

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Appointing Interim Director Marlene Saraficio to the Tohono O'odham  
Ki:ki Association Board)**

**RESOLUTION NO. 06-446**

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

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

10 **WHEREAS, pursuant to Article V, Section 1(a) of the TOKA Ordinance, the Legislative Council is**  
11 **vested with the authority to appoint TOKA directors, whose "duties and**  
12 **responsibilities . . . which are enumerated within [the TOKA] Ordinance [are] *subject***  
13 ***to amendments as deemed necessary by the Tohono O'odham Legislative Council'***  
14 **(TOKA Ordinance, Article V, Section 1, emphasis added); and**

15 **WHEREAS, pursuant to Resolution No. 06-440, the Legislative Council amended the TOKA**  
16 **Ordinance to authorize the suspension of TOKA Directors of the Board for a period not**  
17 **to exceed six months (TOKA Ordinance, Article V, Section 3); and**

18 **WHEREAS, pursuant to Resolution No. 06-441, the Legislative Council suspended the three then-**  
19 **current Directors of the Board provided that the suspension shall end six months from**  
20 **the effective date of Resolution No. 06-441 "except as otherwise provided by**  
21 **subsequent action of the Legislative Council."**

22 **WHEREAS, in order to approve the TOKA's FY 2007 budget and exercise other essential authorities**  
23 **of the Board, it is in the Nation's best interest to appoint Interim Directors of the**  
24 **Board for a period not to exceed six months.**

25 **NOW, THEREFORE, BE IT RESOLVED, that, notwithstanding provisions of the TOKA Ordinance to**  
26 **the contrary, the Tohono O'odham Legislative Council hereby appoints Marlene**  
27 **Saraficio as an Interim Director of the TOKA Board vested with all the duties and**  
28 **responsibilities of a Director of the Board, provided that:**

- 29 **(1) the appointment made herein shall be exempt from the requirements of the**  
30 **Tohono O'odham Nation Board Appointment Guidelines.**

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**(Appointing Interim Director Marlene Saraficio to the Tohono O'odham Ki:ki Association Board)**

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- (2) the Interim Director of the Board shall not receive a stipend or per diem for attending meetings of the Board but shall be eligible for mileage reimbursement and other payments in accordance with the written policies of the Tohono O'odham Legislative Council.
- (3) the Interim Director of the Board shall be eligible for election by the Interim Board to the office of Interim Chairperson, Interim Vice Chairperson or Interim Secretary.
- (4) the Interim Director of the Board's appointment shall expire six months from the effective date of this Resolution except as otherwise provided by subsequent action of the Legislative Council.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 28<sup>TH</sup> Day of JUNE, 2006 at a meeting at which a quorum was present with a vote of 1,549.2 FOR; 724.2 AGAINST; -0- NOT VOTING; and 167.4 [02] ABSENT, pursuant to the powers vested in the Council by Article V, Section 1; Article VI, Section 1 and Section 1(c)(2) 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**

  
Evelyn B. Juan Manuel, Legislative Chairwoman

28<sup>th</sup> day of June, 2006


**ATTEST:**

  
Lucille Lopez, Acting Legislative Secretary

28 day of June, 2006.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 28<sup>th</sup> day of June, 2006 at 2:04 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**

  
Evelyn B. Juan Manuel, Legislative Chairwoman

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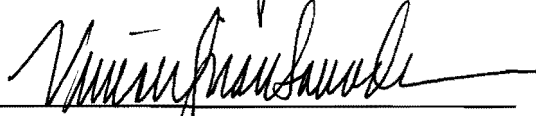
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**APPROVED**

on the 28 day of June, 2006

**DISAPPROVED**

at 2:50 o'clock, P.M.



**VIVIAN JUAN-SANDERS, CHAIRWOMAN  
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 28<sup>th</sup> day of

June, 2006, at 3:00 o'clock, P.M.

  
\_\_\_\_\_  
**Lucille Lopez, Acting Legislative Secretary**

ACTION: APPOINTING INTERIM DIRECTOR MARLENE SARAFICIO TO THE TOHONO O'ODHAM KI:KI ASSOCIATION BOARD

MOVED: COUNCILWOMAN BARBARA SALVICIO

SECOND: VICE CHAIRMAN VERLON JOSE

DATE: JUNE 28, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 310.8	1. FRANCES MIGUEL (Vernon J. Smith)	155.40	X			
	2. FRANCES G. ANTONE(Absent) (Lucilda J. Valenzuela (Norris))(Present)	155.40	X			
<b>CHUKUT KUK</b> 258.7	1. ETHEL GARCIA ( )	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
<b>GU ACHI</b> 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80		X		
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80		X		
<b>GU VO</b> 193.1	1. RAYMOND VICTOR ( )	96.55	X			
	2. MICHAEL FLORES ** (Grace Manuel)	96.55	X			
<b>HICKIWAN</b> 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70				X
	2. SANDRA ORTEGA ( )	83.70				X
<b>PISINEMO</b> 171.8	1. BARBARA SALVICIO ( )	85.90	X			
	2. GERALD FAYUANT ( )	85.90	X			
<b>SAN LUCY</b> 169.0	1. JOHN W. LAWSON, SR. ( )	84.50		X		
	2. GLORIA RAMIREZ ( )	84.50		X		
<b>SAN XAVIER</b> 193.8	1. FELICIA NUÑEZ ( )	96.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90	X			
<b>SCHUK TOAK</b> 146.9	1. FRANCES B. CONDE ( )	73.45		X		
	2. PHYLLIS JUAN ( )	73.45		X		
<b>SELLS</b> 421.0	1. MARLENE SARAFICIO-JUAN ** ( )	210.50	X			
	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50	X			
<b>SIF OIDAK</b> 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35		X		
	2. DARLENE ANDREW (Rita Martinez)	93.35		X		
<b>TOTAL</b>		<b>2,440.80</b>	<b>1,549.2</b>	<b>724.2</b>	<b>-0-</b>	<b>167.4</b> [02]

\*\*PASSED VOTES