

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Appropriating Gaming Savings for Tohono O'odham Nursing Care Authority
Operations in Fiscal Years 2026-2030)**

RESOLUTION NO. 26-039

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

6 **WHEREAS,** the Tohono O'odham Nursing Care Authority ("TONCA") was established by the
7 Nation and operates the Archie Hendricks, Sr. Skilled Nursing Facility and the
8 Tohono O'odham Elder Assisted Living Residence, which are vital resources for
9 aging O'odham and others in need of such services (17 Tohono O'odham Code
10 Chapter 2 - Tohono O'odham Nursing Care Authority); and

11 **WHEREAS,** from FY 2004 to FY 2016, the Nation's annual subsidy to TONCA grew from
12 \$4,013,875 to \$7,086,048 as the costs of healthcare increased; and

13 **WHEREAS,** pursuant to Resolution No. 17-302, the Legislative Council appropriated
14 \$6,731,746 annually from gaming savings for TONCA's fiscal years 2018-2021; and

15 **WHEREAS,** in 2021 in developing the next multiple year subsidy, TONCA was able to reduce
16 the requested subsidy based on its best projections of need, through strategic
17 planning and proactive efforts at the state and federal level, notwithstanding
18 rising healthcare costs and with regulations and inspections becoming more
19 rigorous and more persistent; and

20 **WHEREAS,** pursuant to Resolution No. 21-269, the Tohono O'odham Legislative Council
21 appropriated \$5,474,633 for FY 2022, \$4,723,422 for FY 2023, \$4,849,885 for FY
22 2024, \$4,979,962 for FY 2025, and \$5,113,772 for FY 2026; and

23 **WHEREAS,** the assumptions and projections used to calculate the requested subsidy for FY
24 2022-2026 have proved to be substantially in error; and

25 **WHEREAS,** the projections for the needed subsidy were in error due to 3 factors: inflation,
26 increase in charitable care, and labor costs:

- 27 • inflation in healthcare costs by 2024 were significantly higher than what
28 had been projected for FY 2025 in 2021;
- 29 • COVID-19 resulted in the increase in charitable care from 7 residents in
30 2019 to 15 in 2024; and

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1 • **a labor shortage of direct care nurses and certified nursing assistants – in**
2 **2021 TONCA had little or no need for any contract staff and currently we**
3 **have 50 nurses and CNAs, of which 25 are contract staff; and**

4 **WHEREAS,** **in order to maintain its quality-of-care, TONCA has concluded that the best**
5 **approach is to seek this next multi-year subsidy beginning a year earlier than**
6 **projected; and**

7 **WHEREAS,** **TONCA has consulted with each of the Nation's districts in accordance with 26**
8 **Tohono O'odham Code Chapter 1, Article 3, Section 1301(A) and the TONCA Board**
9 **of Directions has enacted a resolution requesting an annual subsidy from the**
10 **Nation in the amount of \$9,917,059 for each fiscal year for FY 2026 through FY**
11 **2030, for a combined total of \$49,585,295 from gaming savings for continued**
12 **operations (of which \$5,113,772 had been appropriated for FY2026 in accordance**
13 **with Resolution No. 21-269); and**

14 **WHEREAS,** **pursuant to Resolution No. 21-269, the Nation will transfer payment of \$5,113,772**
15 **on or about October 1, 2025 as the last subsidy payment for that multi-year**
16 **appropriation; and**

17 **WHEREAS** **TONCA is requesting that the Nation appropriates an additional subsidy amount**
18 **of \$4,803,287 for FY 2026 and subsidy amounts in FY 2027-FY 2030 of \$9,917,059;**
19 **and**

20 **WHEREAS,** **TONCA has confirmed with the Treasurer of the Tohono O'odham Nation that**
21 **there are sufficient funds in gaming savings to support TONCA's multi-year**
22 **appropriation request for FY 2026-2030; and**

23 **WHEREAS,** **the Health and Human Services Committee and the Budget and Finance**
24 **Committee have reviewed TONCA's multi-year appropriation request and neither**
25 **the Health and Human Services Committee nor the Budget and Finance**
26 **Committee has a recommendation.**

27 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'odham Legislative Council that the Tohono
28 **O'odham Legislative Council appropriates the following amounts for each fiscal**
29 **year:**

- 30 1. **\$4,803,287 for FY 2026 (to supplement the \$5,113,772 appropriated to**
31 **TONCA in accordance with Resolution No. 21-269);**
32 2. **\$9,917,059 for FY 2027;**
33 3. **\$9,917,059 for FY 2028;**
34 4. **\$9,917,059 for FY 2029; and**

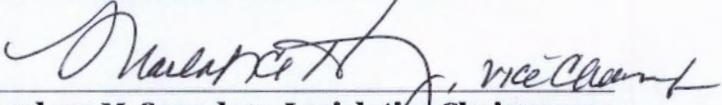
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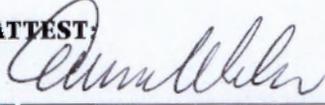
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

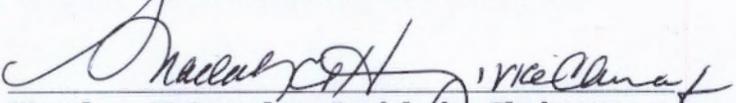

Wavalene M. Saunders, Legislative Chairwoman
17th day of February, 2026

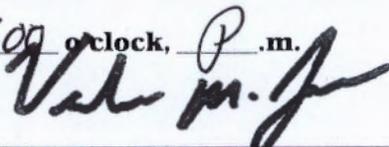
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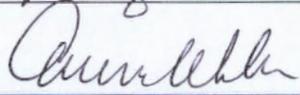

Evonne Wilson, Legislative Secretary
13 day of February, 2026

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 17th day of February, 2026 at 4:40 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

APPROVED on the 17 day of February, 2026
 DISAPPROVED at 5:00 o'clock, P.m.

VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 18 day of
February, 2026, at 8:50 o'clock, A.m.

Evonne Wilson, Legislative Secretary

ACTION: APPROPRIATING GAMING SAVINGS FOR TOHONO O'ODHAM NURSING CARE AUTHORITY OPERATIONS IN FISCAL YEARS 2026-2030

MOVED: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILWOMAN GLORIA M. RAMIREZ

DATE: FEBRUARY 10, 2026

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			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. Eller)	133.15	X			
	2. ROGER MANUEL (Absent) (Christina Andrews) (Present)	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			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 (Absent) (Cornelius Antone) (Present)	180.95		X		
BABOQUIVARI 398.9	1. JESSE NAVARRO ()	199.45	X			X
	2. NED NORRIS, JR. (Absent) (Leander Mase) (Present)	199.45	X			
	TOTAL	3,321.1	2,448.65	872.45	-0-	[03]