

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Establishing Obligation for Annual Support of Tohono O'odham Nursing Care Authority
(TONCA) to Provide Long-Term Sustainability and Authorizing Annual Funding for
Fiscal Years 2012 through 2016)

RESOLUTION NO. 10-436

1 **WHEREAS, the Tohono O'odham Nation made a commitment in the 1980's to take a leadership**
2 **role in providing a continuum of care and services designed to enhance the quality of**
3 **life for aging O'odham and other members of the Nation in need of skilled nursing**
4 **care; and**

5 **WHEREAS, the formation of the Tohono O'odham Nursing Care Authority ("TONCA") and the**
6 **construction of the Archie Hendricks Sr. Skilled Nursing Facility were integral**
7 **components of the commitment of the Nation's resources to its elders; and**

8 **WHEREAS, the Tohono O'odham Nation recognized that its commitment to those O'odham**
9 **members requiring skilled nursing care would require continued financial support**
10 **because third party payees would not provide sufficient reimbursement to meet the**
11 **expenses of the Facility; and**

12 **WHEREAS, by Resolution No. 03-546, the Legislative Council provided the necessary funds**
13 **through the use of gaming savings to subsidize TONCA's operations for fiscal years**
14 **2004 through 2007; and**

15 **WHEREAS, by Resolution No. 07-452, the Legislative Council provided the necessary funds**
16 **through the use of gaming savings to subsidize TONCA's operations for fiscal years**
17 **2008 through 2011; and**

18 **WHEREAS, based upon its forecast of future financial needs, TONCA seeks sums from gaming**
19 **savings in the following amounts: \$6,085,182 for FY2012, \$6,323,831 for FY2013,**
20 **\$6,570,039 for FY2014, \$6,824,034 for FY2015 and \$7,086,048 for FY2016 for a total**
21 **request for support of the Facility for FY2012 through FY2016 in the amount of**
22 **\$32,889,134; and**

23 **WHEREAS, TONCA is requesting the Nation's financial assistance, through the use of gaming**
24 **savings; and**

25 **WHEREAS, TONCA has presented its proposal to its Oversight Committee Health and Human**
26 **Services and the Budget and Finance Committee; and**

27 **WHEREAS, TONCA has attended the District Chairs' meeting and has attended the District Council**
28 **meetings of each of the 11 districts during the past six months and has sought support**
29 **by District Council resolution for the requested annual support from gaming savings**

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1 **and has received supporting resolutions from 8 of the 11 districts: Gu Achi, Schuk**
2 **Toak, Sif Oidak, San Lucy, Chukut Kuk, Hikiwan, Pisinemo and San Xavier.**

3 **NOW, THEREFORE, BE IT RESOLVED THAT:**

4 **1. The Tohono O'odham Legislative Council is committed to TONCA's long-term**
5 **sustainability by providing TONCA with annual financial support prior to the start**
6 **of each fiscal year in order to permit TONCA to carry out its mission through the**
7 **provision of a skilled nursing care facility and hospice services to members of the**
8 **Tohono O'odham Nation.**

9 **2. The Tohono O'odham Legislative Council recognizes the following financial support**
10 **requirements with respect to the operations of the Archie Hendricks Skilled**
11 **Nursing Facility and Tohono O'odham Hospice:**

<u>Fiscal Year</u>	<u>Amount</u>
2012	\$6,085,182
2013	\$6,323,831
2014	\$6,570,039
2015	\$6,824,034
2016	\$7,086,048

12 **3. The Tohono O'odham Legislative Council agrees to provide financial support for the**
13 **operations of the Archie Hendricks Sr. Skilled Nursing Facility and the Tohono**
14 **O'odham Hospice from gaming savings.**

15 **4. Payments will be made to TONCA as follows:**

<u>Transfer Date</u>	<u>Amount of Transfer</u>
August 1, 2011	\$6,085,182
August 1, 2012	\$6,323,831
August 1, 2013	\$6,570,039
August 1, 2014	\$6,824,034
August 1, 2015	\$7,086,048

16 **5. Funds will be wired to TONCA's account on or before the dates set forth above**
17 **without further Tohono O'odham Legislative Council action; all funds shall remain**
18 **assets of the Nation until transferred to TONCA.**

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1 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15TH Day
2 of OCTOBER, 2010 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0-
3 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article
4 VI, Section 1 (d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono
5 O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -
6 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
7 Stat. 984).

8
9 TOHONO O'ODHAM LEGISLATIVE COUNCIL

10
11 
12 _____
13 Verlon M. Jose, Legislative Chairman

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15
16 9 day of November, 2010

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19
20 ATTEST:

21 
22 _____
23 Evonne Wilson, Legislative Secretary

24
25 8 day of November, 2010.

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28 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
29 Nation on the 9 day of November, 2010 at 1:45 o'clock, P.M.,
30 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
31 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
32 submittal.

33
34 TOHONO O'ODHAM LEGISLATIVE COUNCIL


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37 _____
38 Verlon M. Jose, Legislative Chairman

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43 APPROVED

on the 09 day of November, 2010

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45 DISAPPROVED

at 2:45 o'clock, P.M.

46
47 
48 _____
49 NED NORRIS, JR., CHAIRMAN
50 TOHONO O'ODHAM NATION

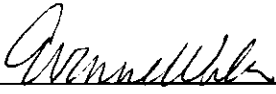
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Returned to the Legislative Secretary on the 9 day of

November, 2010, at 3:25 o'clock, P.M.



Evonne Wilson, Legislative Secretary

ACTION: ESTABLISHING OBLIGATION FOR ANNUAL SUPPORT OF TOHONO O'ODHAM NURSING CARE AUTHORITY (TONCA) TO PROVIDE LONG-TERM SUSTAINABILITY AND AUTHORIZING ANNUAL FUNDING FOR FISCAL YEARS 2012 THROUGH 2016

MOVED: COUNCILWOMAN LOUIS JOHNSON

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: OCTOBER 15, 2010

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			
SELLS 449.6	1. KIMBERLY LISTO ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	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			
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			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 (<i>Absent</i>) (Louis J. Johnson)(<i>Present</i>)	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			X
BABOQUIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	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-	[02]