

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

**RESOLUTION NO. 04-556**

1 **WHEREAS, by Resolution No. 04-122, the Legislative Council adopted the Amended and Restated**  
2 **Charter of the Tohono O'odham Nursing Care Authority ("TONCA"); and**

3 **WHEREAS, by Resolution No. 02-027, the Legislative Council approved the transfer of assets from**  
4 **the Tohono O'odham Nation (the "Nation") to TONCA; and**

5 **WHEREAS, by Resolution No. 02-027 the Chairman of the Nation was directed to amend all**  
6 **outstanding legal obligations of the Nation related to the Archie Hendricks, Sr. Skilled**  
7 **Nursing Facility to reflect the transfer of assets and substitute TONCA for the Nation**  
8 **as the named party; and**

9 **WHEREAS, the Nation and David N. Sloan & Associates entered into an agreement for the**  
10 **construction of the Tohono O'odham Nation Skilled Nursing Facility (now known as**  
11 **the Archie Hendricks, Sr. Skilled Nursing Facility) on or about June 19 and 20, 1998**  
12 **(the "Contract"); and**

13 **WHEREAS, it is in the best interests of the Nation to assign any and all claims arising from the**  
14 **Contract to TONCA (the "Assignment of Claims"); and**

15 **WHEREAS, the Health & Human Services Committee and the Budget & Finance Committee**  
16 **recommend that the Legislative Council approve the Assignment of Claims, a copy of**  
17 **which is attached hereto.**

18 **NOW, THEREFORE, BE IT RESOLVED THAT:**

- 19 **1. The Legislative Council approves the Assignment of Claims in the form attached**  
20 **hereto.**
- 21 **2. The Chairwoman of the Nation is authorized and directed to execute the**  
22 **Assignment of Claims in the form attached hereto.**

23 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21<sup>ST</sup> Day**  
24 **of OCTOBER, 2004 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0-**  
25 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**  
26 **Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**  
27 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**  
28 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**  
29 **Stat. 984).**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

*[Signature]*  
for Isidro Lopez, Legislative Chairman

27<sup>th</sup> day of October, 2004

ATTEST:

*[Signature]*  
Rosita N. Ruiz, Legislative Secretary

27 day of October, 2004.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'odham Nation on the 27<sup>th</sup> day of October, 2004 at 1:26 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

*[Signature]*  
for Isidro Lopez, Legislative Chairman

on the 29<sup>th</sup> day of October, 2004

APPROVED

at 11:37 o'clock, A.M.

DISAPPROVED

*[Signature]*  
VIVIAN JUAN SAUNDERS, CHAIRWOMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 29 day of

October, 2004, at 11:04 o'clock, A.M.

*[Signature]*  
Rosita N. Ruiz, Legislative Secretary

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

**MOVED: COUNCILMAN DENNIS RAMON**

**SECOND: COUNCILMAN DENNIS JOSE**

**DATE: OCTOBER 21, 2004**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF OIDAK</b> 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30	X			
<b>SELLS</b> 465.6	1. DENNIS E. JOSE ( )	232.80	X			
	2. EVELYN JUAN ( )	232.80	X			
<b>SCHUK TOAK</b> 176.1	1. FRANCES B. CONDE ( )	88.05	X			
	2. PHYLLIS JUAN ( )	88.05	X			
<b>SAN XAVIER</b> 215.4	1. FELICIA NUÑEZ (Olivia Liston-Villegas)	107.70	X			
	2. DENNIS RAMON (Eleanor Hunter)	107.70	X			
<b>SAN LUCY</b> 166.3	1. JOHN W. LAWSON, SR. ( )	83.15	X			
	2. GLORIA RAMIREZ ( )	83.15	X			
<b>PISINEMO</b> 175.4	1. BARBARA SALVICIO ( )	87.70	X			
	2. PATRICIA CRUZ ( )	87.70	X			
<b>HICKIWAN</b> 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			X
	2. SANDRA ORTEGA ( )	85.15	X			
<b>GU VO</b> 191.4	1. RAYMOND VICTOR ( )	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			
<b>GU ACHI</b> 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Roberta Picard)	126.80	X			
<b>CHUKUT KUK</b> 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			
<b>BABOQUIVARI</b> 364.1	1. FRANCES MIGUEL ( Lucilda Norris-Valenzuela )	182.05	X			X
	2. FRANCES G. ANTONE ( )	182.05	X			
<b>TOTAL</b>		<b>2,629.7</b>	<b>2,629.7</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>

**\*\*PASSED VOTES**