

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Portfolio Evaluations, Inc. as an Investment Consultant)

RESOLUTION NO. 10-417

1 **WHEREAS, the Investment Committee of the Tohono O'odham Nation provides oversight over the**
2 **financial investments of the Nation; and**

3 **WHEREAS, based on the recommendation of the Investment Committee, the Legislative Council**
4 **has for some years selected the Bank of America as the custodian and manager of the**
5 **Nation's invested funds, and has made investment decisions based on the advice of the**
6 **Bank of America; and**

7 **WHEREAS, in FY 2009, the Nation retained Portfolio Evaluations, Inc., as an independent**
8 **investment consultant to advise the Nation regarding the investment choices made**
9 **or recommended by the Bank of America and by any subsequent or additional**
10 **investment advisors that may be retained by the Nation; and**

11 **WHEREAS, the Investment Committee, Budget & Finance Committee and the Domestic Affairs**
12 **Committee are recommending extending Portfolio Evaluation's contract until**
13 **September 30, 2011; and**

14 **WHEREAS, under the contract, the Investment Consultant will report as reasonably necessary to**
15 **the Investment Committee and will, at a minimum, provide two presentations to the**
16 **full Legislative Council per year; and**

17 **WHEREAS, the term of the contract will be from October 1, 2010 through September 30, 2011, and**
18 **the financial arrangement will be a flat retainer fee of \$115,000.00 per year for services**
19 **relating to the Nation's investment portfolio and the 401(k) retirement plan, ; and**

20 **WHEREAS, the source of funds for the consultant fee will be the investment accounts of the**
21 **Nation.**

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

- 23 **1. Approves the continuation of Portfolio Evaluations, Inc., as the Investment**
24 **Consultant for the Nation.**
- 25 **2. Approves the consultant fees to be paid from the investment accounts of the**
26 **Nation.**
- 27 **3. Approves the Investment Consultant Contract with Portfolio Evaluations, Inc.,**
28 **substantially in the form attached hereto, for the period from October 1, 2010**
29 **through September 30, 2011, and authorizes the Chairman of the Nation to execute**
30 **it, provided that any amendments or extensions to the Investment Consultant**
31 **Contract shall be presented to the Legislative Council for further approval.**

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1 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH Day
2 of OCTOBER, 2010 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0-
3 AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by
4 Section 1 (d)(2) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the
5 Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
6 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
7 18, 1934 (48 Stat. 984).

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9 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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12 Felicia Mentez for
13 Verlon M. Jose, Legislative Chairman

14
15 21st day of October, 2010

16
17 ATTEST:

18 Evonne Wilson
19
20 Evonne Wilson, Legislative Secretary

21
22 21 day of October, 2010.

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24 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
25 Nation on the 21st day of October, 2010 at 2:27 o'clock, P.M.,
26 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
27 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
28 submittal.

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30 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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33 Felicia Mentez for
34 Verlon M. Jose, Legislative Chairman

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39 APPROVED

on the 22 day of October, 2010

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41 DISAPPROVED

at 11:17 o'clock, P.M.

42
43
44 Ned Norris, Jr.
45 NED NORRIS, JR., CHAIRMAN
46 TOHONO O'ODHAM NATION
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Returned to the Legislative Secretary on the 22 day of

October, 2010, at 12:15 o'clock, P.M.

Evonne Wilson

Evonne Wilson, Legislative Secretary

ACTION: APPROVING PORTFOLIO EVALUATIONS, INC. AS AN INVESTMENT CONSULTANT

MOVED: COUNCILWOMAN EVELYN JUAN MANUEL

SECOND: COUNCILWOMAN GLORIA RAMIREZ

DATE: OCTOBER 13, 2010

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			
	2. MARY LOPEZ ()	99.35	X			X
SELLS 449.6	1. KIMBERLY LISTO ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			X
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			X
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X			
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			X
	2. SANDRA ORTEGA ()	87.25	X			
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (<i>Absent</i>) (Angela Ortiz) (<i>Present</i>)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL (<i>Absent</i>) (Louis L. Johnson) (<i>Present</i>)	115.05	X			
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			
BABOQUIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			X
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	162.0	X			
TOTAL		2,595.50	2,595.50	-0-	-0-	[05]