

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Amendment No. 3 to the Tohono O'odham Nation Per Capita Trust)**

RESOLUTION NO. 20-402

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 Resolutions No. 17-552 and 20-245, the Tohono O'odham Nation approved**
14 **Amendments No. 1 and No. 2, respectively, to the Tohono O'odham Nation Per**
15 **Capita Trust; and**

16 **WHEREAS, on October 16, 2020, Wells Fargo Bank, N.A., transitioned to Principal Trust**
17 **Company;**

18 **WHEREAS, Principal Trust Company requested Amendment No. 3 to the Tohono O'odham**
19 **Nation Per Capita Trust, which is incorporated by this reference, to change the**
20 **investment authority of the Trust to be pursuant to directions of the Nation, as**
21 **Named Fiduciary, or an Investment Manager, if applicable, (a "Directed Trust");**
22 **and**

23 **WHEREAS, the Investment Committee has reviewed Amendment No. 3 to the Tohono**
24 **O'odham Nation Per Capita Trust and recommends approval.**

25 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves and**
26 **adopts Amendment No. 3 to the Tohono O'odham Nation Per Capita Trust and**
27 **authorizes the Tohono O'odham Nation Chairperson to execute Amendment No.**
28 **3 in substantially the form attached.**

29 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 20TH**
30 **day of NOVEMBER, 2020 at a meeting at which a quorum was present with a vote of 3,175.7 FOR;**
31 **-0- AGAINST; [01] NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council by**
32 **Article VI, Section 1 (d)(2) and Section 1 (f) of the Constitution of the Tohono O'odham Nation,**
33 **adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**
34 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**
35 **Act of June 18, 1934 (48 Stat.984).**
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TOHONO O'ODHAM LEGISLATIVE COUNCIL


Timothy Joaquin, Legislative Chairman

23 day of November, 2020

ATTEST:


Evonne Wilson, Legislative Secretary

23 day of November, 2020


Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 23 day of November, 2020 at 3:46 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

APPROVED on the 24 day of November, 2020

DISAPPROVED at 12:30 o'clock, 8.m.


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

Returned to the Legislative Secretary on the 24 day of
November, 2020, at 1:46 o'clock, p.m.


Evonne Wilson, Legislative Secretary

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ACTION: APPROVING AMENDMENT NO. 3 TO THE TOHONO O'ODHAM NATION PER CAPITA TRUST

MOVED: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILWOMAN MARLAKAY HENRY

DATE: NOVEMBER 20, 2020

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