

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Additions 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 Principal Trust Company)

RESOLUTION NO. 21-450

1 **WHEREAS, The Tohono O'odham Legislative Council is authorized "to manage any funds**
2 **within the exclusive control of the Tohono O'odham Nation . . . and to appropriate**
3 **these funds for the benefit of the nation and its members" provided that "[a]ll**
4 **expenditures of these funds shall be pursuant to appropriations or budgets"**
5 **authorized by resolution or ordinance (Constitution of the Tohono O'odham**
6 **Nation, Article VI, Section 1(d)(2)); and**

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

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

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

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

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

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

26 **WHEREAS, the Enrollment Program has identified 2 eligible minor members who were left**
27 **off the Master List for the fourth per capita distribution; and**

28 **WHEREAS, the 2 minor members eligible for the fourth per capita payment did not have the**
29 **Principal Trust Company account established in accordance with the Principal**
30 **Trust Agreement, which was approved by Tohono O'odham Legislative Council**
31 **Resolution No. 06-258; and**

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1 **WHEREAS, the Nation's Treasurer has calculated the accrued interest due to the eligible**
2 **minor members for the fourth per capita payment.**

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

- 4 **1. Approves the attached list of 2 eligible minor members whose names were**
5 **left off the Master List for Eligible Minor Tohono O'odham Members for the**
6 **Fourth Per Capita Distribution and such names will be incorporated into the**
7 **Master List approved by Legislative Council Resolution No. 09-429.**
8 **2. Authorizes the Office of the Treasurer to transfer \$4000 (2 x \$2,000 = \$4,000)**
9 **from the Principal Trust Company Fourth Per Capita Excess Funds Account**
10 **to establish a trust account for each of the minors at Principal Trust**
11 **Company pursuant to the terms of the Trust Agreement approved by Tohono**
12 **O'odham Legislative Council Resolution No. 06-258.**
13 **3. Authorizes the Office of the Treasurer to transfer \$2,996.00 from the**
14 **Principal Trust Company Fourth Per Capita Excess Funds Account to pay the**
15 **accrued interest income due for the fourth per capita payment.**
16 **4. Authorizes the Chairperson of the Nation or a designated official to execute**
17 **such other documents as may be necessary to implement this resolution.**

18 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that any future additions**
19 **to the Master List for Eligible Minor Tohono O'odham Members for the Fourth Per**
20 **Capita Distribution is subject to the approval of the Tohono O'odham Legislative**
21 **Council.**

22 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06TH**
23 **day of DECEMBER, 2021 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;**
24 **-0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by,**
25 **Article VI, Sections 1 (d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the**
26 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
27 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
28 **18, 1934 (48 Stat.984).**

30 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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35 **Timothy Joaquin, Legislative Chairman**

36 13 day of December, 2021
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ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

13 day of December, 2021

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 13 day of December, 2021 at 2:35 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

Timothy Joaquin, Legislative Chairman

APPROVED

on the 13 day of December, 2021

DISAPPROVED

at 3:20 o'clock, P.m.

Ned Norris, Jr.

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

Returned to the Legislative Secretary on the 13 day of

December, 2021, at 4:04 o'clock, P.m.

Evonne Wilson

Evonne Wilson, Legislative Secretary

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ACTION: APPROVING ADDITIONS 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 PRINCIPAL TRUST COMPANY

Moved: COUNCILWOMAN MARY LOPEZ

SECOND: COUNCILWOMAN TERESA F. DONAHUE

DATE: DECEMBER 06, 2021

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