

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Appointing James Moreno to the TERO Commission)**

RESOLUTION NO. 23-124

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

5 **WHEREAS,** in 1985 the Papago Council enacted the Papago Employment Rights Ordinance
6 (“TERO Ordinance”), thereby establishing the Papago Employment Rights
7 Commission, since renamed as the Tribal Employment Rights Commission (the
8 “TERO Commission”) and vesting the Council with the power to select, appoint,
9 and remove TERO Commissioners by resolution (13 Tohono O’odham Code,
10 Chapter 1 Tribal Employment Rights); and

11 **WHEREAS,** the TERO Commission is comprised of five members who serve staggered, three-
12 year terms, or until their successors are appointed and qualified (13 Tohono
13 O’odham Code Chapter 1, Section 1107(B) and (C)); and

14 **WHEREAS,** in 2012, the Nation suspended the TERO Commissioners by Resolution No. 12-384
15 “Suspending TERO Commissioners” and ultimately removed the TERO
16 Commissioners by Resolution No. 14-060 “Removing TERO Commissioners”; and

17 **WHEREAS,** in 2013 when the TERO Commissioners were suspended but had not yet been
18 removed, interim TERO Commissioners were appointed to serve until successors
19 could be appointed so that the Commission could conduct business, ensure that
20 Indian preference was enforced, and provide necessary services for the Nation’s
21 members (Resolution Nos. 13-093, 13-094, 13-095, 13-096); and

22 **WHEREAS,** in 2016, because all interim Commissioners resigned, Representatives Chester
23 Antone, Louis R. Lopez, Daniel L.A. Preston, III, Sandra Ortega, and Barbara
24 Javier were appointed as interim TERO Commissioners until successors were
25 appointed or as otherwise provided for by subsequent action of the Legislative
26 Council (Resolution No. 16-063); and

27 **WHEREAS,** by Resolution No. 16-412, interim Commissioners appointments were extended
28 until successors are appointed to exercise the Commission’s functions and
29 evaluate TERO operations; and

30 **WHEREAS,** by Resolution No. 17-019, the Legislative Council approved the appointment of
31 Delma M. Garcia to the TERO Commission to replace Representative Barbara
32 Javier; and

RESOLUTION NO. 23-124
(Appointing James Moreno to the TERO Commission)
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1 **WHEREAS,** by Resolution No. 19-241, two additional members of the Human Resources
2 **Development Committee** were appointed as interim TERO Commissioners to
3 **serve until successors are appointed and to exercise the Commission's functions**
4 **and evaluate TERO operations; and**

5 **WHEREAS,** by Resolution No. 22-031, the Legislative Council approved the appointment of
6 **Patricia Antone to the TERO Commission; and**

7 **WHEREAS,** by Resolution No. 22-239, Representative Janice Felix, Representative Lucinda
8 **Allen, Representative DeLisa Ramon, and Representative Delma Garcia** were
9 **appointed as interim TERO Commissioners to join TERO Commissioner Patricia**
10 **Antone; and**

11 **WHEREAS,** permanent TERO Commissioners shall be appointed in accordance with 13
12 **Tohono O'odham Code Chapter 1 and the Nation's Board Appointment**
13 **Guidelines; and**

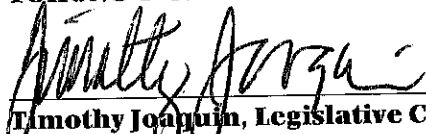
14 **WHEREAS,** the Human Resources Development and Rules Committees recommend that
15 **James Moreno be appointed to the TERO Commission for a term ending March 15,**
16 **2026 or until his successor is appointed and qualified.**

17 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council appoints
18 **James Moreno to the TERO Commission for a term beginning on the effective date**
19 **of this resolution and ending March 15, 2026, provided that he shall continue to**
20 **serve until his successor is appointed and qualified.**

21 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that James Moreno will
22 **replace Representative Lucinda Allen, Interim Commissioner on the TERO**
23 **Commission.**

24 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH**
25 **day of APRIL, 2023 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0-**
26 **AGAINST; -0- NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council by,**
27 **Article VI, Section 1(b) of the Constitution of the Tohono O'odham Nation, adopted by the**
28 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
29 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
30 **18, 1934 (48 Stat.984).**

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32 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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36 **Timothy Joaquin, Legislative Chairman**


37
38 14 day of April, 2023
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1 ATTEST:

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4 Evonne Wilson, Legislative Secretary

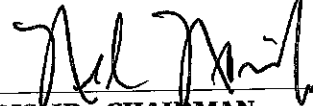
5 14 day of April, 2023
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8 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
9 O'odham Nation on the 14 day of April, 2023 at 3:46 o'clock, P.m.,
10 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
11 effective upon his approval or upon his failure to either approve or disapprove it within 48
12 hours of submittal.

13 TOHONO O'ODHAM LEGISLATIVE COUNCIL
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17 Timothy Joaquin, Legislative Chairman
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21 APPROVED
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24 DISAPPROVED
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26 on the 14 day of April, 2023
27 at 4:40 o'clock, P.m.

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30 NED NORRIS, JR., CHAIRMAN
31 TOHONO O'ODHAM NATION
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33 Returned to the Legislative Secretary on the 17 day of
34 April, 2023, at 9:15 o'clock, A.m.

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37 Evonne Wilson, Legislative Secretary
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ACTION: APPOINTING JAMES MORENO TO THE TERO COMMISSION

MOVED: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILWOMAN DELMA M. GARCIA

DATE: APRIL 13, 2023

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF ODAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON (Shelia Espino)	278.25	X			
	2. EVELYN JUAN MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
	2. JANICE FELIX ()	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. DELMA M. GARCIA ()	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS <i>(Absent)</i> (Tonya L. Joaquin) <i>(Present)</i>	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS <i>(Absent)</i> (Cornelius Antone) <i>(Present)</i>	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
TOTAL		3,218.0	3,218.0	-0-	-0-	-0-