

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Tohono O'odham Utility Authority Sells to Santa Rosa Fiber Optic Cable  
Project Right-of-Way, Sells District, Gu Achi District, Tohono O'odham Nation)**

RESOLUTION NO. 02-573

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 Right-of-Way within the Sells and Gu Achi Districts, to**  
12 **install a Fiber Optic Cable and related facilities from the Sells Community to the**  
13 **Santa Rosa Remote Office, Tohono O'odham Nation; and**

14 **WHEREAS, enhancement, reliability, as well as providing a range for growth of the existing**  
15 **telecommunications system will be accomplished as a result of this proposed project;**  
16 **and**

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

20 **WHEREAS, the Sells District Council did approve the requested Right-of-Way on 13 September**  
21 **2001; and**

22 **WHEREAS, the Gu Achi District Council also approved the requested Right-of-Way on 13 July**  
23 **2002; and**

24 **WHEREAS, the Sells to Santa Rosa Fiber Optic Cable Project Right-of-Way and related facilities**  
25 **will be of substantial benefit to the Tohono O'odham Nation and their respective**  
26 **members.**

27 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**

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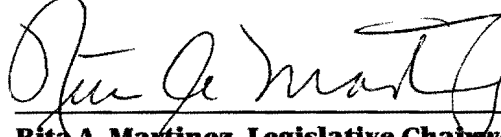
**(Approving Tohono O'odham Utility Authority Sells to Santa Rosa Fiber Optic Cable Project Right-of-Way, Sells District, Gu Achi District, Tohono O'odham Nation)**

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1                   **approve the Right-of-Way as requested by TOUA for the Sells to Santa Rosa Fiber Optic**  
2                   **Cable Project and related facilities in the location (as more fully described in the**  
3                   **attached map and staking sheets) and construction by TOUA or its designated**  
4                   **subsidiaries for uses consistent with the authorized purposes of TOUA.**

5   **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 02<sup>ND</sup> Day**  
6   **of DECEMBER, 2002 at a meeting at which a quorum was present with a vote of 2,229.2 FOR; -0-**  
7   **AGAINST; -0- NOT VOTING; and 188.3 [05] ABSENT, pursuant to the powers vested in the Council by**  
8   **Section 1 (c)(2) and (i)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted**  
9   **by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
10   **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
11   **18, 1934 (48 Stat. 984).**

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13                   **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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17                   **Rita A. Martinez, Legislative Chairwoman**

18                   09<sup>th</sup> day of December, 20 02

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21   **ATTEST:**

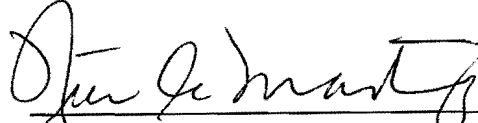
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24                   **Julianna Saraficio, Acting Legislative Secretary**

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26                   02<sup>nd</sup> day of December, 20 02.

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30   **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**  
31   **Nation on the 09<sup>th</sup> day of December, 20 02 at 4:52 o'clock, P .M.,**  
32   **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**  
33   **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**  
34   **submittal.**

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36                   **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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38                   **Rita A. Martinez, Legislative Chairwoman**

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APPROVED

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

DISAPPROVED

at 5:15 o'clock, P.M.



**EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 10 day of

December, 20 02, at 9:14 o'clock, A.M.

  
**Julianna Saraficio, Acting Legislative Secretary**

**ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY SELLS TO SANTA ROSA FIBER OPTIC CABLE PROJECT RIGHT-OF-WAY, SELLS DISTRICT, GU ACHI DISTRICT, TOHONO O'ODHAM NATION**

**MOVED: COUNCILWOMAN FRANCES ANTONE**

**SECOND: COUNCILWOMAN SANDRA ORTEGA**

**DATE: DECEMBER 02, 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			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			
	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			
	2. GLORIA RAMIREZ ( )	80.35	X			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			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>2,229.2</b>	<b>-0-</b>	<b>-0-</b>	<b>188.3 [05]</b>

**\*\*PASSED VOTES**