

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Temporarily Appointing Representatives Chester Antone, Gerald Fayuant, and  
Kimberly Listo to the Tohono O'odham Ki:ki Association Board as  
Interim Directors)**

**RESOLUTION NO. 07-435**

- 1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to enact ordinances**  
2 **“to promote, protect and provide for public health, peace, morals, education and**  
3 **general welfare of the Tohono O'odham Nation and its members” (Constitution of the**  
4 **Tohono O'odham Nation, Article VI, Section 1(c)(2)); and**
- 5 **WHEREAS, in 1998 the Council enacted Ordinance No. 98-03, “Establishment of Tohono O'odham**  
6 **Ki:ki Association” (“TOKA Ordinance”), and thereby established the Tohono O'odham**  
7 **Ki:ki Association (“TOKA”) and its five-member Board of Directors; and**
- 8 **WHEREAS, pursuant to Resolution No. 06-440, the Legislative Council amended the TOKA**  
9 **Ordinance to authorize the Council to suspend or remove TOKA Directors with or**  
10 **without cause (TOKA Ordinance, Article V, Section 3); and**
- 11 **WHEREAS, in 2006 the Legislative Council suspended and ultimately removed the three Directors**  
12 **of the TOKA Board; and**
- 13 **WHEREAS, in order to approve the TOKA's FY 2007 budget and exercise other essential authorities**  
14 **of the Board, the Legislative Council appointed Representative Raymond Victor**  
15 **(Resolution No. 06-445), Representative Marlene Saraficio (Resolution No. 06-446), and**  
16 **Executive Assistant Harriet Toro (Resolution No. 06-447) as Interim Directors of the**  
17 **TOKA Board for a period not to exceed six months; and**
- 18 **WHEREAS, the three Interim Directors' terms were extended by Resolution No. 06-848 but have**  
19 **now expired, leaving a total of four vacancies on the TOKA Board; and**
- 20 **WHEREAS, although the Legislative Housing Committee has solicited candidates for the TOKA**  
21 **Board, there is currently only one Director serving on the Board, which is unable to**  
22 **achieve a quorum or conduct business; and**
- 23 **WHEREAS, it is in the Nation's best interest to temporarily appoint Interim Directors to the TOKA**  
24 **Board in order that it may continue conducting business.**
- 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 Legislative**  
27 **Housing Committee members Chester Antone, Gerald Fayuant, and Kimberly Listo as**

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Page 2 of 3

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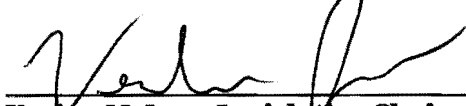
**Interim Directors of the TOKA Board who shall be vested with all the duties and responsibilities of Directors of the Board under the TOKA Ordinance; provided that**

- (1) the appointments made herein shall be exempt from the requirements of the Tohono O'odham Nation Board Appointment Guidelines;**
- (2) the Interim Directors appointed by this Resolution shall not receive a stipend or per diem for serving on the TOKA 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) an Interim Director appointed by this Resolution shall be deemed to have resigned from the TOKA Board if he or she is no longer serving as a member of the Legislative Council Housing Committee for any reason; and**
- (4) all appointments made by this Resolution shall expire the earlier of**
  - (a) six months from the effective date of this Resolution or**
  - (b) the date a total of three or more TOKA Directors of the Board who are not Interim Directors have been appointed.**

**BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council directs the Housing Committee to submit a written monthly report to the Legislative Council on the Committee's efforts to recruit candidates for the TOKA Board of Directors.**

**The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10<sup>TH</sup> Day of JULY, 2007 at a meeting at which a quorum was present with a vote of 2,443.95 FOR; -0- AGAINST; 90.55 NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1(b) and 1(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**

  
\_\_\_\_\_  
**Verlon M. Jose, Legislative Chairman**  
13 day of July, 2007

**ATTEST:**

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

10 day of July, 2007.

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Page 3 of 3

1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham  
2 Nation on the 12 day of July, 2007 at 5:19 o'clock, 7 .M.,  
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective  
4 upon his approval or upon his failure to either approve or disapprove it within 48 hours of  
5 submittal.

6 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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10 **Verlon M. Jose, Legislative Chairman**

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14  **APPROVED**

on the 13 day of July, 2007

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16  **DISAPPROVED**

at 5:46 o'clock, P .M.

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20 **NED NORRIS, JR., CHAIRMAN**  
21 **TOHONO O'ODHAM NATION**

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

26 July, 2007, at 5:47 o'clock, P .M.

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31 **Lucille Lopez, Acting Legislative Secretary**

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**ACTION: TEMPORARILY APPOINTING REPRESENTATIVES CHESTER ANTONE, GERALD FAYUANT, AND KIMBERLY LISTO TO THE TOHONO O'ODHAM KI:KI ASSOCIATION BOARD AS INTERIM DIRECTORS**

**MOVED: COUNCILWOMAN ETHEL GARCIA**

**SECOND: COUNCILWOMAN EVELYN JUAN MANUEL**

**DATE: JULY 10, 2007**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE ( )	158.45	X			
<b>CHUKUT KUK</b> 264.8	1. ETHEL GARCIA ( )	132.40	X			
	2. VERLON M. JOSE ( )	132.40	X			X
<b>GU ACHI</b> 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ( )	113.95	X			
<b>GU VO</b> 199.2	1. GRACE MANUEL ( )	99.60	X			X
	2. MICHAEL FLORES ( )	99.60	X			
<b>HICKIWAN</b> 172.0	1. MICHELLE ORTEGA ( )	86.00	X			X
	2. SANDRA ORTEGA ( )	86.00	X			
<b>PISINEMO</b> 182.4	1. CHESTER ANTONE ( )	91.20	X			X
	2. GERALD FAYUANT ( )	91.20	X			
<b>SAN LUCY</b> 181.1	1. LORRAINE EILER ( )	90.55	X			
	2. GLORIA RAMIREZ ( )	90.55			X	
<b>SAN XAVIER</b> 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
<b>SCHUK TOAK</b> 154.6	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
<b>SELLS</b> 444.7	1. KIMBERLY LISTO ( )	222.35	X			
	2. EVELYN B. JUAN MANUEL ( )	222.35	X			
<b>SIF OIDAK</b> 194.4	1. WAVALENE ROMERO ( )	97.20	X			
	2. MARY LOPEZ ( )	97.20	X			
<b>TOTAL</b>		<b>2,534.5</b>	<b>2,443.95</b>	<b>-0-</b>	<b>90.55</b>	<b>[04]</b>

**\*\*PASSED VOTES**