

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2017 Investment Consultant Contract between the Tohono O'odham
Nation and Portfolio Evaluations, Inc.)

RESOLUTION NO. 16-581

1 **WHEREAS, the Tohono O'odham Legislative Council is authorized "to manage any funds**
2 **within the exclusive control of the Tohono O'odham Nation . . . and to**
3 **appropriate these funds for the benefit of the nation and its members"**
4 **(Constitution of the Tohono O'odham Nation, Article VI, Section 1(d)(2)); and**

5 **WHEREAS, the Investment Committee of the Tohono O'odham Nation provides oversight for**
6 **the financial investments of the Nation; and**

7 **WHEREAS, based on the recommendation of the Investment Committee, the Legislative**
8 **Council has for some years selected the Bank of America as the custodian and**
9 **manager of the Nation's invested funds; and**

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

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

17 **WHEREAS, the term of the contract will be from October 1, 2016 through September 30,**
18 **2017, and the financial arrangement will be a flat retainer fee 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; and**

22 **WHEREAS, the Investment and Budget and Finance Committees have reviewed the contract**
23 **and recommend its approval.**

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

- 25 **1. Approves the FY 2017 Investment Consultant Contract with Portfolio**
26 **Evaluations, Inc.; and**
- 27 **2. Approves the consultant fees to be paid from the investment accounts of**
28 **the Nation; and**

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1 **3. Authorizes the Chairman of the Nation to execute the contract, in**
2 **substantially the form attached, provided that any amendments or**
3 **extensions to the Investment Consultant Contract shall be presented to**
4 **the Legislative Council for prior approval.**

5 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH**
6 **day of DECEMBER, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR;**
7 **-0- AGAINST; -0- NOT VOTING; and [08] ABSENT, pursuant to the powers vested in the Council by**
8 **Article VI, Section 1(d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the**
9 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
10 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of**
11 **June 18, 1934 (48 Stat.984).**

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13 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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17 Timothy Joaquin, Legislative Chairman
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19 12 day of December, 2016

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22 **ATTEST:**

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25 Evonne Wilson, Legislative Secretary
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27 9 day of December, 2016

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29 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
30 **O'odham Nation on the 12 day of December, 2016 at 4:40 o'clock, P .m.,**
31 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
32 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
33 **hours of submittal.**

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35 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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39 Timothy Joaquin, Legislative Chairman
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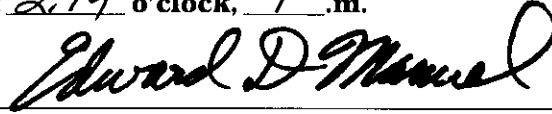
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APPROVED

on the 14th day of December, 2016

DISAPPROVED

at 2:19 o'clock, P.m.



**EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 14 day of

December, 2016, at 2:59 o'clock, P.m.



Evonne Wilson, Legislative Secretary

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ACTION: APPROVING FY 2017 INVESTMENT CONSULTANT CONTRACT BETWEEN THE TOHONO O'ODHAM NATION AND PORTFOLIO EVALUATIONS, INC.

Moved: COUNCILWOMAN ETHEL GARCIA

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: DECEMBER 07, 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			
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ()	132.50	X			X
GUVO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (<i>Absent</i>) (Jeffery Antone, Sr.) (<i>Present</i>)	125.30	X			X
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			
	2. SANDRA ORTEGA ()	102.90	X			
PISINEMO 219.9	1. CHESTER ANTONE ()	109.95	X			X
	2. MONICA K. MORGAN ()	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL (<i>Absent</i>) (Lorraine Eiler) (<i>Present</i>)	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			X
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III (Felicia Nunez)	114.3	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.3	X			X
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. (Mario J.B. Juan)	90.3	X			X
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.3	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ()	256.75	X			X
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ()	115.80	X			X
TOTAL		3,021.4	3,021.4	-0-	-0-	[08]