# RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL (Approving an Addition to the Master List for Minor Eligible Members for the Third Per Capita Distribution and Authorizing the Transfer of Funds to set up a Trust Account at Principal Trust Company)

## **RESOLUTION NO. 21-449**

| 1  | WHEREAS,   | on June 28, 1997, the Nation's voters approved Initiative No. IN-01-97, "O'odham |  |  |  |  |
|----|--|--|--|--|--|--|
| 2  |  | Voice on Use of Gaming Revenues" ("Initiative"), which authorizes per capita     |  |  |  |  |
| 3  |  | payments to the Nation's members provided that sufficient gaming revenues are    |  |  |  |  |
| 4  |  | available; and   |  |  |  |  |
| 5  | WHEREAS,   | the Ordinance for the Regulation of Gaming Activities Within the Tohono          |  |  |  |  |
| 6  |  | O'odham Nation ("Gaming Ordinance") was subsequently amended to authorize        |  |  |  |  |
| 7  |  | per capita distribution payments in accordance with the Initiative (Legislative  |  |  |  |  |
| 8  |  | Council Resolution No. 97-303); and  |  |  |  |  |
| 9  | WHEREAS,   | the Legislative Council did adopt the Third Per Capita Revenue Allocation Plan   |  |  |  |  |
| 10 |  | pursuant to Legislative Council Resolution No. 06-307; and                       |  |  |  |  |
| 11 | WHEREAS,   | the Secretary of the Department of Interior did approve the Third Per Capita     |  |  |  |  |
| 12 |  | Revenue Allocation Plan on July 28, 2006; and                                    |  |  |  |  |
| 13 | WHEREAS,   | the Tohono O'odham Membership Services submitted to the Tohono O'odham           |  |  |  |  |
| 14 |  | Legislative Council the Master List for Minor Eligible Members for the Third Per |  |  |  |  |
| 15 |  | Capita Distribution ("Master List") for review and approval for the third per    |  |  |  |  |
| 16 |  | capita distribution; and   |  |  |  |  |
| 17 | WHEREAS,   | pursuant to Resolution No. 06-627, the Tohono O'odham Legislative Council        |  |  |  |  |
| 18 |  | approved the Master List and the approved number of verified eligible minor      |  |  |  |  |
| 19 |  | members for the third per capita distribution was 9,282; and                     |  |  |  |  |
| 20 | WHEREAS,   | the Enrollment Program has identified one eligible minor member who was left     |  |  |  |  |
| 21 |  | off the Master List for the third per capita payment; and                        |  |  |  |  |
| 22 | WHEREAS,   | the one minor member eligible for the third per capita payment did not have the  |  |  |  |  |
| 23 |  | Principal Trust Company trust account established in accordance with the         |  |  |  |  |
| 24 |  | Principal Trust Company Trust Agreement, which was approved by Tohono            |  |  |  |  |
| 25 |  | O'odham Legislative Council Resolution No. 06-258; and                           |  |  |  |  |
| 26 | WHEREAS,   | the Nation's Treasurer has calculated the accrued interest due to the eligible   |  |  |  |  |
| 27 |  | minor members for the third 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 Minor Eligible Members for the Third Per Capita Distribution,    |  |  |  |  |
| 31 |  | which are listed on the attached December 2021 Addition to the Minor Master      |  |  |  |  |
| 32 |  | List for the Third Per Capita Distribution.                                      |  |  |  |  |

# RESOLUTION NO. 21-449

(Approving an Addition to the Master List for Minor Eligible Members for the Third Per Capita Distribution and Authorizing the Transfer of Funds to set up a Trust Account at Principal Trust Company) Page 2 of 3

| 1        | 2. Authorizes the Office of the Treasurer to transfer \$2,000 from the Principal                                     |  |  |  |  |  |  |
|----------|--|--|--|--|--|--|--|
| 2        | Trust Company Third Per Capita Excess Funds Account to establish a trust   |  |  |  |  |  |  |
| 3        | account for the one minor at Principal Trust Company pursuant to the terms   |  |  |  |  |  |  |
| 4        | of the Trust Agreement approved by Tohono O'odham Legislative Council  |  |  |  |  |  |  |
| 5        | Resolution No. 06-258.   |  |  |  |  |  |  |
| 6        | 3. Authorizes the Office of the Treasurer to transfer \$1,896.69 from the Principal                                  |  |  |  |  |  |  |
| 7        | Trust Company Third Per Capita Excess Funds Account to pay the accrued   |  |  |  |  |  |  |
| 8        | interest income due for the third per capita payment.  |  |  |  |  |  |  |
| 9        | 4. Authorizes the Chairperson of the Nation or a designated official to execute                                      |  |  |  |  |  |  |
| 10       | such other documents as may be necessary to implement this resolution.   |  |  |  |  |  |  |
| 11       | BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that any future additions                           |  |  |  |  |  |  |
| 12       | to the Master List for Minor Eligible Members for the Third Per Capita   |  |  |  |  |  |  |
| 13       | Distribution is subject to the approval of the Tohono O'odham Legislative  |  |  |  |  |  |  |
| 14       | Council.   |  |  |  |  |  |  |
| 15       | The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the $06^{TH}$                       |  |  |  |  |  |  |
| 16       | day of <u>DECEMBER, 2021</u> at a meeting at which a quorum was present with a vote of <u>3,218.0</u> FOR;           |  |  |  |  |  |  |
| 17       | <u>-0-</u> AGAINST; <u>-0-</u> NOT VOTING; and [ <u>03]</u> ABSENT, pursuant to the powers vested in the Council by, |  |  |  |  |  |  |
| 18       | Article VI, Sections 1 (d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the                       |  |  |  |  |  |  |
| 19       | Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant                               |  |  |  |  |  |  |
| 20       | Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June                  |  |  |  |  |  |  |
| 21       | 18, 1934 (48 Stat.984).  |  |  |  |  |  |  |
| 22       |  |  |  |  |  |  |  |
| 23       | TOHONO O'ODHAM LEGISLATIVE COUNCIL   |  |  |  |  |  |  |
| 24       | $\Lambda - \mathcal{L} \Lambda$  |  |  |  |  |  |  |
| 25       | MANITUL HOZI.  |  |  |  |  |  |  |
| 26       | //////////////////////////////////////   |  |  |  |  |  |  |
| 27       | <b>F</b> imothy Joaq <b>u</b> n, Legislative Chairman  |  |  |  |  |  |  |
| 28       | 13   |  |  |  |  |  |  |
| 29       |  |  |  |  |  |  |  |
| 30       | ATPÉST:  |  |  |  |  |  |  |
| 31       | Aughten  |  |  |  |  |  |  |
| 32<br>33 |  |  |  |  |  |  |  |
| 33<br>34 | Evonne Wilson, Legislative Secretary   |  |  |  |  |  |  |
| 35       | 13 day of Alecenter, 2021  |  |  |  |  |  |  |
| 35<br>36 | uay 01, 2021   |  |  |  |  |  |  |
| 37       | Said Resolution was submitted for approval to the office of the Chairman of the Tohono                               |  |  |  |  |  |  |
| 38       | O'odham Nation on the <u>13</u> day of <u>10000000</u> , 2021 at $2/35$ o'clock, <u><math>+</math></u> .m.,          |  |  |  |  |  |  |
| 39       | pursuant to the provisions of Section 5 of Article VII of the Constitution and will become                           |  |  |  |  |  |  |
| 40       | effective upon his approval or upon his failure to either approve or disapprove it within 48                         |  |  |  |  |  |  |
| 41       | hours of submittal.  |  |  |  |  |  |  |
| 42       |  |  |  |  |  |  |  |
|          | -  |  |  |  |  |  |  |

### **RESOLUTION NO. 21-449**

(Approving an Addition to the Master List for Minor Eligible Members for the Third Per Capita Distribution and Authorizing the Transfer of Funds to set up a Trust Account at Principal Trust Company) Page 3 of 3

APPROVED

13\_ day of on the , 2021

**TOHONO O'ODHAM LEGISLATIVE COUNCIL** 

Legislative Chairman

[] DISAPPROVED

at 31/6 o'clock, .**m**.

mothy Joaqu

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

Returned to the Legislative Secretary on the \_/\_\_\_\_\_day of

\_\_, 2021, at <u>4:04</u>0'clock, \_\_ <u>[]\_</u>.m.

**Evonne Wilson, Legislative Secretary** 

## ACTION: APPROVING AN ADDITION TO THE MASTER LIST FOR MINOR ELIGIBLE MEMBERS FOR THE THIRD PER CAPITA DISTRIBUTION AND AUTHORIZING THE TRANSFER OF FUNDS TO SET UP A TRUST ACCOUNT AT PRINCIPAL TRUST COMPANY

#### MOVED: COUNCILWOMAN MARY LOPEZ

#### **SECOND: COUNCILWOMAN TERESA F. DONAHUE**

DATE: DECEMBER 06, 2021

| DISTRICT           | LEGISLATIVE REPRESENTATIVES  | # OF<br>VOTES | FOR     | AGAINST | NOT<br>VOTING | ABSENT |
|--------------------|--|---------------|---------|---------|---------------|--------|
| SIF OIDAK<br>245.6 | 1. MARY LOPEZ<br>(Ann M. Garcia)   | 122.8         | x<br>x  |         |               |        |
|                    | 2. LUCINDA ALLEN <i>(Absent)</i><br>(Francis Homewytewa) <i>(Present)</i>                          | 122.8         |         |         |               |        |
| SELLS<br>556.5     | 1. ARTHUR WILSON   | 278.25        | x       |         |               |        |
| 530.3              | ( )<br>2. EVELYN JUAN-MANUEL<br>(Arvada Liston)  | 278.25        | X       |         |               |        |
| SCHUK TOAK         | 1. TERESA F. DONAHUE   | 95.25         | х       |         |               |        |
| 190.5              | (Alberta Espinoza)<br>2. DELISA M. RAMON <i>(Absent)</i><br>(Sharon A. Francisco) <i>(Present)</i> | 95.25         | X       |         |               |        |
| SAN XAVIER         |  | 121.3         | X       |         |               |        |
| 242.6              | (Racheal Vilson-Stoner)<br>2. JANICE FELIX <i>(Absent)</i><br>(Adam P. Andrews) <i>(Present)</i>   | 121.3         | X       |         |               |        |
| SAN LUCY           | 1. JANA MONTANA  | 121.9         | X       |         |               | x      |
| 243.8              | (Lorraine M. Eiler)<br>2. ROGER MANUEL<br>(Christina Andrews)                                      | 121.9         | X       |         |               |        |
| PISINEMO           | 1. MARIETTA MARTIN   | 116.35        | X       |         |               |        |
| 232.7              | ( )<br>2. EDWARD D. MANUEL<br>(Monica Morgan)  | 116.35        | х       |         |               |        |
| HICKIWAN           | 1. LOUIS R. LOPEZ  | 108.3         | x       |         |               |        |
| 216.6              | ( )<br>2. SANDRA D. ORTEGA<br>(Delma M. Garcia)  | 108.3         | x       |         |               | x      |
| GU VO              | 1. GRACE MANUEL  | 135.35        | х       |         |               |        |
| 270.7              | ( )<br>2. CYNTHIA SAAVEDRA<br>(Dallas Lewis)   | 135.35        | х       |         |               |        |
| GU ACHI            | 1. TIMOTHY L. JOAQUIN  | 139.25        | x       |         |               | x      |
| 278.5              | ( )<br>2. VICTORIA HOBBS<br>(Tonya L. Joaquin)   | 139.25        | x       |         |               |        |
| CHUKUT KUK         | 1. MARLAKAY HENRY  | 175.8         | х       |         |               |        |
| 351.6              | (Billman Lopez)<br>2. VIVIAN JUAN-SAUNDERS<br>(Cornelius Antone)                                   | 175.8         | X       |         |               |        |
| BABOQUIVARI        | 1. ALBERTA J. RAY  | 194.45        | x       |         |               |        |
| 388.9              | (Frances G. Antone)<br>2. LEANDER MASE <i>(Absent)</i><br>(Francine Schooling) <i>(Present)</i>    | 194.45        | x       |         |               |        |
|                    | TOTAL  | 3,218.0       | 3,218.0 | -0-     | -0-           | [03]   |