

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Ratification of the Third Amendment to the 401(k) Plan)

RESOLUTION NO. 05-074

1 **WHEREAS, the Tohono O'odham Nation (the "Nation") sponsors a tax-qualified 401(k) program**
2 **known as the Tohono O'odham Nation 401(k) Retirement Plan (the "Plan"); and**

3 **WHEREAS, pursuant to Resolution No. 04-678, the Tohono O'odham Legislative Council approved**
4 **\$500 Christmas bonuses for the Nation's employees, appointed directors, elected**
5 **officials and judges (the "employees"); and**

6 **WHEREAS, the Legislative Council intended that the Bonuses would not be treated as Plan**
7 **Compensation subject to employee contribution elections and employer basic**
8 **contributions.**

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

10 **The Tohono O'odham Legislative Council hereby adopts, confirms and ratifies the**
11 **attached Third Amendment to the Plan executed by the Chairwoman of the Nation on**
12 **December 21, 2004 which excludes from Plan compensation the employee**
13 **contribution elections and employer basic contributions in accordance with the**
14 **intent of the Legislative Council.**

15 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH Day**
16 **of FEBRUARY, 2005 at a meeting at which a quorum was present with a vote of 1,508.1 FOR; 485.7**
17 **AGAINST; 465.6 NOT VOTING; and 170.3 [06] ABSENT, pursuant to the powers vested in the Council**
18 **by Section 1 (d)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
19 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
20 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
21 **18, 1934 (48 Stat. 984).**

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23 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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26 **Isidro Lopez, Legislative Chairman**

27
28 14 day of February, 2005
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31 **ATTEST:**

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34 **Lucille Lopez, Acting Legislative Secretary**

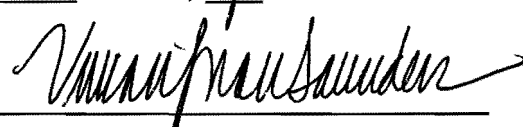
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36 14th day of February, 2005.

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Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 14th day of February, 2005 at 2:22 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Isidro Lopez, Legislative Chairman

APPROVED on the 15 day of February, 2005
 DISAPPROVED at 1:38 o'clock, P.M.

VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 15th day of
February, 2005, at 2:42 o'clock, P.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: RATIFICATION OF THE THIRD AMENDMENT TO THE 401(k) PLAN

MOVED: COUNCILMAN TIMOTHY JOAQUIN

SECOND: COUNCILMAN KENNETH WILLIAMS

DATE: FEBRUARY 09, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30		X		
	2. DARLENE ANDREW ** (Rita Martinez)	96.30		X		
SELLS 465.6	1. DENNIS E. JOSE ()	232.80			X	X
	2. EVELYN JUAN ()	232.80			X	
SCHUK TOAK 176.1	1. FRANCES B. CONDE ** ()	88.05	X			
	2. PHYLLIS JUAN ()	88.05	X			
SAN XAVIER 215.4	1. FELICIA NUÑEZ (Olivia Liston-Villegas)	107.70	X			
	2. DENNIS RAMON (Absent) (Eleanor Hunter) (Present)	107.70	X			
SAN LUCY 166.3	1. JOHN W. LAWSON, SR. ()	83.15		X		
	2. GLORIA RAMIREZ ()	83.15		X		
PISINEMO 175.4	1. BARBARA SALVICIO ()	87.70	X			
	2. PATRICIA CRUZ ** ()	87.70	X			
HICKIWAN 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15				X
	2. SANDRA ORTEGA ()	85.15				X
GU VO 191.4	1. RAYMOND VICTOR ()	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			X
GU ACHI 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Absent) (Roberta Picard) (Present)	126.80		X		
CHUKUT KUK 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			X
BABOQUIVARI 364.1	1. FRANCES MIGUEL (Lucilda Norris-Valenzuela)	182.05	X			
	2. FRANCES G. ANTONE ()	182.05	X			X
TOTAL		2,629.7	1,508.1	485.7	465.6	170.3 [06]

**PASSED VOTES