

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

RESOLUTION NO. 07-273

- 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**
9 **Nation," (2) have "sufficient experience, and dedication to higher education to make**
10 **sound judgments concerning the operation of the College," (3) have "a minimum of**
11 **a 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**

1 WHEREAS, Chairwoman Vivian Juan-Saunders has recommended and selected Dr. Ophelia
2 Zepeda, a qualified candidate, for reappointment to the TOCC Board of Trustees for
3 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
6 Rules 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
11 Trustees.

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

17 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11TH. Day
18 of MAY, 2007 at a meeting at which a quorum was present with a vote of 2,254.1 FOR; -0- AGAINST;
19 -0- NOT VOTING; and 186.7[04] ABSENT, pursuant to the powers vested in the Council by Section
20 1 (b) and 1(c)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the
21 Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
22 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
23 18, 1934 (48 Stat. 984).

24 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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28 Verlon M. Jose, Legislative Chairman

29
30 16 day of May, 2007

31 ATTEST:

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35 Lucille Lopez, Acting Legislative Secretary

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37 11 day of May, 2007.
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RESOLUTION NO. 07-273

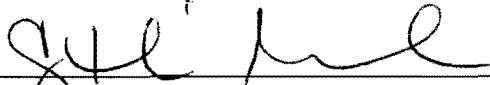
(Approving the Appointment of Dr. Ophelia Zepeda to the Board of Trustees for the Tohono O'odham Community College)

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Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'odham Nation on the 16 day of May, 2007 at 3:00 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

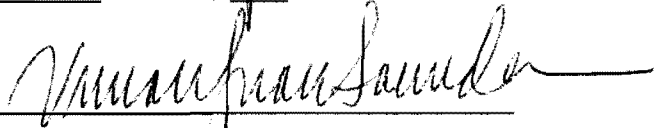

Verlon M. Jose, Legislative Chairman

APPROVED

on the 16 day of May, 2007

DISAPPROVED

at 5:35 o'clock, P.M.


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 17 day of May, 2007, at 8:47 o'clock, A.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING THE APPOINTMENT OF DR. OPHELIA ZEPEDA TO THE BOARD OF TRUSTEES FOR THE TOHONO O'ODHAM COMMUNITY COLLEGE

MOVED: COUNCILWOMAN FRANCES G. ANTONE

SECOND: COUNCILMAN TIMOTHY JOAQUIN

DATE: MAY 11, 2007

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. SHIRLEY SANTOS-MOLINA ()	83.70	X			
	2. SANDRA ORTEGA ()	83.70	X			X
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			X
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. LORRAINE EILER ()	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 ROMERO (Isidro Lopez)	93.35				X
	2. DARLENE ANDREW (Rita Wilson)	93.35				X
TOTAL		2,440.80	2,254.1	-0-	-0-	186.7[04]

**PASSED VOTES