

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending Ordinance No. 98-03 and Current Board Members' Terms to Establish
Staggered Terms of Service for Ki:ki Association Board of Directors)**

RESOLUTION NO. 02-089

1 **WHEREAS, Article VI, Section 1(c)(2) of the Constitution of the Tohono O'odham Nation vests the**
2 **Legislative Council with the power to enact ordinances "to promote, protect and**
3 **provide for public health, peace, morals, education and general welfare of the**
4 **Tohono O'odham Nation and its members"; and**

5 **WHEREAS, the Council did enact Ordinance No. 98-03, "Establishment of Tohono O'odham Ki:ki**
6 **Association" ("Ki:ki Association Ordinance"), thereby establishing the Ki:ki**
7 **Association and its five-member Board of Directors; and**

8 **WHEREAS, Article 5, Section 1(a) of the Ki:ki Association Ordinance provides that "The Board**
9 **members' service will be for a period of 4 years, and will be appointed in such a**
10 **manner that the term of service is staggered."; and**

11 **WHEREAS, Article 5, Section 1(a) does not provide a method for staggering Board members'**
12 **terms, nor does it allow Board members to serve until replaced by their successors**
13 **in order to prevent seats on the Board from becoming vacant unnecessarily; and**

14 **WHEREAS, "All Board of Directors' duties and responsibilities . . . which are enumerated within**
15 **[the Ki:ki Association] Ordinance [are] subject to amendments as deemed necessary**
16 **by the Tohono O'odham Legislative Council" (Ki:ki Association Ordinance, Article V,**
17 **Section 1); and**

18 **WHEREAS, in order to stagger the Ki:ki Association Board members' terms, it is necessary to**
19 **amend Article 5, Section 1(a) of the Ki:ki Association Ordinance.**

20 **NOW, THEREFORE BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**
21 **amends Article 5, Section 1(a) of the Ki:ki Association Ordinance as follows:**

22 **"The Board members' service will be shall serve for a period of four (4) years; and**
23 **will be appointed in such a manner that the term of service is staggered or until**
24 **their successors are appointed; provided, however, that appointments to the**
25 **Board shall be staggered in such a way that the terms of office of no more than two**
26 **members end in a single year. The Legislative Council may appoint no more than**
27 **five (5) Board members to a single term of more or less than four (4) years for the**

RESOLUTION NO. 02-089

(Amending Ordinance No. 98-03 and Current Board Members' Terms to Establish Staggered Terms of Service for Ki:ki Association Board of Directors)

Page 2 of 3

1 limited purpose of implementing the staggered term system. Thereafter, all
2 Board members' terms shall commence on March 1 and end on the last day of
3 February.

4 **BE IT FURTHER RESOLVED that the above amendment shall apply to the terms of current Ki:ki**
5 **Association Board of Directors to allow those directors to "serve until their successors**
6 **are appointed"; any reduction or other extension of current Board members' terms**
7 **shall be accomplished by Legislative Council resolution.**

8 **BE IT FINALLY RESOLVED that the Legislative Council hereby amends Resolution No. 2000-075**
9 **(appointing Clifford Pablo and Phyllis Cachora), Resolution No. 01-438 (appointing**
10 **Jonas Robles) to the extent such resolutions are inconsistent with the provisions of**
11 **this resolution or the Ordinance No. 98-03 amendments contained herein.**

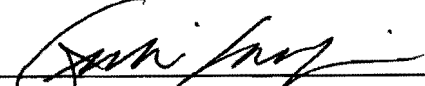
12 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06TH Day**
13 **of MARCH, 2002 at a meeting at which a quorum was present with a vote of 2,169.45 FOR; -0-**
14 **AGAINST; 248.05 NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by**
15 **Section 1 (b) and (c)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by**
16 **the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
17 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
18 **18, 1934 (48 Stat. 984).**

19
20 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

21 
22
23 **Rita A. Martinez, Legislative Chairwoman**

24
25 7th day of March, 2002

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27 **ATTEST:**

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30 **Julianna Saraficio, Acting Legislative Secretary**

31
32 06 day of March, 2002.

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35 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
36 **Nation on the 7th day of March, 20 02 at 8:54 o'clock, A.M.,**
37 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
38 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
39 **submittal.**

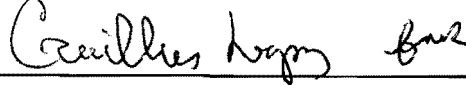
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Page 3 of 3

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TOHONO O'ODHAM LEGISLATIVE COUNCIL




Rita A. Martinez, Legislative Chairwoman

APPROVED

on the 7 day of March, 2002

DISAPPROVED

at 2:35 o'clock, P..M.



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

Returned to the Legislative Secretary on the 07 day of

March, 2002, at 4:32 o'clock, P..M.


Julianna Saraficio, Acting Legislative Secretary

ACTION: AMENDING ORDINANCE NO. 98-03 AND CURRENT BOARD MEMBERS' TERMS TO ESTABLISH STAGGERED TERMS OF SERVICE FOR KI:KI ASSOCIATION BOARD OF DIRECTORS

MOVED: COUNCILWOMAN SHIRLEY MOLINA

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: MARCH 06, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			X
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
GU VO 188.3	1. FERN SALCIDO ()	94.15	X			X
	2. EMILIO LEWIS (Michael Flores)	94.15	X			
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65	X			
	2. SANDRA ORTEGA ()	83.65	X			
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35			X	
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35			X	X
	2. GLORIA RAMIREZ ()	80.35			X	
SAN XAVIER 184.7	1. TONY BURRELL ()	92.35	X			X
	2. DENNIS RAMON ()	92.35	X			
SCHUK TOAK 144.5	1. MARY FLORES ** ()	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			
SELLS 416.1	1. DENNIS E. JOSE ()	208.05	X			
	2. EVELYN JUAN ()	208.05	X			
SIF OIDAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			X
TOTAL		2,417.5	2,169.45	-0-	248.05	[05]

****PASSED VOTES**