

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Opposition to the Proposed Residency Requirement for  
Employment Under Consideration by the Mayor and Council  
of the City of Tucson)**

**RESOLUTION NO. 97-305**

**WHEREAS, the Mayor and Council of the City of Tucson adopted the Native American Employment Program by Resolution No. 17244, May 6, 1996, and established a Task Force to assist the City in increasing the number of Native Americans employed within city government and to achieve a workforce composition that reflects the diversity of the community and available workforce; and**

**WHEREAS, the Tohono O'odham Nation was pleased to be represented by members of the Human Resources Department, Education Department, and Tohono O'odham Employment Rights Office (TERO) on the City of Tucson's, Native American Employment Program Task Force; and**

**WHEREAS, it was reported after one year of the effective date of Resolution No. 17244 that the City of Tucson's Human Resources Department assisted by the Task Force increased the representation of documented Native Americans by about 38% (from 21 to 29); and**

**WHEREAS, these gains seem significant, the overall representation remains lower than demographics suggest they should be, and would support; and**

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3 **WHEREAS, at present the Tohono O'odham Nation is the 17th largest**  
4 **employer in Pima County and the number of City of Tucson**  
5 **residents employed by the Nation and its enterprises are**  
6 **many, many times the number of Native Americans**  
7 **presently employed by the City of Tucson; and**

8  
9 **WHEREAS, it has been brought to the attention of the Tohono O'odham**  
10 **Nation that Mayor and Council of the City of Tucson are**  
11 **considering the adoption of an ordinance that will require**  
12 **city employees to reside within the city limits of the City of**  
13 **Tucson; and**

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15 **WHEREAS, this divisive action would greatly impact the future**  
16 **employment opportunity of this Nation's members as well as**  
17 **other Native Americans not living within the City limits but**  
18 **are qualified and interested in employment and reside**  
19 **within commuting distance; and**

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21 **WHEREAS, any such ordinance which does not contain an exemption**  
22 **for Native Americans will be subject to constitutional attack**  
23 **because of its impact on a protected class of people.**

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25 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Nation**  
26 **opposes adoption of a City of Tucson ordinance that would**  
27 **deny employment to residents of the Tucson area because**  
28 **they live outside the City limits.**

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**BE IT FURTHER RESOLVED that the Tohono O'odham Nation joins with other Native American organizations and Nations in opposing the adoption of any action that would constructively exclude any Native American from employment.**

**BE IT FURTHER RESOLVED a residency requirement if adopted would be considered a divisive action, setting up an artificial barrier since many Nation members commute daily into the Tucson area for employment.**

**BE IT FINALLY RESOLVED that if the Mayor and Council determine that it is in the best interest of the City of Tucson to pass such an ordinance, then the Tohono O'odham Nation strongly recommends that Native Americans be exempt from the ordinance.**

**The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 21ST. day of JULY, 1997 at a meeting at which a quorum was present with a vote of 1,927.0 FOR; 71.0 AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 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).**

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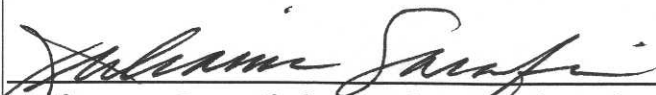
**TOHONO O'ODHAM LEGISLATIVE COUNCIL**



**Dennis Ramon, Legislative Chairman**

24<sup>th</sup> day of July, 1997

**ATTEST:**



**Julianna Saraficio, Acting Legislative Secretary**

23<sup>rd</sup> day of July, 1997.

**Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 24<sup>th</sup> day of July, 1997 at 12:04 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**



**Dennis Ramon, Legislative Chairman**

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**APPROVED**

on the 24<sup>th</sup> day of July, 1997

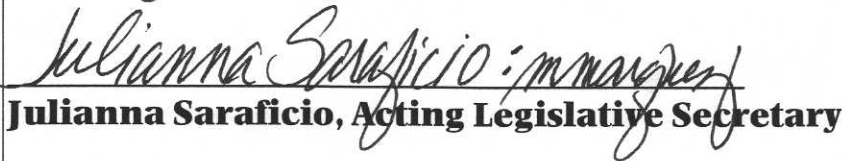
**DISAPPROVED**

at 2:00 o'clock, P.M.



**EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION**

**Returned to the Legislative Secretary on the 24 day of  
July, 1997, at 5:10 o'clock, P.M.**



**Julianna Saraficio, Acting Legislative Secretary**

ACTION: OPPOSITION TO THE PROPOSED RESIDENCY REQUIREMENT FOR EMPLOYMENT UNDER CONSIDERATION BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON

MOVED: COUNCILWOMAN FERN SALCIDO

SECOND: COUNCILWOMAN FRANCES ANTONE

DATE: JULY 21, 1997

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 189.0	1. DAVID GARCIA (Marvin Thomas)	94.5	X			
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5	X			X
HICKIWAN 146.0	1. ALEX JOSE ( )	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			
GU VO 142.0	1. FERN SALCIDO (Larry Montana)	71.0	X			
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			
SAN LUCY 114.0	1. JOHN RENO (Mary Hoffman)	57.0	X			
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			
PISINEMO 139.0	1. BARBARA SALVICIO ( )	69.5	X			
	2. JOHNSON JOSE ( )	69.5	X			
GU ACHI 190.0	1. LOUIS JOHNSON ( )	95.0	X			
	2. ALEX J. RAMON ( )	95.0	X			
BABOQUIVARI 258.0	1. FRANCES MIGUEL ( )	129.0	X			X
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			
SAN XAVIER 146.0	1. TONY BURRELL ( )	73.0	X			
	2. DENNIS RAMON ( )	73.0	X			
SCHUK TOAK 120.0	1. JOSEPH JUAN ( )	60.0	X			X
	2. AMBROSE ENCINAS ( )	60.0	X			
SELLS 322.0	1. LUCILLE ENCINAS (Cynthia Chico)	161.0	X			
	2. EVELYN JUAN (Dennis Jose)	161.0	X			
SIF OIDAK 161.0	1. RITA MARTINEZ (Maxine Norris)	80.5	X			
	2. MARY ANN ANTONE (Darlene Andrew)	80.5	X			
<b>TOTAL</b>		<b>1,927.0</b>	<b>1,927.0</b>	<b>71.0</b>	<b>-0-</b>	<b>[04]</b>

\*\*PASSED VOTES