

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Adding 2 Minor Members to the List of Members Eligible to Receive Per Capita
Payments and Interest and Certifying and Authorizing Distribution of Per Capita
Payments and Interest Income due under the Third and Fourth
Per Capita Plan)**

RESOLUTION NO. 11-471

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

3 **WHEREAS, the Initiative authorized funding from Gaming Revenues for several measures,**
4 **including a one-time per capita distribution of \$2,000.00 to each member of the Nation**
5 **enrolled on June 28, 1997; and**

6 **WHEREAS, pursuant to Resolution No. 97-451, the Tohono O'odham Legislative Council (the**
7 **"Legislative Council") adopted an Initiative Funding and Implementation Plan which**
8 **authorized the establishment of set-aside accounts for the Initial Per Capita**
9 **Distribution; and**

10 **WHEREAS, pursuant to Resolution No. 06-307 the Legislative Council adopted a Third Revenue**
11 **Allocation Plan (the "Third Per Capita") wherein each eligible member is entitled to**
12 **receive a per capita payment of \$2,000.00; and**

13 **WHEREAS, the Fourth Per Capita Revenue Allocation Plan ("Revenue Allocation Plan"), which**
14 **authorizes the fourth per capita payment to all eligible Tohono O'odham members,**
15 **was adopted by the Tohono O'odham Legislative Council Resolution No. 09-164; and**

16 **WHEREAS, the Enrollment Program has identified 2 eligible minor members who were left off the**
17 **list of members eligible for per capita payments and interest as was approved by**
18 **Tohono O'odham Legislative Council Resolution No. 10-055; and**

19 **WHEREAS, the 2 minor members eligible for the Third and Fourth Per Capitas were not certified**
20 **upon reaching age 18 years old and did not have Wells Fargo trust accounts**
21 **established for them in accordance with the Wells Fargo Agreement, approved by the**
22 **Tohono O'odham Legislative Council in Resolution No. 06-258; and**

23 **WHEREAS, the Nation's Treasurer calculated interest due to the minor members eligible for the**
24 **Third and Fourth which is attached hereto; and**

25 **WHEREAS, the calculations of interest due is based on the date of birth and when the initial per**
26 **capita payments were distributed to each member.**

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RESOLUTION NO. 11-471

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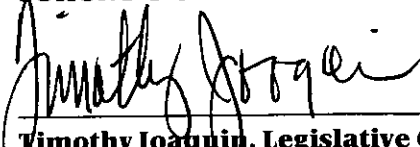
1 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council hereby:

- 2 **1. Approves to add 2 eligible members whose names were left off the list of members**
3 **eligible for per capita payments and interest and such names are to be**
4 **incorporated into the master list of members eligible to receive per capita**
5 **payments and interest earned from the Third and Fourth per capita distributions.**
6 **2. The Tohono O'odham Legislative Council certifies the added 2 eligible minors and**
7 **authorizes distribution of per capita payments in the amounts attached hereto.**
8 **3. The Tohono O'odham Legislative Council authorizes distribution of interest**
9 **income funds due to each eligible minor who have reached the age of 18 years old**
10 **for the Third and Fourth Per Capita Plans in amounts attached hereto.**

11 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that it hereby authorizes the
12 **Chairman and Vice Chairwoman of the Nation to execute such other documents as**
13 **may be necessary to implement this resolution.**

14 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10th Day**
15 **of OCTOBER, 2011 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-**
16 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**
17 **Section 1 (d)(2) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the**
18 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
19 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
20 **18, 1934 (48 Stat. 984).**

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23 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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27 **Timothy Joaquin, Legislative Chairman**

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29 14 day of October, 2011

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31 **ATTEST:**

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35 **Evonne Wilson, Legislative Secretary**

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37 12 day of October, 2011
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RESOLUTION NO. 11-471

(Adding 2 Minor Members to the List of Members Eligible to Receive Per Capita Payments and Interest and Certifying and Authorizing Distribution of Per Capita Payments and Interest Income due under the Third and Fourth Per Capita Plans)

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1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
2 Nation on the 14 day of October, 2011 at 4:15 o'clock, P.M.,
3 pursuant to the provisions of Section 4 of Article VII of the Constitution and will become effective
4 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
5 submittal.

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7 TOHONO O'ODHAM LEGISLATIVE COUNCIL

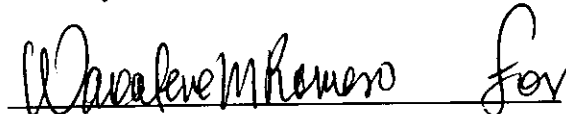
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11 Timothy Joaquin, Legislative Chairman
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16 APPROVED

on the 17 day of October, 2011

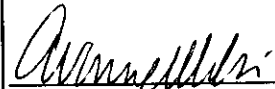
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18 DISAPPROVED

at 8:24 o'clock, a.M.

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22 NED NORRIS, JR., CHAIRMAN
23 TOHONO O'ODHAM NATION
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28 Returned to the Legislative Secretary on the 17 day of

29 October, 2011, at 10:04 o'clock, a.M.

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34 Evonne Wilson, Legislative Secretary
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ACTION: ADDING 2 MINOR MEMBERS TO THE LIST OF MEMBERS ELIGIBLE TO RECEIVE PER CAPITA PAYMENTS AND INTEREST AND CERTIFYING AND AUTHORIZING DISTRIBUTION OF PER CAPITA PAYMENTS AND INTEREST INCOME DUE UNDER THE THIRD AND FOURTH PER CAPITA PLAN

MOVED: COUNCILWOMAN MARY LOPEZ

SECOND: COUNCILWOMAN LORRAINE EILER

DATE: OCTOBER 10, 2011

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|-----------------------------|---|-----------------|-----------------|------------|------------|-------------|
| BABOQUIVARI 342.0 | 1. FRANCES MIGUEL (Roberta Harvey) | 171.0 | X | | | |
| | 2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>) | 171.0 | X | | | |
| CHUKUT KUK 302.2 | 1. ETHEL GARCIA (Sara Mae Williams) | 151.10 | X | | | |
| | 2. BILLMAN LOPEZ () | 151.10 | X | | | |
| GU ACHI 244.9 | 1. TIMOTHY L. JOAQUIN (Rose Johnson Antone) | 122.45 | X | | | |
| | 2. CYNTHIA E. MANUEL (Louis L. Johnson) | 122.45 | X | | | |
| GU VO 226.7 | 1. GRACE MANUEL (Floyd Flores) | 113.35 | X | | | |
| | 2. PAMELA ANGHILL (Angela Ortiz) | 113.35 | X | | | |
| HICKIWAN 186.3 | 1. LOUIS R. LOPEZ (Michelle Ortega) | 93.15 | X | | | |
| | 2. SANDRA ORTEGA () | 93.15 | X | | | X |
| PISINEMO 200.7 | 1. CHESTER ANTONE () | 100.35 | X | | | |
| | 2. EDWARD MANUEL (Gerald Fayuant) | 100.35 | X | | | |
| SAN LUCY 204.6 | 1. LORRAINE EILER () | 102.30 | X | | | |
| | 2. JANA MONTANA (Gloria Ramirez) | 102.30 | X | | | |
| SAN XAVIER 215.8 | 1. HILARION CAMPUS () | 107.90 | X | | | |
| | 2. OLIVIA VILLEGAS-LISTON (Eugene Enis) | 107.90 | X | | | |
| SCHUK TOAK 169.8 | 1. FRANCES B. CONDE () | 84.90 | X | | | |
| | 2. FREDERICK JOSE (Phyllis Cachora) | 84.90 | X | | | |
| SELLS 475.7 | 1. ARTHUR WILSON (Kimberly Mull) | 237.85 | X | | | |
| | 2. EVELYN B. JUAN MANUEL () | 237.85 | X | | | |
| SIF OIDAK 211.9 | 1. NICHOLAS JOSE () | 105.95 | X | | | X |
| | 2. MARY LOPEZ () | 105.95 | X | | | |
| TOTAL | | 2,780.60 | 2,780.60 | -0- | -0- | [02] |