

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Appointment of Ms. Elizabeth Francisco to the Board of Trustees for
the Tohono O'odham Community College)

RESOLUTION NO. 06-282

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to “provide for,**
2 **appoint, or provide for the appointment of, and prescribe the duties and powers of**
3 **committees, boards, officers and agents (Article VI, Section 1(b) of the Constitution**
4 **of the Tohono O'odham Nation); and**

5 **WHEREAS, the Legislative Council has exercised this power by enacting the Charter of the**
6 **Tohono O'odham Community College (“TOCC”), which established the TOCC and set**
7 **the terms and qualifications for its Board of Trustees (Ordinance No. 98-01); and**

8 **WHEREAS, each TOCC Trustee must (1) be a “registered member of the Tohono O'odham Nation,”**
9 **(2) have “sufficient experience, and dedication to higher education to make sound**
10 **judgments concerning the operation of the College,” (3) have “a minimum of a**
11 **Bachelor of Arts or Sciences degree from an accredited institution of higher**
12 **education, except for two Trustees who shall be recognized tribal elders,” (4) be “a**
13 **recognized professional within [his or her] field of endeavor,” and (5) have “no**
14 **adverse finding from a background investigation as conducted by the Elections**
15 **Office.”(TOCC Charter, Section 4.6.4); and**

16 **WHEREAS, candidates for the Board of Trustees are “recommended by the Education**
17 **Committee, the Tohono O'odham Legislative Council, the Chairperson of the Nation**
18 **and the Districts” and “forwarded to and reviewed by the Chairperson of the Nation**
19 **together with the Education Committee. Qualified candidates selected by the**
20 **Chairperson of the Nation and the Education Committee shall be appointed by the**
21 **Chairperson of the Nation, and then approved by the Tohono O'odham Legislative**
22 **Council.” (TOCC Charter, Section 4.6.2); and**

23 **WHEREAS, pursuant to TOCC Charter Section 4.6.5. trustees' terms “shall run from the date of**
24 **confirmation by the Tohono O'odham Legislative Council until subsequent**
25 **candidates have been confirmed through the process of appointment prescribed in**
26 **Section 4.6.2”; and**

27 **WHEREAS, the Education Committee is currently unable to achieve quorums and is therefore**
28 **unable to take formal action to recommend or review TOCC Board candidates at this**
29 **time; and**

RESOLUTION NO. 06-282

(Approving the Appointment of Ms. Elizabeth Francisco to the Board of Trustees for the Tohono O'odham Community College)

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1 **WHEREAS, Chairwoman Vivian Juan-Saunders has recommended and selected Ms. Elizabeth**
2 **Francisco, a qualified candidate, for reappointment to the TOCC Board of Trustees**
3 **for a term ending on May 31, 2009; and**

4 **WHEREAS, the Chairwoman's appointment was forwarded and reviewed by the Legislative**
5 **Council Human Resources Development Committee and the Legislative Council Rules**
6 **Committee.**

7 **NOW, THEREFORE, BE IT RESOLVED that, for the exclusive and limited purpose of the appointment**
8 **approved pursuant to this Resolution, the Tohono O'odham Legislative Council**
9 **hereby waives the requirement of TOCC Charter Section 4.6.2. that the Education**
10 **Committee recommend, review, and select candidates to the TOCC Board of Trustees.**

11 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council hereby approves the**
12 **appointment of Ms. Elizabeth Francisco to the TOCC Board of Trustees for a term**
13 **ending May 31, 2009, provided that she shall continue to serve until replaced by a**
14 **candidate who has been appointed and confirmed in accordance with the TOCC**
15 **Charter.**

16 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 02ND. Day**
17 **of MAY, 2006 at a meeting at which a quorum was present with a vote of 1,315.6 FOR; 697.65**
18 **AGAINST; 260.15 NOT VOTING; and 167.4 [03] ABSENT, pursuant to the powers vested in the Council**
19 **by Section 1(b) and 1(c)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted**
20 **by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
21 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
22 **18, 1934 (48 Stat. 984).**

23 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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27 **Evelyn B. Juan Manuel, legislative Chairwoman**

28
29 15th day of May, 2006

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31 **ATTEST:**

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35 **Lucille Lopez, Acting Legislative Secretary**

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37 02 day of May, 2006.
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RESOLUTION NO. 06-282

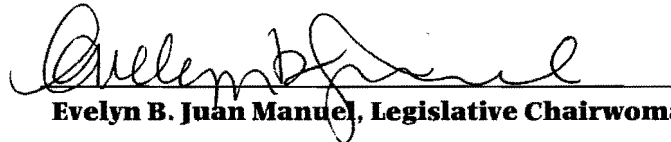
(Approving the Appointment of Ms. Elizabeth Francisco to the Board of Trustees for the Tohono O'odham Community College)

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Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'odham Nation on the 15th day of May, 2006 at 10:27 o'clock, A.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

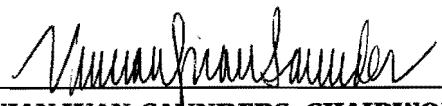

Evelyn B. Juan Manuel, Legislative Chairwoman

APPROVED

on the 15 day of May, 2006

DISAPPROVED

at 12:36 o'clock, P.M.


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 15 day of

May, 2006, at 3:13 o'clock, P.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING THE APPOINTMENT OF MS. ELIZABETH FRANCISCO TO THE BOARD OF TRUSTEES FOR THE TOHONO O'ODHAM COMMUNITY COLLEGE

MOVED: VICE CHAIRMAN VERLON JOSE

SECOND: COUNCILWOMAN FRANCES MIGUEL

DATE: MAY 02, 2006

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|------------------------------|--|-----------------|----------------|---------------|---------------|-----------------------|
| BABOQUIVARI 310.8 | 1. FRANCES MIGUEL (Vernon J. Smith) | 155.40 | X | | | |
| | 2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris)) | 155.40 | X | | | |
| CHUKUT KUK 258.7 | 1. ETHEL GARCIA () | 129.35 | X | | | |
| | 2. VERLON M. JOSE (David Garcia) | 129.35 | X | | | |
| GU ACHI 221.6 | 1. TIMOTHY L. JOAQUIN (Jonas Robles) | 110.80 | | X | | |
| | 2. CYNTHIA E. MANUEL ** (Louis L. Johnson) | 110.80 | | X | | |
| GU VO 193.1 | 1. RAYMOND VICTOR () | 96.55 | X | | | |
| | 2. MICHAEL FLORES (Grace Manuel) | 96.55 | | X | | |
| HICKIWAN 167.4 | 1. DELMA GARCIA (Mary E. Sam) | 83.70 | | | | X |
| | 2. SANDRA ORTEGA () | 83.70 | | | | X |
| PISINEMO 171.8 | 1. BARBARA SALVICIO () | 85.90 | X | | | X |
| | 2. GERALD FAYUANT () | 85.90 | X | | | |
| SAN LUCY 169.0 | 1. JOHN W. LAWSON, SR. () | 84.50 | | X | | |
| | 2. GLORIA RAMIREZ ** () | 84.50 | | X | | |
| SAN XAVIER 193.8 | 1. FELICIA NUÑEZ ** () | 96.90 | X | | | |
| | 2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez) | 96.90 | X | | | |
| SCHUK TOAK 146.9 | 1. FRANCES B. CONDE () | 73.45 | X | | | |
| | 2. PHYLLIS JUAN () | 73.45 | | | X | |
| SELLS 421.0 | 1. MARLENE SARAFICIO-JUAN () | 210.50 | X | | | |
| | 2. EVELYN B. JUAN MANUEL (Kimberly Listo) | 210.50 | | X | | |
| SIF OIDAK 186.7 | 1. WAVALENE SAUNDERS (Isidro Lopez) | 93.35 | | | X | |
| | 2. DARLENE ANDREW (Rita Martinez) | 93.35 | | | X | |
| TOTAL | | 2,440.80 | 1,315.6 | 697.65 | 260.15 | 167.4 [03] |

**PASSED VOTES