

RESOLUTION OF THE TOHONO O'ODHAM COUNCIL
(Disapproving Sells District Res. 0286 contract
between O'Odham Construction)

RES. NO. 191-86

1 WHEREAS, The Sells District Council did by Resolution No. 0286 approve an
2 agreement which would permit O'Odham Construction Materials and Com-
3 pany ("Company") to mine, sand, gravel and rock within the Sells Dist-
4 rict upon condition that members of the District be given certain em-
5 ployment preferences by the Company; and
6

7 WHEREAS, the agreement was brought to this Council; and

8 WHEREAS, the Tohono O'Odham Council believes that the employment preference for
9 members of the Sells District contained in the agreement is pre-empted
10 by the Tribe's Employment Rights Ordinance and may violate Section 2
11 of Article VI of the Constitution of the Tohono O'Odham Nation which
12 guarantees to all members of the Tribe an equal opportunity to part-
13 icipate in the economic activities and resources of the Tribe.
14

15 NOW, THEREFORE, BE IT RESOLVED by the Tohono O'Odham Council that it does here-
16 by disapprove the agreement referred in Resolution No. 0286 of the
17 Sells District Council.

18 The foregoing Resolution was passed by the Tohono O'Odham Council on the 12th
19 day of March, 1986, at a meeting at which a quorum was present with a vote of
20 1139.0 for; 374.0 against; 127.0 not voting; and 01 absent, pursuant to the
21 powers vested in the Council by Section 1 (f) of Article VI of the Constitution
22 of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January
23 18, 1986, and approved by Deputy Assistant Secretary - Indian Affairs (Opera-
24 tions) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934
25 (48 Stat. 984). Said Resolution was presented for approval to the Chairman of
26 the Tohono O'Odham Nation on the 14th day of December, 1986, at 4:16 o'clock,
P.M., pursuant to the provisions of Section 5 of Article VII of the Consti-
tution and will become effective upon his approval; provided, however, that if
it was passed by the Council pursuant to the powers vested in the Council by
Section 2 of Article VI of the Constitution it shall become effective only upon
the further approval of the Secretary of the Interior.

27 ATTESTED by: Opheia J. Campillo
28 OPHELIA CAMPILLO, Secretary
29 TOHONO O'ODHAM COUNCIL

30 APPROVED) on the 8 day of December, 1986, at

31 DISAPPROVED) 2:10 o'clock, P.M.
32

Josiah Moore
JOSIAH MOORE, Chairman
TOHONO O'ODHAM NATION

MOVED: ANGELO JOAQUIN

SUBJECT: DISAPPROVING SELLS DISTRICT RES. 0286

SECOND: HARRIET TORO

CONTRACT BETWEEN O'ODHAM CONSTRUCTION

DATE: 3/12/86

RESOLUTION OR ORDINANCE # 191-86

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 138	1. Elliott Lewis (Eugene F. Jose) 2. Nicklos Jose (Letitia Garcia)	69.0 69.0	X X			
SELLS 257	1. Andrew M. Patricio (Nora Alvarez) 2. Fred Stevens (Dennis E. Jose)	128.5 128.5		X X		
SCHUK TOAK 105	1. Joseph Juan () 2. Julie Carrillo (Jo Ann Francisco)	52.5 52.5	X X			
SAN XAVIER 126	1. JOHN XXXXXXXXXXXX (Austin Nunez) 2. Tony Felix (Carmelita Mattias)	63.0 63.0	X	X		
BABOQUIVARI 241	1. JOHN XXXXXXXXXXXX (Edward N. Kisto) 2. Kenneth Chico, Sr. (Frances Miguel)	120.5 120.5	X X			
GU ACHI 158	1. Angelo J. Joaquin, Sr. (Jonas R. Robles) 2. Fernando Joaquin (Fred Adams, Jr.)	79.0 79.0	X X			
PISINEMO 116	1. CHESTER XXXXXXXXXXXX (Sylvester Manuel) 2. Johnson Jose (Edward D. Manuel)	58.0 58.0	X X			
SAN LUCY 85	1. John Reno () 2. MAX XXXXXXXXXXXX (Dewey I. Ortega)	42.5 42.5	X X			X
GU VO 117	1. Cross Antone (Fern E. Salcido) 2. Virgil Lewis (Roy Montana)	58.5 58.5		X X		
HICKIWAN 128	1. Henry A. Ramon (Pablo Baptisto) 2. Lloyd Francisco (Eleanor Santos)	64.0 64.0	X		X	
CHUKUT KUK 169	1. Rosemary Lopez (Anita C. Clark) 2. Harriet Toro (Marvin J. Thomas)	84.5 84.5	X X			
TOTALS		1640.0	1139.0	374.0	127.0	-01