

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Hia-Ced District FY 2013 Budget)

RESOLUTION NO. 13-266

1 **WHEREAS, the Tohono O'odham Nation Constitution vests the Tohono O'odham Legislative**
2 **Council with fiscal powers "to manage any funds within the exclusive control of the**
3 **Tohono O'odham Nation" and "to appropriate these funds for the benefit of the nation**
4 **and its members" and "to adopt, approve and amend annual budgets and to authorize**
5 **the expenditure of funds in accordance with these budgets" (Constitution, Article VI,**
6 **Section 1(d)(2) and (3)); and**

7 **WHEREAS, Article IX, Section 7 of the Constitution also provides that "No district council shall**
8 **expend district funds except pursuant to budgets authorized under resolutions of the**
9 **district council and approved by the Tohono O'odham Council. The management of**
10 **these funds shall be only by a treasurer or the authorized officer of the district council**
11 **who has furnished a surety bond satisfactory to the treasurer of the Tohono O'odham**
12 **Nation, and all expenditures of these funds shall be by checks signed by such treasurer**
13 **or other authorized officer and the chairman or vice chairman of the district**
14 **council."; and**

15 **WHEREAS, the Hia-Ced District was established as a district of the Tohono O'odham Nation**
16 **effective October 30, 2012 and the District's officials were elected in the Nation's 2013**
17 **general election, but the District does not currently have a budget or funds to support**
18 **district operations (27 T.O.C. Chapter 1, Creation of the Hia-Ced District of the Tohono**
19 **O'odham Nation); and**

20 **WHEREAS, 27 T.O.C. Chapter 1, Section 1103 provides:**
21 **The Hia-Ced District shall be funded in the same manner as all other districts of**
22 **the Tohono O'odham Nation, provided that the Hia-Ced District shall maintain**
23 **internal controls, shall be audited annually by the independent certified public**
24 **accountants retained by the Nation to prepare the Nation's annual audit, and**
25 **otherwise shall satisfy requirements established by the Nation's laws for**
26 **receiving an allocation of gaming revenue or other funding. The Hia-Ced District**
27 **shall not expend District funds except pursuant to budgets authorized under**
28 **resolutions of the Hia-Ced District Council and approved by the Tohono O'odham**
29 **Legislative Council.**

30 **; and**

1 **WHEREAS, by Hia-Ced District Council Resolution No. 13-08, the Hia-Ced District has adopted a**
2 **Financial Services Resource Guide as its internal controls, and the District is working**
3 **with the Nation's treasurer to ensure its controls are adequate and comply with the**
4 **Nation's laws; and**

5 **WHEREAS, Section 1104 also provides that, "The Hia-Ced District Council shall adopt a resolution**
6 **declaring whether the District will perform its own accounting functions or utilize the**
7 **accounting services of the Tohono O'odham Nation, subject to laws of the Nation."; and**

8 **WHEREAS, by Hia-Ced District Council Resolution No. 13-03, as amended by Resolution No. 13-13,**
9 **the District has declared it will perform its own accounting functions, and, by Hia-Ced**
10 **District Council Resolution No. 13-04, as amended by Resolution No. 13-10, and**
11 **Resolution No. 13-05, as amended by Resolution No. 13-11, the District has engaged**
12 **CPA Robert Snyder to perform the District's accounting functions in fiscal years 2013**
13 **and 2014; and**

14 **WHEREAS, by Hia-Ced District Council Resolution No. 13-02, as amended by Resolution No. 13-12,**
15 **the Hia-Ced District has adopted a Hia-Ced District Provisional Budget for June 12,**
16 **2013 to September 30, 2013, ("Hia-Ced District FY 2013 Budget"), which is incorporated**
17 **by this reference, in the amount of \$237,601.21; and**

18 **WHEREAS, the Legislative Budget and Finance Committee has reviewed the Hia-Ced District FY**
19 **2013 Budget and recommends that it be approved and that it be funded by the OST**
20 **Trust Fund.**

21 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
22 **Hia-Ced District FY 2013 Budget, which shall be effective from June 12, 2013 to**
23 **September 30, 2013 and will be funded with \$237,601.21, which is appropriated from**
24 **the OST Trust Fund; provided that the budgeted funds shall be made available to the**
25 **Hia-Ced District for expenditure subject to the following conditions:**

- 26 **(1) The Hia-Ced District treasurer or the authorized officer of the district council**
27 **who is vested with authority to manage District funds furnishes a surety bond**
28 **satisfactory to the treasurer of the Tohono O'odham Nation.**

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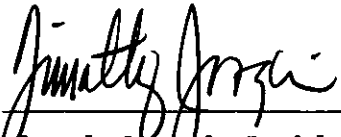
(Approving Hia-Ced District FY 2013 Budget)

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(2) The Nation's treasurer verifies in writing to the Legislative Council that the District has established adequate internal controls and has otherwise satisfied the requirements of 26 T.O.C. Chapter 1, Article 3, Gaming Revenue Distribution Formula and District Allocation Guidelines.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18TH Day of JULY, 2013 at a meeting at which a quorum was present with a vote of 2,092.3 FOR; 854.2 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (d)(2) 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


Timothy Joaquin, Legislative Chairman
19 day of July, 2013

ATTEST:


Evonne Wilson, Legislative Secretary
19 day of July, 2013.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 19 day of July, 2013 at 1:34 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


Timothy Joaquin, Legislative Chairman

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APPROVED

on the 23 day of July, 2013

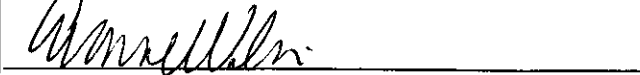
DISAPPROVED

at 11:58 o'clock, A.M.


NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 23 day of

July, 2013, at 12:03 o'clock, a.M.


Evonne Wilson, Legislative Secretary

ACTION: APPROVING HIA-CED DISTRICT FY 2013 BUDGET

MOVED: COUNCILWOMAN LORRAINE EILER

SECOND: COUNCILMAN MICHAEL FLORES

DATE: JULY 18, 2013

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ()	112.1	X			X
SELLS 502.0	1. ARTHUR WILSON (Kimberly Mull)	251.0	X			
	2. BARBARA HAVIER ()	251.0	X			
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1		X		
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1		X		
SAN XAVIER 224.2	1. HILARION CAMPUS ()	112.1	X			
	2. ADAM ANDREWS (Rachael Vilson-Stoner)	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			
	2. JANA MONTANA ()	109.8	X			X
PISINEMO 210.6	1. CHESTER ANTONE (Tony Murrietta)	105.3	X			
	2. EDWARD MANUEL, SR. ()	105.3		X		
HICKIWAN 196.9	1. LOUIS R. LOPEZ (Michelle Ortega)	98.45		X		
	2. SANDRA ORTEGA (Absent) (Manuel Osequeda, Jr.) (Present)	98.45		X		
HIA CED 19.6	1. LORRAINE EILER (Jolene Garcia)	9.8	X			
	2. MICHAEL FLORES ()	9.8	X			
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5		X		
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ()	128.65		X		
	2. LORETTA LEWIS (Louis Johnson)	128.65		X		
CHUKUT KUK 319.2	1. ETHEL GARCIA (Marlakay C. Henry)	159.6	X			
	2. BILLMAN LOPEZ ()	159.6	X			
BABOQUIVARI 357.7	1. FRANCES MIGUEL (Roberta Harvey)	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
TOTAL		2,946.5	2,092.3	854.2	-0-	[02]