

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Opening a New Investment Account with Bank of America for the Purpose of**  
**Depositing the \$22,325,000 Received in the Settlement of Case No. 1:06-cv-02236-JR)**

**RESOLUTION NO. 12-421**

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

4 **WHEREAS, by Resolution No. 91-042 the Legislative Council adopted a Financial Investment**  
5 **Policy, as amended by Resolution 01-213, which authorizes the Legislative Council to**  
6 **open new investment accounts for the Tohono O'odham Nation; and**

7 **WHEREAS, the Tohono O'odham Nation received funds for the settlement of Case No. 1:06-cv-**  
8 **02236-JR for the claims of trust accounting and trust mismanagement against the**  
9 **Secretary of Interior, Special Trustee and the Secretary of Treasurer in the amount of**  
10 **\$22,325,000 on July 30, 2012 and the funds were deposited in the General Fund account;**  
11 **and**

12 **WHEREAS, the Interim Treasurer recommends the opening of a separate investment account at**  
13 **Bank of America and that the funds be transferred from the General Fund investment**  
14 **account to and deposited in the new investment account named OST Trust Settlement**  
15 **Fund; and**

16 **WHEREAS, the Interim Treasurer recommends that the OST Trust Settlement Fund account**  
17 **should be invested within the guideline of the Financial Investment Policy; and**

18 **WHEREAS, the Budget and Finance Committee and Trust Settlement Delegation recommend the**  
19 **opening of a new OST Trust Settlement Fund investment account and the transfer from**  
20 **the General Fund account to the new investment account the amount of \$22,325,000.00**  
21 **plus accrued interest.**

22 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**  
23 **authorizes the Nation's Interim Treasurer to open a new investment account named**  
24 **OST Trust Settlement Fund with Bank of America, for the purpose of depositing**  
25 **\$22,325,000 received as settlement for Case No. 1:06-cv-02236-JR and the funds,**  
26 **including accrued interest, be transferred from the General Fund; and that the funds**  
27 **are to be invested accordance with the Tohono O'odham Nation Investment Policy**  
28 **until the Tohono O'odham Legislative Council appropriates the funds or otherwise**  
29 **directs the handling of the funds.**


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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12<sup>TH</sup> 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, Legislative Chairman  
12 day of October, 2012

ATTEST:

  
\_\_\_\_\_  
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 5:00 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, Legislative Chairman

APPROVED

on the 15<sup>th</sup> day of October, 2012

DISAPPROVED

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

  
\_\_\_\_\_  
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 9:06 o'clock, A.M.

  
Evonne Wilson, Legislative Secretary

**ACTION: APPROVING OPENING A NEW INVESTMENT ACCOUNT WITH BANK OF AMERICA FOR THE PURPOSE OF DEPOSITING THE \$22,325,000 RECEIVED IN THE SETTLEMENT OF CASE NO. 1:06-CV-02236-JR**

**MOVED: COUNCILWOMAN LORRAINE EILER**

**SECOND: COUNCILWOMAN EVELYN JUAN MANUEL**

**DATE: OCTOBER 12, 2012**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 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			
<b>CHUKUT KUK</b> 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ( )	151.10	X			
<b>GU ACHI</b> 244.9	1. TIMOTHY L. JOAQUIN ( )	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
<b>GU VO</b> 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			X
	2. PAMELA ANGHILL (Roselda Lewis)	113.35	X			
<b>HICKIWAN</b> 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			X
<b>PISINEMO</b> 200.7	1. CHESTER ANTONE (Tony Murrietta)	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
<b>SAN LUCY</b> 204.6	1. LORRAINE EILER ( )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
<b>SAN XAVIER</b> 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			
<b>SCHUK TOAK</b> 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			X
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
<b>SELLS</b> 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL ( )	237.85	X			
<b>SIF OIDAK</b> 211.9	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			X
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,780.60</b>	<b>-0-</b>	<b>-0-</b>	<b>[05]</b>