

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Ratifying the 401(k) Trustees' Delegated Investment Authority and Authorizing the
Trustees to Adopt an Investment Policy Statement)**

RESOLUTION NO. 11-086

1 **WHEREAS, pursuant to Resolution No. 2000-453, the Tohono O'odham Legislative Council**
2 **approved a 401(k) Retirement Plan (the "Plan") for employees of the Tohono O'odham**
3 **Nation (the "Nation"); and**

4 **WHEREAS, by letter dated October 29, 2001, the Internal Revenue Service ("IRS") issued a**
5 **favorable determination that the Plan document satisfies the qualification**
6 **requirements under the Internal Revenue Code ("IRC"); and**

7 **WHEREAS, the Plan has been amended on several occasions and most recently updated in its**
8 **entirety effective as of January 1, 2008; and**

9 **WHEREAS, pursuant to Section 8.2 of the Plan document, the authority to select investment funds**
10 **to be made available to Plan Participants has been delegated to the Trustees; and**

11 **WHEREAS, the Trustees wish to adopt an Investment Policy Statement governing the selection**
12 **and monitoring of Plan investment alternatives; and**

13 **WHEREAS, the Trustees have worked with Yoder & Langford, P.C., independent legal counsel to**
14 **the Nation, and Wells Fargo Bank, NA, the Plan's investment custodian, to prepare an**
15 **initial Investment Policy Statement to be adopted and maintained by the Trustees; and**

16 **WHEREAS, the Human Resources Development Committee, Budget & Finance Committee and the**
17 **Investment Committee recommends that the Legislative Council ratify the Trustees'**
18 **investment authority under the Plan and authorize the Trustees to maintain an**
19 **Investment Policy Statement.**

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

- 21 **1. The Tohono O'odham Legislative Council hereby ratifies the delegation of**
22 **investment authority under the Tohono O'odham Nation 401(k) Retirement Plan**
23 **to the Plan Trustees, consistent with the terms of the January 1, 2008 Plan**
24 **restatement.**
- 25 **2. The Tohono O'odham Legislative Council authorizes the Plan Trustees to**
26 **proceed with the adoption of a Plan Investment Policy Statement, similar in all**
27 **material respects to the form attached hereto, and to update the Investment**
28 **Policy Statement from time to time as necessary and appropriate.**

29

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Page 2 of 3

1 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH Day
2 of MARCH, 2011 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0-
3 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article
4 VI, Section 1 (d) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono
5 O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -
6 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
7 Stat. 984).
8
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

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12 _____
13 Verlon M. Jose, Legislative Chairman

14
15 11 day of March, 2011
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18 ATTEST:

19 
20 _____
21 Evonne Wilson, Legislative Secretary

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23 10 day of March, 2011.
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25 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
26 Nation on the 11 day of March, 2011 at 8:12 o'clock, A.M.,
27 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
28 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
29 submittal.
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

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34 Verlon M. Jose, Legislative Chairman
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40 APPROVED

on the 11 day of March, 2011

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42 DISAPPROVED

at 12:15 o'clock, P.M.

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46 NED NORRIS, JR., CHAIRMAN
47 TOHONO O'ODHAM NATION
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Page 3 of 3

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Returned to the Legislative Secretary on the 11 day of
March, 2011, at 3:52 o'clock, P.M.



Evonne Wilson, Legislative Secretary

ACTION: RATIFYING THE 401(K) TRUSTEES' DELEGATED INVESTMENT AUTHORITY AND AUTHORIZING THE TRUSTEES TO ADOPT AN INVESTMENT POLICY STATEMENT

MOVED: COUNCILWOMAN EVELYN JUAN MANUEL

SECOND: COUNCILWOMAN FRANCES MIGUEL

DATE: MARCH 08, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF ODAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			
	2. MARY LOPEZ ()	99.35	X			X
SELLS 449.6	1. KIMBERLY MULL ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			X
	2. OLIVIA VILLEGAS-LISTON (<i>Absent</i>) (Eugene Enis) (<i>Present</i>)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X			
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			
	2. SANDRA ORTEGA ()	87.25	X			
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL (<i>Absent</i>) (Louis L. Johnson) (<i>Present</i>)	115.05	X			
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			
BABOQUIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	162.0	X			
TOTAL		2,595.50	2,595.50	-0-	-0-	[02]