

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2013 Contract with Portfolio Evaluations, Inc. as an Investment Consultant)

RESOLUTION NO. 12-420

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**

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

10 **WHEREAS, the Investment Committee, Budget and Finance Committee, and Domestic Affairs**
11 **Committee recommend extending Portfolio Evaluation's contract until September 30,**
12 **2013; and**

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

16 **WHEREAS, the term of the contract will be from October 1, 2012 through September 30, 2013, and**
17 **the financial arrangement will be a flat retainer fee for services relating to the**
18 **Nation's investment portfolio and the 401(k) retirement plan; and**

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

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

- 22 **1. Approves the Investment Consultant Contract FY 2013 with Portfolio Evaluations,**
23 **Inc., substantially in the form attached hereto, for the period from October 1, 2012**
24 **through September 30, 2013;**
- 25 **2. Approves the consultant fees to be paid from the investment accounts of the Nation;**
26 **and**
- 27 **3. Authorizes the Chairman of the Nation to execute the contract, provided that any**
28 **amendments or extensions to the Investment Consultant Contract shall be**
29 **presented to the Legislative Council for further approval.**

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH Day of OCTOBER, 2012 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0- AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (d)(2) 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

Timothy Joaquin, Legislative Chairman

12 day of October, 2012

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

12 day of October, 2012.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 12 day of October, 2012 at 5:07 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

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

APPROVED

on the 15 day of October, 2012

DISAPPROVED

at 8:40 o'clock, A.M.

Ned Norris, Jr.

NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 15 day of

October, 2012, at 9:00 o'clock, a.M.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING FY 2013 CONTRACT WITH PORTFOLIO EVALUATIONS, INC. AS AN INVESTMENT CONSULTANT

MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON SECOND: COUNCILWOMAN CYNTHIA E. MANUEL

DATE: OCTOBER 12, 2012

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			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 ()	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			X
	2. PAMELA ANGHILL (Roselda Lewis)	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 (Tony Murrietta)	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 (<i>Absent</i>) (Racheal Vilson-Stoner)(<i>Present</i>)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	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			
	2. MARY LOPEZ ()	105.95	X			X
TOTAL		2,780.60	2,780.60	-0-	-0-	[04]