 158.1	1. SHIRLEY MOLINA ()	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			X
CHUKUT KUK 222.6	1. KENNETH WILLIAMS ()	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
TOTAL		2,165.5	1,373.25	792.25	-0-	[01]

**PASSED VOTES