

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Amending Ordinance No. 98-03 to Allow the Removal of TOKA Interim Directors  
by Legislative Council Resolution)**

**RESOLUTION NO. 02-110**

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, Legislative Council Housing Committee members were appointed as Interim**  
9 **Directors on the TOKA Board only until other individuals could be found to replace**  
10 **them; and**

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

15 **WHEREAS, four of the five Directors who have been appointed or have a pending appointment**  
16 **to the TOKA Board are Nation's members who do not serve on the Legislative Council;**  
17 **and**

18 **WHEREAS, these four Directors may establish a quorum, act by majority vote, and otherwise**  
19 **perform the functions of the Board in the absence of a fifth Director; and**

20 **WHEREAS, there has been adequate time since the Interim Board members were first appointed**  
21 **in 1997 to identify qualified applicants to replace them; and**

22 **WHEREAS, it is in the Nation's best interests that Legislative Council Representatives no longer**  
23 **serve on the TOKA Board; and**

24 **WHEREAS, it is necessary to amend the Ki:ki Ordinance in order to allow for the removal of an**  
25 **Interim Director before a successor is appointed.**

26 **NOW, THEREFORE, BE IT RESOLVED, that the Legislative Council hereby amends Article**  
27 **XIV of the Ki:ki Ordinance as follows:**

**RESOLUTION NO. 02-110**

**(Amending Ordinance No. 98-03 to Allow the Removal of TOKA Interim Directors by Legislative Council Resolution)**

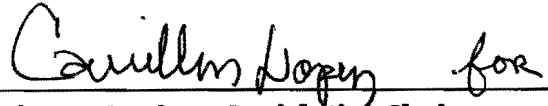
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The effective date of this ordinance shall be the date on which this Ordinance is approved in accordance with the Constitution. Pending such approval the interim Board of Commissioners appointed under Legislative Council Resolution No. 97-346, shall continue to serve until the date all Directors of the Board are appointed and approved by this Ordinance. The "Interim Directors" (i.e., Legislative Council Housing Committee members who serve on the Ki:ki Board pursuant to Resolution No. 97-346) shall continue to serve until either (1) their successors are appointed pursuant to the terms of this Ordinance or (2) they are removed without cause by Legislative Council resolution. Interim Directors shall not be subject to the removal or successor provisions of Article V of this Ordinance.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08<sup>TH</sup> Day of MARCH, 2002 at a meeting at which a quorum was present with a vote of 1,308.5 FOR; 840.35 AGAINST; 80.35 NOT VOTING; and 188.3 [05] ABSENT, pursuant to the powers vested in the Council by Section 1 (b) and (c)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
Rita A. Martinez, Legislative Chairwoman  
12<sup>th</sup> day of March, 2002

ATTEST:

  
Julianna Saraficio, Acting Legislative Secretary

08 day of March, 2002.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 12<sup>th</sup> day of March, 2002 at 8:49 o'clock, A.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

**RESOLUTION NO. 02-110**  
**(Amending Ordinance No. 98-03 to Allow the Removal of TOKA Interim Directors by Legislative Council Resolution)**  
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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

*Rita A. Martinez for*

**Rita A. Martinez, Legislative Chairwoman**

**APPROVED**

on the 13<sup>th</sup> day of March, 20 02

**DISAPPROVED**

at 10:56 o'clock, A.M.

*Edward D. Manuel*

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

Returned to the Legislative Secretary on the 13<sup>th</sup> day of

March, 20 02, at 11:41 o'clock, A.M.

*Mashone L. Johnson for*  
**Julianna Saraficio, Acting Legislative Secretary**

**ACTION: AMENDING ORDINANCE NO. 98-03 TO ALLOW THE REMOVAL OF TOKA INTERIM DIRECTORS BY LEGISLATIVE COUNCIL RESOLUTION**

**MOVED: COUNCILMAN DENNIS RAMON**

**SECOND: COUNCILMAN DAVID GARCIA**

**DATE: MARCH 08, 2002**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQIVARI 317.7</b>	1. FRANCES MIGUEL ( )	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
<b>CHUKUT KUK 248.1</b>	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
<b>GU ACHI 230.7</b>	1. CAMILLUS LOPEZ ( )	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
<b>GU VO 188.3</b>	1. FERN SALCIDO ( )	94.15				X
	2. EMILIO LEWIS (Michael Flores)	94.15				X
<b>HICKIWAN 167.3</b>	1. SHIRLEY MOLINA ( )	83.65		X		
	2. SANDRA ORTEGA ( )	83.65		X		
<b>PISINEMO 174.7</b>	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			X
<b>SAN LUCY 160.7</b>	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			
	2. GLORIA RAMIREZ ( )	80.35			X	
<b>SAN XAVIER 184.7</b>	1. TONY BURRELL ( )	92.35	X			X
	2. DENNIS RAMON ( )	92.35	X			
<b>SCHUK TOAK 144.5</b>	1. MARY FLORES ( )	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25		X		
<b>SELLS 416.1</b>	1. DENNIS E. JOSE ** ( )	208.05		X		
	2. EVELYN JUAN ( )	208.05		X		
<b>SIF OIDAK 184.7</b>	1. ISIDRO LOPEZ ( )	92.35		X		
	2. RITA MARTINEZ (Nicholas Jose)	92.35		X		X
<b>TOTAL</b>		<b>2,417.5</b>	<b>1,308.5</b>	<b>840.35</b>	<b>80.35</b>	<b>188.3 [05]</b>

**\*\*PASSED VOTES**