

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Archie Hendricks Sr. Skilled Nursing Facility as an Adopting Employer  
under the Nation's Pension Plans)**

**RESOLUTION NO. 02-458**

1 **WHEREAS, pursuant to Resolution No. 98-512, the Tohono O'odham Legislative Council approved**  
2 **the Charter of the Tohono O'odham Nursing Care Authority ("TONCA"); and**

3 **WHEREAS, pursuant to Resolution No. 02-027, the Tohono O'odham Legislative Council approved**  
4 **the transfer of assets from the Tohono O'odham Nation to TONCA in accordance with**  
5 **a transition plan; and**

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

8 **WHEREAS, under federal law and the 401 (k) Plan, TONCA is an affiliate of the Nation and**  
9 **qualifies to become an adopting employer under the 401 (k) Plan, subject to the**  
10 **agreement of TONCA and the Nation; and**

11 **WHEREAS, attached hereto is an Adoption Agreement between TONCA and the Nation which**  
12 **prescribes the terms and conditions for recognition of TONCA as an adopting**  
13 **employer; and**

14 **WHEREAS, by Resolution dated September 12, 2002, a copy of which is attached, the TONCA**  
15 **Board of Directors approved the Adoption Agreement; and**

16 **WHEREAS, the Health and Human Services, Human Resources Development Committee, 401 (k)**  
17 **Board of Trustees and Budget and Finance Committee recommend approval of the**  
18 **Adoption Agreement.**

19 **NOW, THEREFORE, BE IT RESOLVED:**

- 20 **1. The Tohono O'odham Legislative Council approves the Adoption Agreement in the**  
21 **form attached hereto.**
- 22 **2. The Chairman of the Nation is authorized and directed to execute the Adoption**  
23 **Agreement.**
- 24 **3. The Chairman of the Nation is authorized and directed to transmit the Adoption**  
25 **Agreement to such entities or persons as may be necessary to implement the**  
26 **Agreement.**

27 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH. Day**  
28 **of OCTOBER, 2002 at a meeting at which a quorum was present with a vote of 2,417.5 FOR; -0-**  
29 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**  
30 **Section 1 (d)(2) & (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**  
31 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
32 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
33 **18, 1934 (48 Stat. 984).**

34  
35

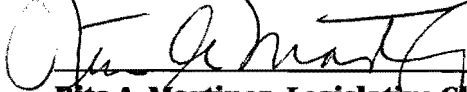
RESOLUTION NO. 02-458

(Approving Archie Hendricks Sr. Skilled Nursing Facility as an Adopting Employer under the Nation's Pension Plans)

Page 2 of 2

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

TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
Rita A. Martinez, Legislative Chairwoman

8<sup>th</sup> day of October, 20 02

ATTEST:

  
Julianna Saraficio, Acting Legislative Secretary

07<sup>th</sup> day of October, 20 02.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 8<sup>th</sup> day of October, 20 02 at 2:41 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

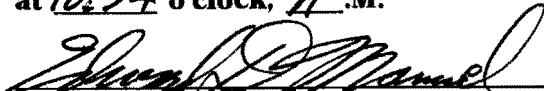
  
Rita A. Martinez, Legislative Chairwoman

APPROVED

on the 9<sup>th</sup> day of October, 20 02

DISAPPROVED

at 10:34 o'clock, A.M.

  
EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 09<sup>th</sup> day of

October, 20 02, at 12:34 o'clock, P.M.

  
Julianna Saraficio, Acting Legislative Secretary

**ACTION:** APPROVING ARCHIE HENDRICKS SR. SKILLED NURSING FACILITY AS AN ADOPTING EMPLOYER UNDER THE NATION'S PENSION PLANS

**Moved:** COUNCILMAN DAVID GARCIA

**SECOND:** COUNCILMAN ISIDRO LOPEZ

**DATE:** OCTOBER 07, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 317.7	1. FRANCES MIGUEL ( )	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
<b>CHUKUT KUK</b> 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
<b>GU ACHI</b> 230.7	1. CAMILLUS LOPEZ ( )	115.35	X			
	2. JEROME JOAQUIN ( )	115.35	X			
<b>GU VO</b> 188.3	1. FERN SALCIDO ( )	94.15	X			
	2. EMILIO LEWIS (Michael Flores)	94.15	X			
<b>HICKIWAN</b> 167.3	1. SHIRLEY MOLINA ( )	83.65	X			
	2. SANDRA ORTEGA ( )	83.65	X			
<b>PISINEMO</b> 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			X
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
<b>SAN LUCY</b> 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			X
	2. GLORIA RAMIREZ ( )	80.35	X			
<b>SAN XAVIER</b> 184.7	1. FELICIA NUÑEZ ( )	92.35	X			
	2. DENNIS RAMON ( )	92.35	X			
<b>SCHUK TOAK</b> 144.5	1. MARY FLORES ( )	72.25	X			
	2. AMBROSE ENCINAS** (Frances B. Conde(Francisco))	72.25	X			
<b>SELLS</b> 416.1	1. DENNIS E. JOSE ( )	208.05	X			
	2. EVELYN JUAN ( )	208.05	X			
<b>SIF OIDAK</b> 184.7	1. ISIDRO LOPEZ ( )	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
<b>TOTAL</b>		<b>2,417.5</b>	<b>2,417.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>

\*\*PASSED VOTES