

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving an Addition to the Master List for Eligible Minor Tohono O'odham Members**  
**for the Fourth Per Capita Distribution and Authorizing the Transfer of Funds to**  
**Set up a Trust Account at Wells Fargo Bank)**

**RESOLUTION NO. 16-504**

1 **WHEREAS, on June 28, 1997, the Nation's voters approved Initiative No. IN-01-97, the**  
2 **"O'odham Voice on Use of Gaming Revenues" (the "Initiative"), which authorizes**  
3 **per capita payments to the Nation's members provided that sufficient gaming**  
4 **revenues are available; and**

5 **WHEREAS, the Ordinance for the Regulation of Gaming Activities Within the Tohono**  
6 **O'odham Nation (the "Gaming Ordinance") was subsequently amended to**  
7 **authorize per capita distribution payments in accordance with the Initiative**  
8 **(Legislative Council Resolution No. 97-303); and**

9 **WHEREAS, the Legislative Council did adopt the Tohono O'odham Nation Revenue**  
10 **Allocation Plan pursuant to Legislative Council Resolution No. 09-164; and**

11 **WHEREAS, on June 15, 2009, the Tohono O'odham Nation received notice from the Secretary**  
12 **of the Department of Interior that the Tohono O'odham Nation Revenue**  
13 **Allocation Plan was approved; and**

14 **WHEREAS, the Tohono O'odham Nation Department of Membership Services submitted to**  
15 **the Tohono O'odham Legislative Council the Master List for Eligible Minor**  
16 **Tohono O'odham Members for the Fourth Per Capita Distribution ("Master List")**  
17 **for review and approval; and**

18 **WHEREAS, Legislative Council approved the Master List with the initial number of 8,665**  
19 **verified minor members (Resolution Number 09-429); and**

20 **WHEREAS, the Enrollment Program has identified one eligible minor member who was left**  
21 **of the Master List for the fourth per capita distribution; and**

22 **WHEREAS, the one minor member eligible for the fourth per capita payment did not have**  
23 **the Wells Fargo trust account established in accordance with the Wells Fargo**  
24 **Trust Agreement, which was approved by Tohono O'odham Legislative Council**  
25 **Resolution No. 06-258; and**

26 **WHEREAS, the Nation's Treasurer has calculated the accrued interest due to the eligible**  
27 **minor member for the fourth per capita payment.**

28 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby:**

- 29 **1. Approves the addition of one eligible Tohono O'odham minor member to the**  
30 **Master List for Eligible Minor Tohono O'odham Member for the Fourth Per**  
31 **Capita Distribution, who is listed in the attached October 2016 Addition to**  
32 **the Minor Master List for the Fourth Per Capita Distribution.**
- 33 **2. Authorizes the Office of the Treasurer to transfer \$2,000 from the Wells Fargo**

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1                   **Fourth Per Capita Excess Funds Account to establish a trust account for the**  
2                   **one minor at Wells Fargo Bank pursuant to the terms of the Trust Agreement**  
3                   **approved by Tohono O'odham Legislative Council Resolution No. 06-258.**

4                   **3. Authorizes the Office of the Treasurer to transfer \$563.68 from the Wells**  
5                   **Fargo Fourth Per Capita Excess Funds Account to pay the accrued interest**  
6                   **income due for the fourth per capita payment.**

7                   **4. Authorizes the Chairperson of the Nation or a designated official to execute**  
8                   **such other documents as may be necessary to implement this resolution.**

9                   **BE IT FINALLY RESLOVED by the Tohono O'odham Legislative Council that any future additions**  
10                   **to the Master List for Minor Eligible Members for the Fourth Per Capita**  
11                   **Distribution is subject to the approval of the Tohono O'odham Legislative**  
12                   **Council.**

13                   **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 17<sup>TH</sup>**  
14                   **day of OCTOBER, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR;**  
15                   **-0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**  
16                   **Article VI, Section 1(d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the**  
17                   **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
18                   **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of**  
19                   **June 18, 1934 (48 Stat.984).**

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22                   **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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24                     
25                   **Timothy Joaquin, Legislative Chairman**

26                   **19<sup>th</sup> day of October, 2016**

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31                   **ATTEST:**

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33                   \_\_\_\_\_  
34                   **Evonne Wilson, Legislative Secretary**

35                   **18 day of October, 2016**

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38                   **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**  
39                   **O'odham Nation on the 19 day of October, 2016 at 11:44 o'clock, a .m.,**  
40                   **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**  
41                   **effective upon his approval or upon his failure to either approve or disapprove it within 48**  
42                   **hours of submittal.**

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
**Timothy Joaquin, Legislative Chairman**

**APPROVED**

on the 20 day of October, 2016


**DISAPPROVED**

at 2:12 o'clock, P.m.

  
**EDWARD D. MANUEL, CHAIRMAN**  
**TOHONO O'ODHAM NATION**

**Returned to the Legislative Secretary on the 20 day of**

October, 2016, at 4:57 o'clock, P.m.

  
**Evonne Wilson, Legislative Secretary**

**ACTION:** APPROVING AN ADDITION TO THE MASTER LIST FOR ELIGIBLE MINOR TOHONO O'ODHAM MEMBERS FOR THE FOURTH PER CAPITA DISTRIBUTION AND AUTHORIZING THE TRANSFER OF FUNDS TO SET UP A TRUST ACCOUNT AT WELLS FARGO BANK

**Moved:** COUNCILWOMAN LORETTA LEWIS

**Second:** COUNCILWOMAN SANDRA ORTEGA

**DATE:** OCTOBER 17, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL ( <i>Absent</i> ) (Roberta E. Harvey) ( <i>Present</i> )	183.60	X			
	2. VERNON J. SMITH (Gloria Zazueta)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ( )	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			
	2. SANDRA ORTEGA ( )	102.90	X			
PISINEMO 219.9	1. CHESTER ANTONE ( )	109.95	X			X
	2. MONICA K. MORGAN ( )	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ( )	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ( )	114.30	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.30	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ( )	90.30	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.30	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ( )	256.75	X			X
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ( )	115.80	X			X
<b>TOTAL</b>		<b>3,021.4</b>	<b>3,021.4</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>