

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending the Tohono O'odham Ki:Ki Association Ordinance)**

RESOLUTION NO. 11-191

1 **WHEREAS, Article VI , Section 1(c)(2) of the Constitution of the Tohono O'odham Nation vests the**
2 **Legislative Council with the power to enact laws "to promote, protect and provide for**
3 **public health, peace, morals, education and general welfare of the Tohono O'odham**
4 **Nation and its members"; and**

5 **WHEREAS, the Legislative Council established the Tohono O'odham Ki:Ki Association ("TOKA") as**
6 **a separate tribal entity in accordance with Article VI of the Constitution of the Tohono**
7 **O'odham Nation and pursuant to Legislative Council Ordinance No. 98-03, as amended**
8 **("TOKA Ordinance"), 18 T.O.C. Ch. 1, www.tolc-nsn.org/docs/Title18Ch1.pdf); and**

9 **WHEREAS, the TOKA is (1) designated as the Nation's "Tribally Designated Housing Entity" in**
10 **accordance with the Native American Housing Assistance and Self-Determination Act**
11 **of 1996, 25 U.S.C. §4101 et seq., P.L.104-330, 110 Stat. 4016 ("NAHASDA") to implement**
12 **the Nation's Indian Housing Plan under NAHASDA's Indian Housing Block Grant**
13 **("IHBG") Program; and (2) established for the primary purpose of providing well-**
14 **constructed and affordable homes for the members, as well as maintaining the**
15 **current assisted stock of home ownership and rental homes (TOKA Ordinance,**
16 **Statement of Purpose and Article I.I.); and**

17 **WHEREAS, the Legislative Housing Committee is delegated legislative oversight of the TOKA and**
18 **the Committee has proposed numerous TOKA Ordinance amendments to improve**
19 **TOKA operations (Plan of Operation for the Housing Committee; Resolutions No. 02-**
20 **089, No. 02-110, No. 06-440, and No. 10-019); and**

21 **WHEREAS, the Housing Committee has drafted additional TOKA Ordinance amendments to:**
22 **• Clarify the process for reviewing and submitting the Nation's annual Indian**
23 **Housing Plan and Performance Report;**
24 **• Clarify the authority of the TOKA Board and Executive Director over personnel**
25 **matters and over the TOKA's day-to-day administration and management;**
26 **• Ensure the TOKA's occupancy policy complies with the NAHASDA;**
27 **• Affirm the TOKA's authority to adopt a housing eligibility policy;**
28 **• Delete an unnecessary reference to foreclosure policies;**
29 **• Make other editorial corrections to the TOKA Ordinance; and**

30 **WHEREAS, the proposed TOKA Ordinance amendments were distributed for public comment and**
31 **posted on the Legislative Branch website on March 14, 2011; and**

32 **WHEREAS, following a 30-day public comment period, the Housing Committee reviewed and**
33 **responded to the comments submitted, and incorporated additional amendments**
34 **into the TOKA Ordinance as dated for reference May 2011 ("May 2011 TOKA**
35 **Ordinance"), which is incorporated by this reference; and**

1 WHEREAS, it is in the Nation's best interest to adopt the amendments appearing within the May
2 2011 TOKA Ordinance.

3 NOW, THEREFORE, BE IT RESOLVED that the Legislative Council hereby adopts the amendments
4 appearing within the May 2011 TOKA Ordinance.

5 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH Day
6 of MAY, 2011 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0- AGAINST;
7 -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Article VI,
8 Section 1(c)(2) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham
9 Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs
10 (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

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13 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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16 Felicia Munoz for
17 Verlon M. Jose, Legislative Chairman
18
19 18th day of May, 2011
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23 ATTEST:

24 Evonne Wilson
25
26 Evonne Wilson, Legislative Secretary
27
28 18 day of May, 2011.
29

30 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
31 Nation on the 18th day of May, 2011 at 2:50 o'clock, P.M.,
32 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
33 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
34 submittal.

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36 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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39 Felicia Munoz for
40 Verlon M. Jose, Legislative Chairman
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44 APPROVED

on the 18 day of May, 2011

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46 DISAPPROVED

at 3:45 o'clock, P.M.

47
48 Ned Norris, Jr.
49 NED NORRIS, JR., CHAIRMAN
50 TOHONO O'ODHAM NATION

RESOLUTION NO. 11-191

(Amending the Tohono O'odham Ki:Ki Association Ordinance)

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Returned to the Legislative Secretary on the 18 day of

May, 2011, at 4:36 o'clock, P.M.

Evonne Wilson

Evonne Wilson, Legislative Secretary

ACTION: AMENDING THE TOHONO O'ODHAM KI:KI ASSOCIATION ORDINANCE

MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

SECOND: COUNCILWOMAN PAMELA ANGHILL

DATE: MAY 13, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			
	2. MARY LOPEZ ()	99.35	X			X
SELLS 449.6	1. KIMBERLY MULL ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (Stanley Stephans)	79.50	X			X
	2. FREDRICK JOSE (Phyllis Cachora)	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			X
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X			X
PISINEMO 184.5	1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i>	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			
	2. SANDRA ORTEGA ()	87.25	X			
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	115.05	X			
CHUKUT KUK 277.0	1. ETHEL GARCIA <i>(Absent)</i> (Sara Mae Williams) <i>(Present)</i>	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			
BABOQIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			X
	2. FRANCES G. ANTONE <i>(Absent)</i> (Vernon Smith) <i>(Present)</i>	162.0	X			
TOTAL		2,595.50	2,595.50	-0-	-0-	[05]