

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approval of Transfer of assets from the Tohono O'odham Nation to the Tohono**  
**O'odham Nursing Care Authority)**

**RESOLUTION NO. 02-027**

- 1 **WHEREAS, by Resolution No. 93-275, the Legislative Council allocated funds for the planning,**  
2 **design and construction of a nursing home for the Nation; and**
- 3 **WHEREAS, by Resolution No. 96-173, the Legislative Council approved the selection of the site in**  
4 **Gu Achi District for the construction of the Nation's nursing home; and**
- 5 **WHEREAS, on December 8, 1998, the Legislative Council adopted and approved Resolution No. 98-**  
6 **512 adopting the Charter of the Tohono O'odham Nursing Care Authority; and**
- 7 **WHEREAS, Resolution No. 98-512, provided that the Special Projects Office (formerly known as the**  
8 **Nursing Home Project Office) under the Department of Human Services managed the**  
9 **day to day operations of the Tohono O'odham Nursing Care Authority and scholarship**  
10 **program until such time that the implementation of a transition plan to transfer**  
11 **assets of the Nation to the Tohono O'odham Nursing Care Authority be approved and**  
12 **adopted by the Legislative Council; and**
- 13 **WHEREAS, the Charter of the Tohono O'odham Nursing Care Authority provides under Article IV -**  
14 **Board of Directors - Powers and Duties, 4:24.2 Exercise general authority and**  
15 **responsibility of the Authority, including operations both within and without the**  
16 **Reservation and exercise the powers set forth below without previous authorization**  
17 **or subsequent approval (except as otherwise provided); and**
- 18 **WHEREAS, the Legislative Council does recognize and support the Tohono O'odham Nursing Care**  
19 **Authority as an enterprise of the Nation, authorized to establish, operate and**  
20 **maintain a skilled nursing care facility for all persons with admission preference**  
21 **granted to members of the Tohono O'odham Nation, and to provide employment**  
22 **opportunities for members of the Nation, all in accordance with applicable standards**  
23 **and requirements of licensing, accrediting and funding agencies.**
- 24 **NOW, THEREFORE, BE IT RESOLVED that the Special Projects Office of the Department of Human**  
25 **Services has developed a Transition Plan to transfer the assets of the Nation to the**  
26 **Tohono O'odham Nursing Care Authority.**
- 27 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council does hereby support and**  
28 **approve the transfer of the assets of the Nation to the Tohono O'odham Nursing Care**

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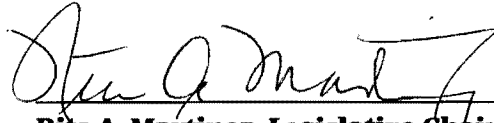
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1 Authority in accordance to the Transition Plan as presented to the Tohono O'odham  
2 Nursing Care Authority Board of Directors.

3 BE IT FINALLY RESOLVED that the Chairman of the Nation is hereby directed to amend all  
4 outstanding legal obligations of the Nation related to the Archie D. Hendricks, Sr.  
5 Nursing Care Facility to reflect the transfer of the assets and accordingly replace the  
6 Nation as a named party to that of the Tohono O'odham Nursing Care Authority.

7 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11<sup>TH</sup> Day  
8 of JANUARY, 2002 at a meeting at which a quorum was present with a vote of 2,229.2 FOR; 188.3  
9 AGAINST; -0- NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by  
10 Section 1 (d)(2) & (e) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by  
11 the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
12 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June  
13 18, 1934 (48 Stat. 984).

14  
15 TOHONO O'ODHAM LEGISLATIVE COUNCIL

16  
17   
18 Rita A. Martinez, Legislative Chairwoman

19  
20 14<sup>th</sup> day of January, 20 02

21  
22  
23 ATTEST:

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25   
26 Julianna Saraffio, Acting Legislative Secretary

27  
28 11<sup>th</sup> day of January, 20 02.

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30  
31 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham  
32 Nation on the 14<sup>th</sup> day of January, 20 02 at 5:06 o'clock, P.M.,  
33 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective  
34 upon his approval or upon his failure to either approve or disapprove it within 48 hours of  
35 submittal.  
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38 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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41 Rita A. Martinez, Legislative Chairwoman  
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APPROVED

on the 15<sup>th</sup> day of January, 2002

DISAPPROVED

at 1:51 o'clock, P.M.



\_\_\_\_\_  
**EDWARD D. MANUEL, Chairman**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 15 day of

January, 2002, at 2:05 o'clock, P.M.

Juliana Saraficio for  
\_\_\_\_\_  
**Juliana Saraficio, Acting Legislative Secretary**

**ACTION: APPROVAL OF TRANSFER OF ASSETS FROM THE TOHONO O'ODHAM NATION TO THE TOHONO O'ODHAM NURSING CARE AUTHORITY**

**MOVED: COUNCILWOMAN EVELYN JUAN**

**SECOND: COUNCILWOMAN FRANCES MIGUEL**

**DATE: JANUARY 11, 2002**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 317.7	1. FRANCES MIGUEL ( )	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			X
<b>CHUKUT KUK</b> 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
<b>GU ACHI</b> 230.7	1. CAMILLUS LOPEZ ( )	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			X
<b>GU VO</b> 188.3	1. FERN SALCIDO ( )	94.15		X		
	2. EMILIO LEWIS ** (Michael Flores)	94.15		X		
<b>HICKIWAN</b> 167.3	1. SHIRLEY MOLINA ( )	83.65	X			
	2. SANDRA ORTEGA ( )	83.65	X			
<b>PISINEMO</b> 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
<b>SAN LUCY</b> 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			X
	2. GLORIA RAMIREZ ( )	80.35	X			
<b>SAN XAVIER</b> 184.7	1. TONY BURRELL ( )	92.35	X			X
	2. DENNIS RAMON ( )	92.35	X			
<b>SCHUK TOAK</b> 144.5	1. MARY FLORES ( )	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			X
<b>SELLS</b> 416.1	1. DENNIS E. JOSE ( )	208.05	X			
	2. EVELYN JUAN ( )	208.05	X			
<b>SIF OIDAK</b> 184.7	1. ISIDRO LOPEZ ( )	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
<b>TOTAL</b>		<b>2,417.5</b>	<b>2,229.2</b>	<b>188.3</b>	<b>-0-</b>	<b>[06]</b>

**\*\*PASSED VOTES**