

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Opening of Four New Accounts with Bank of America/U.S. Trust for
the Purpose of Depositing Tohono O'odham Self-Governance Funds from the U.S.
Department of Health and Human Services)

RESOLUTION NO. 16-265

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power "to manage any**
2 **funds within the exclusive control of the Tohono O'odham Nation" (Constitution**
3 **of the Tohono O'odham Nation, Article VI, Section 1(d)(2)); and**

4 **WHEREAS, the Tohono O'odham Legislative Council adopted a Financial Investment Policy**
5 **by Resolution No. 91-042 and which was amended by Resolution Nos. 01-213, 08-**
6 **608, 14-198, and 15-349; and**

7 **WHEREAS, the Policy provides that the Tohono O'odham Legislative Council may authorize**
8 **the creation of new investment accounts for the Nation; and**

9 **WHEREAS, the Tohono O'odham Nation will receive self-governance funds from the U.S.**
10 **Department of Health and Human Services for Title V programs, third-party**
11 **program revenue, and other revenue received from internal sales occurring at**
12 **the hospital and clinics once the self-governance compact is executed with the**
13 **U.S. Department of Health and Human Services, Indian Health Service; and**

14 **WHEREAS, the controller, treasurer, and grants and contracts manager have recommended**
15 **that the self-governance revenues be segregated from the Nation's other bank**
16 **and investment accounts and earn investment income for the benefit of the**
17 **hospital and clinics division within the Nation's Department of Health and**
18 **Human Services; and**

19 **WHEREAS, the treasurer recommends that the investment accounts be invested pursuant to**
20 **the guidelines of the Nation's Financial Investment Policy and that the new funds**
21 **be available for Tohono O'odham Legislative Council appropriation and**
22 **subsequent expenditure in accordance with the terms of the Self-Governance**
23 **Compact and Funding Agreement; and**

24 **WHEREAS, the Investment Committee approves the establishment of the four new accounts**
25 **for depositing Title V program funds, revenue, third-party program revenue, and**
26 **other revenues generated at the hospital and clinics; and**

27 **WHEREAS, the four new accounts will be identified as follows:**

28 **TON – Third Party Revenue Investment at Bank of America/U.S. Trust**

29 **TON – Title V Investment at Bank of America/U.S. Trust**

30 **TON – General Operating Account at Bank of America**

RESOLUTION NO. 16-265

(Authorizing the Opening of Four New Accounts with Bank of America/U.S. Trust for the Purpose of Depositing Tohono O'odham Self-Governance Funds from the U.S. Department of Health and Human Services)

Page 2 of 3

TON – Payroll Account ZBA at Bank of America

NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council authorizes the Nation's Treasurer to establish four new bank and investment accounts with Bank of America/U.S. Trust for the purpose of depositing Title V funds, program revenue, third-party program revenue, and other revenues generated at the hospital and clinics and that the funds be invested in accordance with the Tohono O'odham Nation's Financial Investment Policy until the Tohono O'odham Legislative Council appropriates the funds or otherwise approves and directs the handling of the funds.

BE IT FINALLY RESOLVED that investment income accruing to the accounts be retained for expenditure in accordance with the terms of the Self-Governance Compact and Funding Agreement, pursuant to budgets approved by the Tohono O'odham Legislative Council.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 17TH day of JUNE, 2016 at a meeting at which a quorum was present with a vote of 3,021,4 FOR; -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(d)(2) and (f) 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 June, 2016

ATTEST:


Evonne Wilson, Legislative Secretary

20 day of June, 2016

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 20 day of June, 2016 at 3:50 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.

RESOLUTION NO. 16-265

(Authorizing the Opening of Four New Accounts with Bank of America/U.S. Trust for the Purpose of Depositing Tohono O'odham Self-Governance Funds from the U.S. Department of Health and Human Services)

Page 3 of 3

TOHONO O'ODHAM LEGISLATIVE COUNCIL



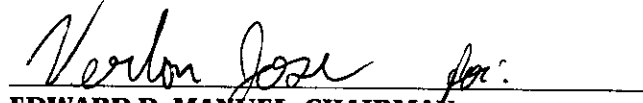
Timothy Joaquin, Legislative Chairman

APPROVED

on the 22 day of June, 2016

DISAPPROVED

at 11:01 o'clock, a. .m.


EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 22 day of

June, 2016, at 11:30 o'clock, A. .m.


Evonne Wilson, Legislative Secretary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

ACTION: AUTHORIZING THE OPENING OF FOUR NEW ACCOUNTS WITH BANK OF AMERICA/U.S. TRUST FOR THE PURPOSE OF DEPOSITING TOHONO O'ODHAM SELF-GOVERNANCE FUNDS FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

MOVED: COUNCILWOMAN BARBARA HAVIER

SECOND: COUNCILMAN ANTHONY J. FRANCISCO JR.

DATE: JUNE 17, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			
	2. VERNON J. SMITH (Gloria Zazueta)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GU ACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ()	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			
	2. SANDRA ORTEGA ()	102.90	X			X
PISINEMO 219.9	1. CHESTER ANTONE ()	109.95	X			
	2. MONICA K. MORGAN ()	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ()	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ()	114.3	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.3	X			X
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	90.3	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.3	X			
SELLS 513.5	1. ARTHUR WILSON (<i>Absent</i>) (Beverly Rivas) (<i>Present</i>)	256.75	X			
	2. BARBARA HAVIER ()	256.75	X			
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ()	115.80	X			X
TOTAL		3,021.4	3,012.4	-0-	-0-	[03]