

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Amendment No. 1 to Investment Management Contract with
Bank of America)

RESOLUTION NO. 01-214

- 1 **WHEREAS, by Resolution No. 01-213, the Tohono O'odham Legislative Council amended the**
2 **Nation's Financial Investment Policy (the "Amended Investment Policy"); and**
- 3 **WHEREAS, the Amended Investment Policy authorizes investments in equity securities in an**
4 **amount not exceeding 20% of the Nation's funds which are available for long-term**
5 **investment and have no restriction against the purchase of equity securities; and**
- 6 **WHEREAS, the Amended Investment Policy provides that the discretion to purchase equity**
7 **securities shall be limited to defined categories of equity investments, including the**
8 **maximum percentage which may be invested in each category (the "Equity**
9 **Investment Limitations"); and**
- 10 **WHEREAS, the Investment Committee recommends approval by the Legislative Council of**
11 **Amendment No. 1 to the Investment Management Contract between the Nation and**
12 **Bank of America Arizona (the "Investment Manager") executed by the parties on**
13 **December 22, 1995 (the "Contract"); and**
- 14 **WHEREAS, Amendment No. 1 would amend the Contract to authorize the Investment Manager**
15 **to invest in equity securities, subject to the Equity Investment Limitations attached**
16 **as Exhibit "B-2" to the Amendment; and**
- 17 **WHEREAS, the Treasurer of the Nation has presented to the Legislative Council information**
18 **regarding (1) the amount of the Nation's funds available for long-term investment in**
19 **accounts managed by the Investment Manager under the Contract, valued at cost as**
20 **of March 31, 2001 (the "Long-term Investment Accounts"); (2) the amount equal to 20%**
21 **of the Long-term Investment Accounts which is available for equity investments**
22 **under the Amended Investment Policy (the "Available Equity Funds"); and (3) the**
23 **Treasurer's recommendation for the allocation of the Available Equity Funds from**
24 **certain Long-term Investment Accounts, namely the Youth Initiative Account**
25 **(Account No. 1067521), the Cultural Center Account (No. 0335877) and the Westside**
26 **Health Center Account (No. 0220368); and**
- 27 **WHEREAS, the Investment Committee concurs in the report and recommendation of the**

1 **Treasurer; and**
2 **WHEREAS, the Investment Committee concurs in the report and recommendation of the**
3 **Treasurer; and**
4 **WHEREAS, the Investment Committee recommends approval by the Legislative Council of**
5 **Amendment No. 1 to the Contract and the designation of the Long-term Investment**
6 **Accounts from which Available Equity Funds would be allocated.**

7 **NOW, THEREFORE, BE IT RESOLVED that:**

- 8 **1. The Tohono O'odham Legislative Council approves Amendment No. 1 to the**
9 **Investment Management Contract in the form attached hereto.**
10 **2. The Legislative Council approves the allocation of Available Equity Funds from the**
11 **Youth Initiative Account (No. 1067521), the Cultural Center Account (No. 0335877)**
12 **and the Westside Health Center Account (No. 0220368).**
13 **3. The Chairman of the Nation and the Chairperson of the Investment Committee**
14 **are authorized and directed to execute Amendment No.1, and to issue written**
15 **instructions and take such other actions as may be necessary to implement this**
16 **Resolution.**
17 **4. The Legislative Secretary is authorized to issue certifications to Bank of America**
18 **which identify the members of the Investment Committee, the Chairman of the**
19 **Nation, the Vice Chairman of the Nation and the Treasurer to confirm the**
20 **authority of such persons to act on behalf of the Nation under the Investment**
21 **Management Contract, as amended.**

22 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH, Day**
23 **of MAY, 2001 at a meeting at which a quorum was present with a vote of 2,165.5 FOR; -0- AGAINST;**
24 **-0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2)**
25 **of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham**
26 **Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
27 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**
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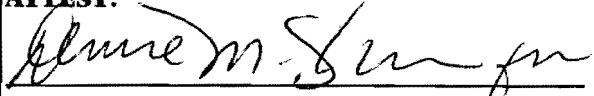
29 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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31 **Dennis Ramon, Legislative Chairman**

32 18th day of May, 20 01
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ATTEST:



Julianna Saraficio, Acting Legislative Secretary

09 day of May, 20 01.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 18th day of May, 20 01 at 2:52 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

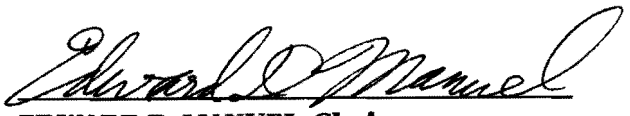

Dennis Ramon, Legislative Chairman

APPROVED

on the 22nd day of May, 20 01

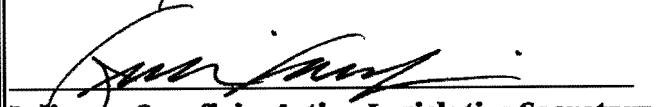
DISAPPROVED

at 9:14 o'clock, A.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 22 day of

May, 20 01, at 12:09 o'clock, P.M.


Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING AMENDMENT NO. 1 TO INVESTMENT MANAGEMENT CONTRACT WITH BANK OF AMERICA

MOVED: COUNCILWOMAN MARY ANN ANTONE

SECOND: COUNCILWOMAN FRANCES MIGUEL

DATE: MAY 09, 2001

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			X
SELLS 372.7	1. DENNIS E. JOSE ()	186.35	X			
	2. EVELYN JUAN ()	186.35	X			
SCHUK TOAK 133.4	1. MARY FLORES ()	66.7	X			
	2. AMBROSE ENCINAS ()	66.7	X			
SAN XAVIER 165.9	1. TONY BURRELL ()	82.95	X			
	2. DENNIS RAMON ()	82.95	X			
BABOQUIVARI 286.5	1. FRANCES MIGUEL ()	143.25	X			
	2. FRANCES G. ANTONE** (Edward N. Kisto)	143.25	X			
GU ACHI 209.6	1. CAMILLUS LOPEZ ()	104.8	X			
	2. ALEX J. RAMON ()	104.8	X			
PISINEMO 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ()	78.4	X			
SAN LUCY 128.1	1. ALBERT MANUEL, JR. ()	64.05	X			
	2. GLORIA RAMIREZ ()	64.05	X			X
GU VO 160.0	1. FERN SALCIDO ()	80.0	X			
	2. GLORIA MONTANA (Phillip Antone)	80.0	X			X
HICKIWAN 158.1	1. SHIRLEY MOLINA ()	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
CHUKUT KUK 222.6	1. KENNETH WILLIAMS ()	111.3	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
TOTAL		2,165.5	2,165.5	-0-	-0-	[04]

**PASSED VOTES