

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Amendment No. 2 to the Tohono O'odham Nation Per Capita Trust)**

RESOLUTION NO. 20-245

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**
2 **the power "to manage any funds within the exclusive control of the Tohono**
3 **O'odham Nation . . ." and to "consult, negotiate and conclude agreements and**
4 **contracts on behalf of the Tohono O'odham Nation with Federal, State and local**
5 **governments and other Indian tribes or their departments, agencies, or political**
6 **subdivisions, or with private persons or organizations on all matters within the**
7 **authority of the Tohono O'odham Council" (Constitution, Article VI, Section**
8 **1(d)(2) and Section 1(f)); and**

9 **WHEREAS, by Resolution No. 06-258, the Tohono O'odham Nation adopted the Tohono**
10 **O'odham Nation Per Capita Trust (the "Trust"), to hold per capita funds for the**
11 **benefit of minors and legally incompetent members pursuant to resolutions of**
12 **the Tohono O'odham Nation and the Indian Gaming Regulatory Act; and**

13 **WHEREAS, by Resolution No. 17-552, the Tohono O'odham Nation approved Amendment No.**
14 **1 to the Tohono O'odham Nation Per Capita Trust; and**

15 **WHEREAS, pursuant to Tohono O'odham Legislative Council Resolution No. 20-070, the**
16 **Nation adopted the 2020 Tohono O'odham Nation Non-Gaming Per Capita Plan;**
17 **and**

18 **WHEREAS, the 2020 Tohono O'odham Nation Non-Gaming Per Capita Plan identifies non-**
19 **gaming funds to be distributed to eligible, minor members to receive a non-**
20 **gaming per capita payment when they turn 18 years old; and**

21 **WHEREAS, it is necessary to amend the Tohono O'odham Nation Per Capita Trust to allow**
22 **non-gaming funds to be contributed to the Trust; and**

23 **WHEREAS, Amendment No. 2 to the Tohono O'odham Nation Per Capita Trust, which is**
24 **incorporated by this reference, proposes amendments to allow for non-gaming**
25 **funds to be contributed to the Trust; and**

26 **WHEREAS, the Investment Committee has reviewed Amendment No. 2 to the Tohono**
27 **O'odham Nation Per Capita Trust and recommends approval.**

28 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves and**
29 **adopts Amendment No. 2 to the Tohono O'odham Nation Per Capita Trust,**
30 **effective March 6, 2020, and authorizes the Tohono O'odham Nation Chairperson**
31 **to execute Amendment No. 2 in substantially the form attached.**
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(Approving Amendment No. 2 to the Tohono O'odham Nation Per Capita Trust)

Page 2 of 3

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05TH day of AUGUST, 2020 at a meeting at which a quorum was present with a vote of 3,175.7 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(d)(2) and Section 1(f) 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

Timothy Joaquin, Legislative Chairman

7 day of August, 2020

ATTEST

Evonne Wilson

Evonne Wilson, Legislative Secretary

12 day of August, 2020

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 7 day of August, 2020 at 9:25 o'clock, a.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

Timothy Joaquin, Legislative Chairman

APPROVED

on the 07 day of August, 2020

DISAPPROVED

at 11:10 o'clock, a.m.

Ned Norris, Jr.

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

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(Approving Amendment No. 2 to the Tohono O'odham Nation Per Capita Trust)

Page 3 of 3

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Returned to the Legislative Secretary on the 7 day of
August, 2020, at 11:15 o'clock, a.m.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING AMENDMENT NO. 2 TO THE TOHONO O'ODHAM NATION PER CAPITA TRUST

MOVED: VICE CHAIRMAN QUINTIN C. LOPEZ

SECOND: COUNCILWOMAN MARLAKAY HENRY

DATE: AUGUST 05, 2020

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling) 2. ALBERTA J. RAY (Frances G. Antone)	192.40 192.40	X X			
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS <i>(Absent)</i> (Juanita Homer) <i>(Present)</i> 2. MARLAKAY HENRY (Billman Lopez)	173.75 173.75	X X			
GUACHI 279.3	1. VICTORIA HOBBS () 2. TIMOTHY L. JOAQUIN (Louis L. Johnson)	139.65 139.65	X X			
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores) 2. GRACE MANUEL ()	132.25 132.25	X X			X
HICKIWAN 213.8	1. SANDRA D. ORTEGA () 2. LOUIS R. LOPEZ <i>(Absent)</i> (Delma M. Garcia) <i>(Present)</i>	106.90 106.90	X X			
PISINEMO 230.7	1. MONICA K. MORGAN () 2. MARIETTA MARTIN ()	115.35 115.35	X X			
SAN LUCY 235.6	1. GLORIA RAMIREZ () 2. JANA MONTANA (Lorraine M. Eiler)	117.80 117.80	X X			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews) 2. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	119.45 119.45	X X			
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin) 2. TERESA E. DONAHUE (Alberta Espinoza)	94.50 94.50	X X			
SELLS 547.1	1. EVELYN JUAN MANUEL () 2. ARTHUR WILSON ()	273.55 273.55	X X			
SIF OIDAK 244.5	1. LUCINDA ALLEN (Yolonda Garcia) 2. MARY LOPEZ (Ann M. Garcia)	122.25 122.25	X X			
TOTAL		3,175.7	3,175.7	-0-	-0-	[01]