

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Community College as an Adopting Employer
Under the Nation's Pension Plans)

RESOLUTION NO. 01-139

1 **WHEREAS, pursuant to Resolution No. 98-006, the Tohono O'odham Legislative Council adopted**
2 **Ordinance No. 98-01 which established the Tohono O'odham Community College**
3 **("TOCC"); and**

4 **WHEREAS, pursuant to Resolution No. 2000-514, the Legislative Council approved a Transition**
5 **Plan submitted by TOCC which, among other things, authorized TOCC to provide**
6 **pension benefits to employees of TOCC (including all former employees of the**
7 **Career Center) through the Nation's pension plans; and**

8 **WHEREAS, the Nation's existing pension plan is a Money Purchase Plan administered by the**
9 **Principal Financial Group (the "Principal Plan"); and**

10 **WHEREAS, pursuant to Resolution No. 2000-453, the Legislative Council approved a 401(k)**
11 **Retirement Plan (the "401(k) Plan"); and**

12 **WHEREAS, on or about May 20, 2001, the Principal Plan will be merged into the 401(k) Plan; and**

13 **WHEREAS, under federal law, the Principal Plan and the 401(k) Plan, TOCC is an affiliate of the**
14 **Nation and qualifies to become an adopting employer under the Principal Plan and**
15 **401(k) Plan, subject to the agreement of TOCC and the Nation; and**

16 **WHEREAS, attached hereto is an Adoption Agreement between TOCC and the Nation which**
17 **prescribes the terms and conditions for recognition of TOCC as an adopting**
18 **employer; and**

19 **WHEREAS, by Resolution dated March 29, 2001, a copy of which is attached, the TOCC Board of**
20 **Trustees approved the Adoption Agreement; and**

21 **WHEREAS, the Human Resources Development Committee and the Budget and Finance**
22 **Committee recommend approval of the Adoption Agreement.**

23 **NOW, THEREFORE, BE IT RESOLVED THAT:**

24 **1. The Tohono O'odham Legislative Council approves the Adoption Agreement in the**
25 **form attached hereto.**

26 **2. The Chairman of the Nation is authorized and directed to execute the Adoption**
27 **Agreement.**

28 **3. The Chairman of the Nation is authorized and directed to transmit the Adoption**

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Agreement to the Principal Financial Group and to such other entities or persons as may be necessary to implement the Agreement.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 2ND Day of APRIL, 2001 at a meeting at which a quorum was present with a vote of 2,086.45 FOR; -0- AGAINST; 79.05 NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2) & (f) of Article VI 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


Dennis Ramon, Legislative Chairman

6th day of April, 20 01

ATTEST:


Julianna Saraficio, Acting Legislative Secretary

02 day of April, 20 01

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 6th day of April, 20 01 at 10:05 o'clock, A.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


Dennis Ramon, Legislative Chairman

APPROVED

on the 6th day of April, 20 01

DISAPPROVED

at 12:30 o'clock, P.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 06 day of

April, 20 01, at 2:45 o'clock, p.M.

Juliana M. Saraficio
Juliana Saraficio, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM COMMUNITY COLLEGE AS AN ADOPTING EMPLOYER UNDER THE NATION'S PENSION PLANS

MOVED: COUNCILWOMAN GLORIA RAMIREZ

SECOND: COUNCILMAN ALBERT MANUEL JR.

DATE: APRIL 02, 2001

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
SELLS 372.7	1. DENNIS E. JOSE ()	186.35	X			
	2. EVELYN JUAN ()	186.35	X			X
SCHUK TOAK 133.4	1. MARY FLORES ()	66.7	X			
	2. AMBROSE ENCINAS ()	66.7	X			X
SAN XAVIER 165.9	1. TONY BURRELL ()	82.95	X			
	2. DENNIS RAMON ()	82.95	X			
BABOQUIVARI 286.5	1. FRANCES MIGUEL ()	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			
GU ACHI 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ()	104.8	X			
PISINEMO 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			X
	2. JOHNSON JOSE ()	78.4	X			
SAN LUCY 128.1	1. ALBERT MANUEL, JR. ()	64.05	X			
	2. GLORIA RAMIREZ ()	64.05	X			
GU VO 160.0	1. FERN SALCIDO ()	80.0	X			
	2. GLORIA MONTANA (Phillip Antone)	80.0	X			X
HICKIWAN 158.1	1. SHIRLEY MOLINA ()	79.05			X	
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
CHUKUT KUK 222.6	1. KENNETH WILLIAMS ()	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
TOTAL		2,165.5	2,086.45	-0-	79.05	[04]

**PASSED VOTES