RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL

(Approving the Fourth Amendment to the 401(k) Pension Plan)

RESOLUTION NO. <u>05-617</u>

	[]	
1	WHEREAS,	pursuant to Resolution No. 2000-453, the Tohono O'odham Legislative Council
2		approveda401 (k) RetirementPlan(the``Plan'') foremployeesoftheTohonoO'odham
3		Nation (the "Nation"); and
4	WHEREAS,	on June 15, 2001, the Internal Revenue Service ("IRS") received the Plan which was
5		submitted by the Nation for a determination that the Plan qualifies under Section
6		401(a) of the Internal Revenue Code ("IRC") and is entitled to favorable tax under the
7		IRC ("qualified plan"); and
8	WHEREAS,	by letter dated October 29, 2001, the Internal Revenue Service ("IRS") issued a
9		favorable determination that the Plan document satisfies the qualification
10		requirements under the Internal Revenue Code ("IRC"); and
11	WHEREAS,	the Plan has been amended on three subsequent occasions; and
12	WHEREAS,	attached hereto is a proposed amendment to the Plan (the "Fourth Amendment")
13		which incorporates certain changes that are required to maintain the Plan's
14		compliance with changes in the law; and
15	WHEREAS,	the HumanResourcesDevelopmentCommitteeandtheBudget&FinanceCommittee
16		recommend adoption of the Fourth Amendment by the Legislative Council.
17	NOW, THER	EFORE, BE IT RESOLVED THAT:
18		1. The Tohono O'odham Legislative Council adopts the Fourth Amendment to the
19		Tohono O'odham Nation 401(k) Retirement Plan, in the form attached hereto.
20		2. The Chairwoman of the Nation is authorized and directed to execute the Fourth
21		Amendment by signing any documents required prior to December 31, 2005.
22 23 24 25 26 27 28 29	of <u>OCTOBE</u> AGAINST; <u>-0</u> Article IV, S O'Odham N	ng Resolution was passed by the Tohono O'odham Legislative Council on the 11 th . Day R. 2005 at a meeting at which a quorum was present with a vote of 2,101.6 FOR; -0-NOT VOTING; and 339.2 [10] ABSENT, pursuant to the powers vested in the Council by ection 2 (a) of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono ation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - irs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48)
30		TOHONO O'ODHAM LEGISLATIVE COUNCIL
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33		Grelm D & un
34		Evelyn B. Juan Manuel, Legislative Chairwoman
35 36		19th day of Owohn, 2005
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ATTEST: Juliu Juliu Lucille Lopez, Acting Regislative Secretary Lucille Lopez, Acting Regislative Secretary Juliu day of		RESOLUTION NO. <u>05-617</u> (Approving the Fourth Amendment to the 401(k) Pension Plan) Page 2 of 2
Jumile Lopez, Acting Legislative Secretary Lucille Lopez, Acting Legislative Secretary Jumile Lopez, Acting Legislative Secretary Lucille Lopez, Acting Legislative Secretary Jumile Lopez, Acting Legislative Secretary	- 1	ATTEST:
Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the Gard day of Cabrica 2005 at Hill o'clock, M.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 Brelyn B. Juan Manuel, Legislative Chairwoman TOHONO O'ODHAM LEGISLATIVE COUNCIL APPROVED on the D day of Dully 2005 at 9.70 o'clock, M.M. VIVIAN JUAN-SAUNDERS, CHAIRWOMAN TOHONO O'ODHAM NATION Returned to the Legislative Secretary on the May of Owder 2005, at M.Y. Lucille Lopez, Acting Legislative Secretary Lucille Lopez, Acting Legislative Secretary	3	Ymni John
Approved	5	Lucille Lopez, Acting Legislative Secretary
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TOHONO O'ODHAM LEGISLATIVE COUNCIL Grelyn B. Juan Manuel, Legislative Chairwoman Evelyn B. Juan Manuel, Legislative Chairwoman APPROVED on the D day of Other, 2005 at 1/30 o'clock, 0 M. VIVIAN JUAN-SAUNDERS, CHAIRWOMAN TOHONO O'ODHAM NATION Returned to the Legislative Secretary on the DM day of Other Day day University of the Legislative Secretary of the Legislative Secretary University of the Legislative Secretary Lucille Lopez, Acting Legislative Secretary	1	
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Drelyn B. Juan Manuel, Legislative Chairwoman Evelyn B. Juan Manuel, Legislative Chairwoman On the D day of Oww , 2005 at 9'70 o'clock, P.M. I DISAPPROVED at 9'70 o'clock, P.M. VIVIAN JUAN-SAUNDERS, CHAIRWOMAN TOHONO O'ODHAM NATION Returned to the Legislative Secretary on the Day day of Oww , 2005, at 142 o'clock, P.M. James Lucille Lopez, Acting Legislative Secretary Lucille Lopez, Acting Legislative Secretary		TOHONO O'ODHAM LEGISLATIVE COUNCIL
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21 22 23 24 25 [] DISAPPROVED at	19	Evelyn B. Juan Manuel, Legislative Chairwoman
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27 28 29 VIVIAN JUAN-SAUNDERS, CHAIRWOMAN 30 TOHONO O'ODHAM NATION 31 32 33 34 Returned to the Legislative Secretary on the August day of Outhor , 2005, at S42 o'clock, A.M. 37 38 39 Lucille Lopez, Acting Legislative Secretary 41 42 43 44		at <u>1/7</u> o'clock, <u>v</u> .M.
VIVIAN JUAN-SAUNDERS, CHAIRWOMAN TOHONO O'ODHAM NATION Returned to the Legislative Secretary on the Amazon day of Omazon day of Omazon day of Omazon day of Lucille Lopez, Acting Legislative Secretary Lucille Lopez, Acting Legislative Secretary Lucille Lopez, Acting Legislative Secretary	27	Vinanhansand
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ACTION: APPROVING THE FOURTH AMENDMENT TO THE 401(K) PENSION PLAN

MOVED: COUNCILMAN DENNIS JOSE

SECOND: COUNCILWOMAN FELICIA NUNEZ

DATE:

SEPTEMBER 12, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI	1. FRANCES MIGUEL	155.40	x			
310.8	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK	1. ETHEL GARCIA	129.35	x			
258.7	() 2. VERLON M. JOSE (David Garcia)	129.35	х			х
GU ACHI	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	x			
221.6	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	х			
GU VO	1. RAYMOND VICTOR	96.55	X			
193.1	2. MICHAEL FLORES (Grace Manuel)	96.55	Х			
HICKIWAN	1. DELMA GARCIA	83.70	X			
167.4	(Mary E. Sam) 2. SANDRA ORTEGA ()	83.70	X			
PISINEMO	1. BARBARA SALVICIO	85.90	X			
171.8	2. GERALD FAYUANT	85.90	X			
SAN LUCY	1. JOHN W. LAWSON, SR.	84.50	x			x
169.0	2. GLORIA RAMIREZ	84.50	X			
SAN XAVIER	1. FELICIA NUÑEZ	96.90	X			
193.8	2. OLIVIA VILLEGAS-LISTON	96.90	X			
SCHUK TOAK	1. FRANCES B. CONDE	73.45	X			
146.9	2. PHYLLIS JUAN	73.45	X			
SELLS	1. DENNIS E. JOSE	210 50	X			
421.0	2. EVELYN B. JUAN MANUEL	210.50	X			
SIF OIDAK	1. WAVALENE SAUNDERS	93.35	X			
186.7	(Isidro Lopez) 2. DARLENE ANDREW (Rita Martinez)	93.35	X			
	TOTAL	2,440.80	2,440.80	-0-	-0-	[02]