

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Recognizing Sif Oidak District Compliance with Resolution Nos. 23-440 and
24-091 and Authorizing Allocations to the District)

RESOLUTION NO. 25-346

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with
2 the fiscal powers to "prevent the use, disposition or encumbrance of fiscal assets
3 of the Tohono O'odham Nation," "manage any funds within the exclusive control
4 of the Tohono O'odham Nation . . . and to appropriate these funds for the benefit
5 of the nation and its members" (Constitution, Article VI, Section 1(d)(1) and (d)(2));
6 and

7 **WHEREAS,** pursuant to Article IX, Section 7 of the Constitution of the Tohono O'odham
8 Nation, "[n]o district council shall expend district funds except pursuant to
9 budgets authorized under resolutions of the district council and approved by the
10 Tohono O'odham Council"; and

11 **WHEREAS,** 16 T.O.C. Chapter 1 - Regulation of Gaming Activities (the "Gaming Ordinance"),
12 the Tohono O'odham Nation-State of Arizona Amended and Restated Gaming
13 Compact, and the Indian Gaming Regulatory Act require the Nation to ensure that
14 net gaming revenues, including revenues allocated to districts, are used
15 exclusively to fund government operations or programs or for another of the
16 specific purposes authorized by law (Gaming Ordinance, Section 302; Compact,
17 Section 16(d); 25 U.S.C. § 2710(b)(2)(B)); and

18 **WHEREAS,** the Legislative Council is vested with substantial control over the Nation's 11 local
19 district governments, and it may by ordinance change district boundaries, create
20 a district, or disestablish a district (Constitution, Article IX, Section 2); and

21 **WHEREAS,** the districts "are organizations of fairly limited power and authority which may
22 act only under the supervision of the Tohono O'odham Council" and a district
23 may not expend district funds without a budget authorized by district council
24 resolution and approved by the Legislative Council (*Juan v. Juan*, 2 TOR3d 62
25 (Trial Ct., Jan. 27, 2000) *appeal dism'd*, 3 TOR3d 1 (Jan. 4, 2005); Constitution,
26 Article IX, Section 7); and

27 **WHEREAS,** the Tohono O'odham Judicial Court has recognized that even after distributing
28 funds to a district, the Nation has an ongoing fiduciary obligation to ensure that
29 district funds are expended under valid authority, including by "insuring that
30 funds are expended only by authorized officials of the District." (*Angela Ortiz &*
31 *Frances Ruiz v. Charlene Montana, et al; consolidated with Tohono O'odham*
32 *Nation v. Gu-Vo Governing Council*, 3 TOR3d 34, 36 (Ct.App., Aug. 24, 2011)); and

RESOLUTION NO. 25-346

(Recognizing Sif Oidak District Compliance with Resolution Nos. 23-440 and 24-091 and Authorizing Allocations to the District)

Page 2 of 4

WHEREAS, the Nation elects to allocate gaming, mining, leasing, and other revenues to fund district government budgets, and the allocations of Nation's funds are the primary sources of funding for Sif Oidak District operations; and

WHEREAS, the Nation has conditioned its annual allocation of Nation's gaming revenues to districts on annual audits, internal controls, and other measures, including district "budgets approved in accordance with Article VI, Section 1(d)(2) of the Nation's Constitution and Section 302 of the Gaming Ordinance" (Section 1304(A) of 26 T.O.C. Chapter 1); and

WHEREAS, by Resolution No. 23-440 and Resolution No. 24-091, control and management of Sif Oidak District finances and accounts were transferred to the Nation and "no further distributions or allocations of gaming revenue, mining royalties, or other funds shall be made available for expenditure for the Sif Oidak District until the Nation's treasurer certifies in writing that control of all Sif Oidak District funds has been transferred to the Nation." Resolution No. 23-440; and

WHEREAS, on September 4, 2025, the Nation's treasurer issued the certification that control of all Sif Oidak District funds and accounts were transferred to the Nation as required by Resolution No. 23-440; and

WHEREAS, the Budget and Finance Committee and Nation's chairperson jointly certified that the Sif Oidak District, and its officials, agents, and employees fully complied with Resolution No. 23-440 and with the November 2023 Amendments to Ordinance No. 86-01; and

WHEREAS, by Resolution No. 24-218, Resolution No. 25-210, and Resolution No. 25-211, the Legislative Council approved the August 2024 and 2025 district allocations and apportionment of mining royalties, but retained the Sif Oidak District's allocations until compliance with the terms of Resolution Nos. 24-091 and 23-440; and

WHEREAS, because the Sif Oidak District complied with the terms of Resolution Nos. 23-440 and 24-091, the Budget and Finance Committee recommends that the Nation resume allocations and transfers of funds for the Sif Oidak District.

NOW, THEREFORE, BE IT RESOLVED that the Legislative Council:

- (1) Recognizes that the Sif Oidak District complied with the requirements of Resolution No. 23-440 and 24-091; and**

RESOLUTION NO. 25-346


(Recognizing Sif Oidak District Compliance with Resolution Nos. 23-440 and 24-091 and Authorizing Allocations to the District)

Page 3 of 4


- (2) Authorizes the August 2024 and August 2025 District Allocations and FY 2025 District Mining Allocation to be available for expenditure subject to Sif Oidak District budgets approved in accordance with Article VI, Section 1(d)(1) and (d)(2) and Article IX, Section 7, provided that the Nation shall continue to manage and control all of the Sif Oidak District's funds and accounts in accordance with Resolution No. 23-440.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18TH day of SEPTEMBER 2025 at a meeting at which a quorum was present with a vote of 3,321.1 FOR; -0- AGAINST; -0- NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council by Article V, Section 1; Article VI, Section 1; Article VI, Section 1(d)(1), (d)(2), (d)(3), and (e); Article VII, Section 2(c) and 2(d), Article IX, Section 7 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).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

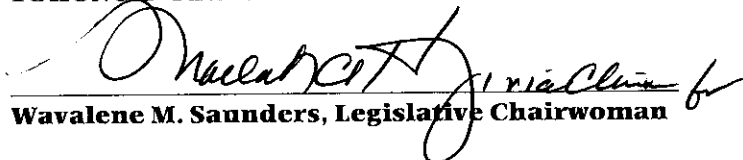

Wavalene M. Saunders, Legislative Chairwoman
23rd day of September, 2025

ATTEST:


Evonne Wilson, Legislative Secretary
23 day of September, 2025

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 23rd day of September, 2025 at 2:47 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


Wavalene M. Saunders, Legislative Chairwoman

RESOLUTION NO. 25-346

(Recognizing Sif Oidak District Compliance with Resolution Nos. 23-440 and 24-091 and Authorizing Allocations to the District)

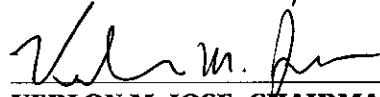
Page 4 of 4

☒ **APPROVED**

on the 24 day of September, 2025

☐ **DISAPPROVED**

at 7:47 o'clock, P.m.



**VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 25 day of

September, 2025, at 1043 o'clock, A.m.


Evonne Wilson, Legislative Secretary

ACTION: RECOGNIZING SIF OIDAK DISTRICT COMPLIANCE WITH RESOLUTION NOS. 23-440 AND 24-091 AND AUTHORIZING ALLOCATIONS TO THE DISTRICT

Moved: COUNCILWOMAN EVELYN JUAN MANUEL

SECOND: COUNCILWOMAN THEORIA CAMPILLO

DATE: SEPTEMBER 18, 2025

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 251.2	1. WAVALENE M. SAUNDERS (Mary Lopez)	125.6	X			
	2. FRANCIS HOMEWYTEWA ()	125.6	X			
SELLS 565.7	1. JANET B. ELEANDO ()	282.85	X			
	2. EVELYN JUAN MANUEL (Juan Buendia)	282.85	X			
SCHUK TOAK 195.3	1. THEORIA CAMPILLO (Rebecca Ann Valentine)	97.65	X			
	2. DELISA M. RAMON (Quintin C. Lopez)	97.65	X			
SAN XAVIER 249.8	1. DANIEL L.A. PRESTON III ()	124.9	X			
	2. JANICE FELIX ()	124.9	X			
SAN LUCY 266.3	1. GLORIA M. RAMIREZ (Lorraine M. Eiler)	133.15	X			
	2. ROGER MANUEL (Christina Andrews)	133.15	X			
PISINEMO 240.3	1. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	120.15	X			
	2. NAOMI MONTE (Edward D. Manuel)	120.15	X			
HICKIWAN 222.9	1. LOUIS R. LOPEZ (Loretta A. Ortega)	111.45	X			
	2. DELMA M. GARCIA ()	111.45	X			
GU VO 279.6	1. LESLIE LUNA ()	139.8	X			
	2. BENNETT CHEWING ()	139.8	X			
GU ACHI 289.2	1. JEROME F. JOAQUIN (Gloria Johnson)	144.6	X			
	2. LUCIUS E. LOPEZ (Victoria A. Hobbs)	144.6	X			
CHUKUT KUK 361.9	1. MARLAKAY HENRY ()	180.95	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	180.95	X			
BABOQUIVARI 398.9	1. JESSE NAVARRO (Alberta J. Ray)	199.45	X			
	2. NED NORRIS, JR (Leander Mase)	199.45	X			
TOTAL		3,321.1	3,321.1	-0-	-0-	-0-