

**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 Wells Fargo Bank)**

RESOLUTION NO. 20-157

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

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

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

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

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

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

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

22 **WHEREAS,** the 2 minor members eligible for the fourth per capita payment did not have the
23 Wells Fargo trust account established in accordance with the Wells Fargo Trust
24 Agreement, which was approved by Tohono O'odham Legislative Council
25 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 fourth per capita payment.

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

- 29 1. Approves the attached list of 2 eligible minor members whose names were
30 left off the Master List for Eligible Minor Tohono O'odham Members for the
31 Fourth Per Capita Distribution and such names will be incorporated into the
32 Master List approved by Legislative Council Resolution No. 09-429.

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2. Authorizes the Office of the Treasurer to transfer \$4000 (2 x \$2,000 = \$4,000) from the Wells Fargo Fourth Per Capita Excess Funds Account to establish a trust account for each of the 2 minors at Wells Fargo Bank pursuant to the terms of the Trust Agreement approved by Tohono O'odham Legislative Council Resolution No. 06-258.
3. Authorizes the Office of the Treasurer to transfer \$1,664.31 from the Wells Fargo Fourth Per Capita Excess Funds Account to pay the accrued interest income due for the fourth per capita payment.
4. Authorizes the Chairperson of the Nation or a designated official to execute such other documents as may be necessary to implement this resolution.

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

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18TH day of MAY, 2020 at a meeting at which a quorum was present with a vote of 3,175.7 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(d)(2) 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


Timothy Joaquin, Legislative Chairman

20 day of May, 2020

ATTEST:


Evonne Wilson, Legislative Secretary

19 day of May, 2020

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 20 day of May, 2020 at 1:59 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.

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy C. Yopey *for*
Timothy Joaquin, Legislative Chairman

APPROVED

on the 21 day of May, 2020

DISAPPROVED

at 3:25 o'clock, P.m.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 21 day of

May, 2020, at 4:23 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 WELLS FARGO BANK

Moved: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILWOMAN TERESA F. DONAHUE

DATE: MAY 18, 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 (Delma M. Garcia)	106.90	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			X
	2. JANA MONTANA (Lorraine M. Eller)	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	3175.7	-0-	-0-	[01]