

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving FY 2011 District Allocation and Apportionment of Gaming Revenues  
to Districts by Equal Distribution)**

**RESOLUTION NO. 10-290**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Tohono O'odham Legislative**  
2 **Council with legislative and fiscal powers, including the power "to manage any funds**  
3 **within the exclusive control of the Tohono O'odham Nation, including proceeds**  
4 **derived from lands and resources of the Tohono O'odham Nation" (Constitution,**  
5 **Article VI, Section 1(d)(2)); and**

6 **WHEREAS, the Legislative Council has adopted a formula for distributing the Nation's gaming**  
7 **revenues ("Formula"), which includes an allocation to the Nation's 11 districts**  
8 **("District Allocation") (26 Tohono O'odham Code Chapter 1, §1301); and**

9 **WHEREAS, Title 26, §1304 provides that on August 1 each year the District Allocation for each**  
10 **district shall be apportioned in accordance with the allocation formula established**  
11 **by the Legislative Council; and**

12 **WHEREAS, pursuant to Resolution No. 10-289, the Legislative Council approved a supplemental**  
13 **allocation of \$5,500,896.00; and**

14 **WHEREAS, the Tohono O'odham Nation Office of the Treasurer has determined the FY 2011**  
15 **District Allocation to be \$22,076,647.96; and**

16 **WHEREAS, effective August 1, 2010, Section 1301(B)(ii)(a) of the Formula provides that "Fifteen**  
17 **percent (15%) of the District Allocation shall be allocated to the District where the**  
18 **Gaming Facility which generated such revenue is located" (the "Host District Share");**  
19 **and**

20 **WHEREAS, the Tohono O'odham Nation Office of the Treasurer has calculated the FY 2011**  
21 **Hickiwan Host District Share as \$51,997.09 and the San Xavier Host District Share as**  
22 **\$3,259,500.11; and**

23 **WHEREAS, Section 1301(B)(ii)(b) of the Formula provides that the remainder of the District**  
24 **Allocation (after allocating the Host District Share) shall be divided among all 11**  
25 **Districts of the Nation in accordance with the allocation formula established by the**  
26 **Legislative Council (26 T.O.C. §1304); and**

27 **WHEREAS, the Office of the Treasurer has calculated the FY 2011 remainder of the District**  
28 **Allocation to be divided among all 11 districts as \$18,765,150.77; and**

29 **WHEREAS, the Legislative Budget and Finance Committee has discussed three options for**  
30 **dividing the remainder of the FY 2011 District Allocation as follows: 1) equal**  
31 **distribution; 2) population distribution; and 3) 50/50 distribution (½ equal and ½**  
32 **population); and**

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1 **WHEREAS, the Office of the Treasurer has prepared an FY 2011 District Distribution Table, which**  
2 **is incorporated by this reference, reflecting the District Allocation amounts for each**  
3 **allocation method.**

4 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that the Formula**  
5 **in effect on August 1 each year shall be applied to allocate gaming revenues that have**  
6 **accrued in the previous twelve-month period.**

7 **BE IT FURTHER RESOLVED pursuant to Resolution 10-289, the Legislative Council approved a**  
8 **supplemental allocation of \$5,500,896.00.**

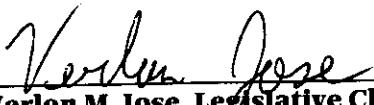
9 **BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that it hereby approves and**  
10 **authorizes the allocation of the FY 2011 Hickiwan Host District Share of \$51,997.09 and**  
11 **the FY 2011 San Xavier Host District Share of \$3,259,500.11.**

12 **BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that the remainder of the**  
13 **FY 2011 District Allocation (after allocating the Host District Share) shall be divided**  
14 **among all 11 Districts of the Nation by equal distribution in accordance with the FY**  
15 **2011 District Distribution Table for a distribution of \$1,705,922.80 to each district.**

16 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that all FY 2011 District**  
17 **Allocation funds, including the Host District Shares, shall be made available for**  
18 **expenditure subject to budgets approved in accordance with Article VI, Section 1(d)(2)**  
19 **and Article IX, Section 7 of the Nation's Constitution and the additional requirements**  
20 **of Tohono O'odham Code Title 26, Chapter 1, Article 3.**

21 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 27<sup>TH</sup> Day**  
22 **of JULY, 2010 at a meeting at which a quorum was present with a vote of 1,544.90 FOR; 1,050.60**  
23 **AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Article**  
24 **VI, Section 1 (d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono**  
25 **O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**  
26 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**  
27 **Stat. 984).**

28 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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33 **Verlon M. Jose, Legislative Chairman**

34 **30 day of July, 2010**  
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1 ATTEST:

2 [Signature]  
3  
4 Evonne Wilson, Legislative Secretary

5  
6 29 day of July, 2010.

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8 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham  
9 Nation on the 30 day of July, 2010 at 5:17 o'clock, P.M.,  
10 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective  
11 upon his approval or upon his failure to either approve or disapprove it within 48 hours of  
12 submittal.

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15 TOHONO O'ODHAM LEGISLATIVE COUNCIL

16 [Signature]  
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18 Verlon M. Jose, Legislative Chairman  
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24  APPROVED

25 on the 03 day of August, 2010  
26 at 4:20 o'clock, P.M.

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[Signature]  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 3 day of  
August, 2010, at 4:34 o'clock, P.M.

[Signature]  
Evonne Wilson, Legislative Secretary

**ACTION: APPROVING FY 2011 DISTRICT ALLOCATION AND APPORTIONMENT OF GAMING REVENUES TO DISTRICTS BY EQUAL DISTRIBUTION**

**Moved: COUNCILWOMAN FRANCES CONDE**

**SECOND: COUNCILWOMAN LINDA PARLEY**

**DATE: JULY 27, 2010**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF Oidak</b> 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			X
	2. MARY LOPEZ ( )	99.35	X			
<b>SELLS</b> 449.6	1. KIMBERLY LISTO ( )	224.80		X		
	2. EVELYN B. JUAN MANUEL ( )	224.80		X		
<b>SCHUK TOAK</b> 159.0	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
<b>SAN XAVIER</b> 204.7	1. FELICIA NUÑEZ ( )	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
<b>SAN LUCY</b> 187.1	1. LORRAINE EILER ( )	93.55	X			
	2. GLORIA RAMIREZ ( )	93.55	X			
<b>PISINEMO</b> 184.5	1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i>	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
<b>HICKIWAN</b> 174.5	1. MICHELLE ORTEGA ( )	87.25	X			
	2. SANDRA ORTEGA ( )	87.25	X			X
<b>GU VO</b> 206.3	1. GRACE MANUEL ( )	103.15	X			X
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X			
<b>GU ACHI</b> 230.1	1. TIMOTHY L. JOAQUIN ( )	115.05	X			
	2. CYNTHIA E. MANUEL ( )	115.05	X			
<b>CHUKUT KUK</b> 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50		X		
	2. VERLON M. JOSE ( )	138.50		X		X
<b>BABOQUIVARI</b> 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0		X		
	2. FRANCES G. ANTONE (Vernon Smith)	162.0		X		X
<b>TOTAL</b>		<b>2,595.50</b>	<b>1,544.90</b>	<b>1,050.60</b>	<b>-0-</b>	<b>[05]</b>