

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Establishing Set-Aside Accounts at Bank of America for  
Initiative Measures)**

**RESOLUTION NO. 97-478**

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4 **WHEREAS, on June 28, 1997 the voters of the Tohono O'odham Nation (the**  
5 **"Nation") approved Initiative No. IN-01-97 (the "Initiative"); and**

6 **WHEREAS, the Initiative authorized funding from Gaming Revenues for: (1)**  
7 **a one-time per capita distribution of \$2,000 for each member of**  
8 **the Nation enrolled on June 28, 1997 (estimated total distribution**  
9 **of \$41.5 million); (2) construction and operation of five youth**  
10 **centers (\$30 million); (3) utility subsidies (\$1 million); (4)**  
11 **charitable assistance (\$1 million); and (5) economic development**  
12 **grants (\$15 million); and**

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14 **WHEREAS, the Initiative authorized funding from Gaming Revenues for the**  
15 **costs of implementing and administering the foregoing measures**  
16 **(estimated annual cost of \$1.8 million); and**

17 **WHEREAS, pursuant to Resolution 97-451, the Legislative Council adopted an**  
18 **Initiative Funding and Implementation Plan and authorized the**  
19 **Investment Committee to establish set-aside accounts for the**  
20 **Initiative measures; and**

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22 **WHEREAS, pursuant to subparagraph 2(c) of the Investment Management**  
23 **Contract between Bank of America Arizona (the "Bank") and the**  
24 **Nation (the "Investment Management Contract"), the Investment**  
25 **Committee is authorized to issue written instructions to the Bank**  
26 **regarding investments in new accounts with maturities consistent**  
27 **with cash withdrawal plans for such accounts; and**  
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**WHEREAS, the utility subsidy measure will be directly administered by the Tohono O'odham Utility Authority ("TOUA"); and**

**WHEREAS, the Investment Committee recommends establishing the set-aside accounts specified below and directly transferring funds to TOUA for administration of the utility subsidy; and**

**WHEREAS, the Investment Committee has further determined the maturity of investments for each set-aside account consistent with cash withdrawal needs.**

**NOW, THEREFORE, BE IT RESOLVED THAT:**

**1. The Tohono O'odham Legislative Council hereby approves the transfer of \$89,300,000 from the Desert Diamond Savings Account, No. 3030425-1067514 (the "Savings Account"), to the following set-aside accounts authorized to be established at Bank of America Arizona:**

<b>3030425-1067521</b>	<b>Initiative Youth Centers</b>	<b>\$30,000,000</b>
<b>3030425-1067522</b>	<b>Initiative O'odham Charitable Organization</b>	<b>\$ 1,000,000</b>
<b>3030425-1067523</b>	<b>Initiative Economic Development Grants</b>	<b>\$15,000,000</b>
<b>3030425-1067524</b>	<b>Initiative Per Capita Payments</b>	<b>\$41,500,000</b>
<b>3030425-1067525</b>	<b>Initiative Administrative Costs</b>	<b><u>\$ 1,800,000</u></b>
		<b>\$89,300,000</b>

**2. The Legislative Council approves issuance by the Investment Committee of investment guidelines for each set-aside**

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account consistent with the Committee's authority under the Investment Management Contract.

3. Subject to prior approval by the Legislative Council of a plan of operation to administer the utility subsidy and designation by TOUA of a bank account for deposit of the related funds, the Legislative Council approves the transfer of the sum of \$1 million from the Savings Account to the TOUA account for use by TOUA in administering the utility subsidy.

4. The Vice Chairman of the Investment Committee and the Chairman of the Nation are authorized to jointly execute such documents as may be necessary to implement this Resolution.

The foregoing Resolution was passed by the Tohono O'odham Council on the 25TH day of NOVEMBER, 1997 at a meeting at which a quorum was present with a vote of 1,479.0 FOR; -0- AGAINST; 258.0 NOT VOTING; and 190.0 [07] ABSENT, pursuant to the powers vested in the Council by Section 1(d)(1), (2) & (3) of Article VI 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**

  
\_\_\_\_\_  
**Dennis Ramon, Legislative Chairman**

26<sup>th</sup> day of November, 19 97

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**ATTEST:**

  
**Julianna Saraficio, Acting Legislative Secretary**

25<sup>th</sup> day of November, 19 97.


Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 26<sup>th</sup> day of November, 19 97 at 9:47 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**


  
**Dennis Ramon, Legislative Chairman**

**APPROVED** on the 26<sup>th</sup> day of November, 19 97

**DISAPPROVED** at 10:45 o'clock, A.M.

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

Returned to the Legislative Secretary on the 26<sup>th</sup> day of November, 19 97, at 10:46 o'clock, A.M.

  
**Julianna Saraficio, Acting Legislative Secretary**

ACTION: ESTABLISHING SET-ASIDE ACCOUNTS AT BANK OF AMERICA FOR INITIATIVE MEASURES

MOVED: COUNCILWOMAN FERN SALCIDO

SECOND: VICE CHAIRMAN ALBERT MANUEL, JR.

DATE: NOVEMBER 25, 1997

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>CHUKUT KUK</b> <b>189.0</b>	1. DAVID GARCIA (Marvin Thomas)	94.5	X			
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5	X			
<b>HICKIWAN</b> <b>146.0</b>	1. ALEX JOSE ( )	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			
<b>GU VO</b> <b>142.0</b>	1. FERN SALCIDO (Larry Montana)	71.0	X			
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			X
<b>SAN LUCY</b> <b>114.0</b>	1. JOHN RENO (Mary Hoffman)	57.0	X			X
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			
<b>PISINEMO</b> <b>139.0</b>	1. BARBARA SALVICIO ( )	69.5	X			
	2. JOHNSON JOSE ( )	69.5	X			
<b>GU ACHI</b> <b>190.0</b>	1. LOUIS JOHNSON ( )	95.0				X
	2. ALEX J. RAMON ( )	95.0				X
<b>BABOQUIVARI</b> <b>258.0</b>	1. FRANCES MIGUEL ( )	129.0			X	X
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0			X	
<b>SAN XAVIER</b> <b>146.0</b>	1. TONY BURRELL ( )	73.0	X			X
	2. DENNIS RAMON ( )	73.0	X			
<b>SCHUK TOAK</b> <b>120.0</b>	1. JOSEPH JUAN ( )	60.0	X			
	2. AMBROSE ENCINAS ( )	60.0	X			
<b>SELLS</b> <b>322.0</b>	1. DENNIS E. JOSE ( )	161.0	X			
	2. EVELYN JUAN ( )	161.0	X			
<b>SIF OIDAK</b> <b>161.0</b>	1. RITA MARTINEZ (Maxine Norris)	80.5	X			X
	2. MARY ANN ANTONE (Darlene Andrew)	80.5	X			
<b>TOTAL</b>		<b>1,927.0</b>	<b>1,479.0</b>	<b>-0-</b>	<b>258.0</b>	<b>190.0</b> [07]

\*\*PASSED VOTES