

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Sells to Topawa Fiber Optic Cable
Right-of-Way, Sells District, Baboquivari District, Tohono O'odham Nation)

RESOLUTION NO. 02-513

1 **WHEREAS, by Resolution No. 08-70 the Nation established the Papago Tribal Utility Authority,**
2 **now known as Tohono O'odham Utility Authority (TOUA) for purposes of constructing,**
3 **maintaining and operating various utility systems within the Nation to be owned**
4 **wholly by the Nation; and**

5 **WHEREAS, the Tohono O'odham Legislative Council on 10 December 1990 did pass Resolution**
6 **No. 447-90 (Amending the Restated Plan of Operation of the Tohono O'odham Utility**
7 **Authority) and Resolution No. 91-175 (Adopting Second Restated Plan of Operation for**
8 **the Tohono O'odham Utility Authority) which requires the Authority to submit for**
9 **prior review and approval of the Legislative Council and each affected District any**
10 **proposed utility easement; and**

11 **WHEREAS, TOUA requests permission for a Right-of-Way from Sells Community to Topawa**
12 **Community, Sells District, Baboquivari District, to install a 24 Fiber Optic Cable and**
13 **related facilities from the Sells Central Office to the Topawa Remote Office, Tohono**
14 **O'odham Nation; and**

15 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information (attached**
16 **hereto and incorporated herein by reference) for uses consistent with the authorized**
17 **purposes of TOUA; and**

18 **WHEREAS, the 24 Fiber Optic Cable Right-of-Way and related facilities will be of substantial**
19 **benefit to the Tohono O'odham Nation and their respective members.**

20 **WHEREAS, the Baboquivari District Council, Sells Community and Sells District Council did**
21 **approve those portions of the Right-of-Way affecting each governing body on 23**
22 **September 2002, 14 October 2002 & 22 October 2002 respectively; and**

23 **WHEREAS, the Natural Resources Committee did review the requested Right-of-Way on 18**
24 **October 2002 and by consensus recommends approval thereof by the Tohono**
25 **O'odham Legislative Council.**

26 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
27 **approve the Right-of-Way as requested by TOUA for the 24 Fiber Optic Cable and**

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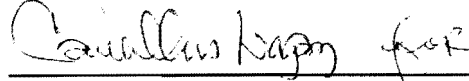
(Approving Tohono O'odham Utility Authority Sells to Topawa Fiber Optic Cable Right-of-Way, Sells District, Baboquivari District, Tohono O'odham Nation)

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1 related facilities in the location (as more fully described in the attached map and
2 staking sheets) and construction by TOUA or its designated subsidiaries for uses
3 consistent with the authorized purposes of TOUA.

4 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04TH. Day
5 of NOVEMBER, 2002 at a meeting at which a quorum was present with a vote of 2,417.5 FOR; -0-
6 AGAINST; -0- NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council by
7 Section 1 (c)(2) and (f)(2) of Article VI of the Constitution of the Tohono O'odham Nation, adopted
8 by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
9 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
10 18, 1934 (48 Stat. 984).

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12 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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14 Rita A. Martinez, Legislative Chairwoman

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16
17 8th day of November, 2002

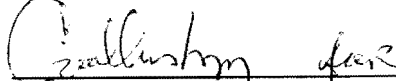
18 ATTEST:

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21 Julianna Saraficio, Acting Legislative Secretary

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23 04 day of November, 2002.

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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 8th day of November, 2002 at 4:26 o'clock, P.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.

30 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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32 Rita A. Martinez, Legislative Chairwoman

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37 APPROVED

on the 8th day of November, 2002

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39 DISAPPROVED

at 4:46 o'clock, P.M.

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42 EDWARD D. MANUEL, Chairman

43 TOHONO O'ODHAM NATION
44

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Returned to the Legislative Secretary on the 8th day of
November, 20 02, at 4:55 o'clock, P.M.



Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY SELLS TO TOPAWA FIBER OPTIC CABLE RIGHT-OF-WAY, SELLS DISTRICT, BABOQUIVARI DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN FRANCES ANTONE

SECOND: COUNCILWOMAN DENNIS JOSE

DATE: NOVEMBER 04, 2002

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

****PASSED VOTES**