

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Suspending FY 2009 Surplus Fund Payment to Boys and Girls Club of the Tohono
O'odham Nation)**

RESOLUTION NO. 08-593

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power "to manage any**
2 **fundswithin the exclusive control of the Tohono O'odham Nation...and to appropriate**
3 **these funds for the benefit of the nation and its members. All expenditures of these**
4 **funds shall be pursuant to appropriations or budgets authorized under resolutions**
5 **or in accordance with ordinances of the Tohono O'odham Council" (Constitution of the**
6 **Tohono O'odham Nation, Article VI, Section 1(d)(2); and**

7 **WHEREAS, the Boys and Girls Club of the Tohono O'odham Nation works to support the Nation's**
8 **youth with prevention programs in collaboration with existing tribal programs; and**

9 **WHEREAS, the Legislative Council previously enacted Resolution No. 06-541, which allocated and**
10 **appropriated \$200,000.00 from surplus funds to the Boys and Girls Club of the Tohono**
11 **O'odham Nation for fiscal year 2007 and "commit[ed] to financially assist for fiscal**
12 **years 2008 and 2009" (Resolution No. 06-541); and**

13 **WHEREAS, a number of serious concerns have been raised regarding the operations of the Boys**
14 **and Girls Club of the Tohono O'odham Nation, including allegations of financial**
15 **mismanagement and concerns over the safety and well-being of children in the**
16 **program; and**

17 **WHEREAS, based on these concerns, the Human Resources Development Committee**
18 **recommends that the fiscal year 2009 payment of \$200,000.00 in surplus funds from**
19 **the Tohono O'odham Nation be suspended until specific requirements are met and**
20 **new controls are in place to ensure the appropriate handling of financial resources**
21 **and to protect the safety and well-being of children in the program.**

22 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby suspends**
23 **the fiscal year 2009 \$200,000.00 payment to the Boys and Girls Club of the Tohono**
24 **O'odham Nation, which shall not be made until the Nation's Treasurer receives from**
25 **the Human Resources Development Committee ("HRDC") and the Nation's Chairman**
26 **written confirmation that the Boys and Girls Club of the Tohono O'odham Nation have**
27 **submitted to the HRDC and the Chairman:**

- 28 **1. A full financial report for the expenditures of previously appropriated payments**
29 **("Nation's Appropriations") in the amount of \$400,000.00 for fiscal years 2007 and**
30 **2008.**
 - 31 **2. A progress report on all the services and programs funded by the Nation's**
32 **Appropriations.**
 - 33 **3. New internal policies and controls formally adopted and executed for the proper**
34 **management of funds and for the safety, protection, and well-being of the Boys**
35 **and Girls Club participants.**
- 36

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 24TH Day of SEPTEMBER, 2008 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0- AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(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

Felicia Nunez Jr
Verlon M. Jose, Legislative Chairman

29th day of Sept., 2008

ATTEST:

Lucille Lopez
Lucille Lopez, Acting Legislative Secretary

24 day of *September*, 2008.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 29th day of *Sept.*, 2008 at 12:27 o'clock, *P*.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Felicia Nunez Jr
Verlon M. Jose, Legislative Chairman

APPROVED

on the 30 day of *September*, 2008

DISAPPROVED

at 9:31 o'clock, *A*.M.

Ned Norris, Jr
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION
VICE CHAIRMAN

RESOLUTION NO. 08-593

(Suspending FY 2009 Surplus Fund Payment to Boys and Girls Club of the Tohono O'odham Nation)

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Returned to the Legislative Secretary on the 30 day of

September, 2008, at 10:55 o'clock, A.M.

Lucille Lopez
Lucille Lopez, Acting Legislative Secretary

ACTION: SUSPENDING FY 2009 SURPLUS FUND PAYMENT TO BOYS AND GIRLS CLUB OF THE TOHONO O'ODHAM NATION

MOVED: COUNCILMAN TIMOTHY JOAQUIN

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: SEPTEMBER 24, 2008

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

**PASSED VOTES