RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL (Approving FY 2013 District Allocation and Apportionment of Gaming Revenues to Districts by Equal Distribution)

RESOLUTION NO. 12-206

1	WHEREAS.	the Constitution of the Tohono O'odham Nation vests the Tohono O'odham Legislative
2	,	Council with legislative and fiscal powers, including the power "to manage any funds
- 3		within the exclusive control of the Tohono O'odham Nation, including proceeds
4		derived from lands and resources of the Tohono O'odham Nation" (Constitution,
5		Article VI, Section 1(d)(2)); and
6	WHEDEAS	the Legislative Council has adopted a formula for distributing the Nation's gaming
	WHEREAS,	
7		revenues ("Formula"), which includes an allocation to the Nation's 11 districts
8	_	("District Allocation") (26 Tohono O'odham Code Chapter 1, §1301); and
9	WHEREAS,	Title 26, §1304 provides that on August 1 each year the District Allocation for each
10		district shall be apportioned in accordance with the allocation formula established
11		by the Legislative Council; and
12	WHEREAS,	the Tohono O'odham Nation Office of the Treasurer has determined the FY 2013
13		District Allocation to be \$15,561,503.75; and
14	WHEREAS,	effective August 1, 2010, Section 1301(B)(ii)(a) of the Formula provides that "Fifteen
15		percent (15%) of the District Allocation shall be allocated to the District where the
16		Gaming Facility which generated such revenue is located" (the "Host District Share");
17		and
18	WHEREAS,	the Tohono O'odham Nation Office of the Treasurer has calculated the FY 2013
19		Hickiwan Host District Share as \$39,499.49 and the San Xavier Host District Share as
20		\$2,294,726.08; and
21	WHEREAS,	Section 1301(B)(ii)(b) of the Formula provides that the remainder of the District
22		Allocation (after allocating the Host District Share) shall be divided among all 11
23		Districts of the Nation in accordance with the allocation formula established by the
24		Legislative Council (26 T.O.C. §1304); and
25	WHEREAS,	the Office of the Treasurer has calculated the FY 2013 remainder of the District
26		Allocation to be divided among all 11 districts as \$13,227,278.19; and
27	WHEREAS,	the Legislative Budget and Finance Committee has discussed three options for
28		dividing the remainder of the FY 2013 District Allocation as follows: 1) equal
	1	

2 population); and 3 WHEREAS, the Office of the Treasurer has prepared an FY 2013 District Allocation Table, wh 4 is incorporated by this reference, reflecting the District Allocation amounts for exallocation method. 6 NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that the Forminin effect on August 1 each year shall be applied to allocate gaming revenues that he accrued in the previous twelve-month period. 7 BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that it hereby approves a authorizes the allocation of the FY 2013 Hickiwan Host District Share of \$39,499.49 at the FY 2013 San Xavier Host District Share of \$2,294.726.08. 8 BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that the remainder of 1 FY 2013 District Allocation (after allocating the Host District Share) shall be divid among all 11 Districts of the Nation by equal distribution in accordance with the 2013 District Allocation Table for a distribution of \$1,202.479.84 to each district. 8 BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that all FY 2013 District Allocation Table for a distribution of \$1,202.479.84 to each district. 16 Be IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that all FY 2013 District Allocation funds, including the Host District Shares, shall be made available expenditure subject to budgets approved in accordance with Article VI, Section 1 (d and Article IX, Section 7 of the Nation 's Constitution and the additional requireme of Tohono O'odham Coge approved in accordance with a vote of 1,415.26.17.17 (10.10.20.22) at a meeting at which a quoram was prese		RESOLUTION NO. <u>12-206</u> (Approving FY 2013 District Allocation and Apportionment of Gaming Revenues to Districts by Equal Distribution) Page 2 of 3
3 WHEREAS, the Office of the Treasurer has prepared an FY 2013 District Allocation Table, wh 4 is incorporated by this reference, reflecting the District Allocation amounts for examples allocation method. 6 NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that the Form 7 in effect on August 1 each year shall be applied to allocate gaming revenues that he accrued in the previons twelve-month period. 9 BEIT FURTHER RESOLVED by the Tohono O'odham Legislative Council that it hereby approves a authorizes the allocation of the FY 2013 Hickiwan Host District Share of \$39,499,49a 11 the FY 2013 San Xavier Host District Share of \$2,294,726.08. 12 BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that the remainder of the Y 2013 District Allocation (after allocating the Host District Share) shall be divid among all 11 Districts of the Nation by equal distribution in accordance with the 2013 District Allocation Table for a distribution of \$1,202,479.84 to each district. 16 BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that all FY 2013 District Allocation Table for a distribution of \$1,202,479.84 to each district. 17 Allocation funds, including the Host District Shares, shall be made available 18 expenditure subject to budgets approved in accordance with Article VI, Section 1(d) and Article IX, Section 7 of the Nation 's Constitution and the additional requireme of Tohono O'odham Code Title 26, Chapter 1, Article 3. 17 The foregoing Resolut	1	distribution; 2) population distribution; and 3) 50/50 distribution ($\frac{1}{2}$ equal and $\frac{1}{2}$
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	22 23 24 25 26 27 28 29 30 31 32 33 34 35 36	TOHONO O'ODHAM LEGISLATIVE COUNCIL

RESOLUTION NO. 12-206 (Approving FY 2013 District Allocation and Apportionment of Gaming Revenues to Districts by Equal **Distribution**) Page 3 of 3

ATTEST: **Evonne Wilson, Legislative Secretary** Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the ______ day of _________, 2012 at _______ o'clock, _______.M., submittal. [X] APPROVED **[] DISAPPROVED**

Returned to the Legislative Secretary on the $\underline{\beta}$ day of Tuly____, 2012, at <u>2:3/</u> o'clock, <u>/</u>.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

TQHONO O'ODHAM LEGISLATIVE COUNCIL

imothy Joaquin, Legislative Chairman

on the <u>3</u> day of (, 2012 at 1:05 o'clock.

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

day of Aure , 2012.

apag fr Evonne Wilson, Legislative Secretary

ACTION: APPROVING FY 2013 DISTRICT ALLOCATION AND APPORTIONMENT OF GAMING REVENUES TO DISTRICTS BY EQUAL DISTRIBUTION

MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

SECOND: COUNCILWOMAN FRANCES B. STEPHENS

DATE: JUNE 25, 2012

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	 FRANCES MIGUEL (Roberta Harvey) FRANCES G. ANTONE(Absent) (Vernon Smith)(Present) 	171.0 171.0		x x		
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams) 2. BILLMAN LOPEZ ()	151.10 151.10		x x		
GU ACHI 244.9	 TIMOTHY L. JOAQUIN () CYNTHIA E. MANUEL	122.45 122.45		x x		
GU VO 226.7	 GRACE MANUEL (Absent) (Floyd Flores) (Present) PAMELA ANGHILL (Roselda Lewis) 	113.35 113.35	x x			Х
HICKIWAN 186.3	 LOUIS R. LOPEZ (Michelle Ortega) SANDRA ORTEGA () 	93.15 93.15	x x			х
PISINEMO 200.7	1. CHESTER ANTONE (Tony Murrietta) 2. EDWARD MANUEL (Gerald Fayuant)	100.35 100.35	x x			
SAN LUCY 204.6	1. LORRAINE EILER () 2. JANA MONTANA (Gloria Ramirez)	102.30 102.30	x x			
SAN XAVIER x 215.8	 HILARION CAMPUS(Absent) (Racheal Vilson-Stoner)(Present) OLIVIA VILLEGAS-LISTON (Eugene Enis) 	107.90 107.90	x x			
SCHUK TOAK 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios) 2. FREDERICK JOSE (Phyllis Cachora)	84.90 84.90	x x			
SELLS 475.7	1. ARTHUR WILSON (Kimberly Mull) 2. EVELYN B. JUAN MANUEL ()	237.85 237.85		x x		x
SIF OIDAK 211.9	1. NICHOLAS JOSE () 2. MARY LOPEZ ()	105.95 105.95	x x			
	2,780.60	1,415.80	1,364.80	-0-	[03]	