

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Covered Wells to Golden Ha:san Casino & Santa Rosa to Chuichu Fiber Optic Cable Project Rights-of-Way, Tohono O'odham Nation)

RESOLUTION NO. 03-125

- 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, TOUA requests permission for two (2) Fiber Optic Cable Project Rights-of-Way referred**
6 **to as the Covered Wells to Golden Ha:san Casino (Phase V) and the Santa Rosa to**
7 **Chuichu (Phase VI) to install a 48 Fiber Optic Cable and related facilities within each**
8 **project; and**
- 9 **WHEREAS, the Tohono O'odham Legislative Council did pass Resolution No 447-90 (Amending**
10 **the Restated Plan of Operation of the Tohono O'odham Utility Authority) and**
11 **Resolution No. 91-175 (Adopting Second Restated Plan of Operation for the Tohono**
12 **O'odham Utility Authority) which requires the Authority to submit for prior review**
13 **and approval of the Legislative Council and each affected District any proposed utility**
14 **easement; and**
- 15 **WHEREAS, enhancement, reliability, as well as providing a range for growth of the existing**
16 **telecommunications system will be accomplished as a result of this proposed project;**
17 **and**
- 18 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information (attached**
19 **hereto and incorporated herein by reference) for uses consistent with the authorized**
20 **purposes of TOUA; and**
- 21 **WHEREAS, the Covered Wells to Golden Ha:san Casino & the Santa Rosa to Chuichu Fiber Optic**
22 **Cable Project Rights-of-Way and related facilities will be of substantial benefit to the**
23 **Tohono O'odham Nation and their respective members; and**
- 24 **WHEREAS, the District Councils of Hikiwan, Gu Achi & Pisinemo approved the Covered Wells to**
25 **Golden Ha:san Fiber Optic Cable Project Right-of-Way on February 08, February 22**
26 **& February 25, 2003, respectively; and**
- 27 **WHEREAS, the Sif Oidak & Gu Achi District Councils approved the Santa Rosa to Chuichu Fiber**
28 **Optic Cable Project Right-of-Way on November 10, 2001 & February 22, 2003; and**
- 29 **WHEREAS, the Natural Resources Committee reviewed the requested Right-of-Way on February**
30 **28, 2003 and by consensus recommends approval thereof by the Legislative Council.**
31

RESOLUTION NO. 03-125

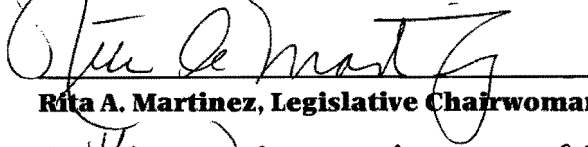
(Approving Tohono O'odham Utility Authority Covered Wells to Golden Ha:san Casino & Santa Rosa to Chui Chu Fiber Optic Cable Project Rights-of-Way, Tohono O'odham Nation)

Page 2 of 3

1 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council does hereby
2 **approve two (2) Rights-of-Way** as requested by TOUA for the Covered Wells to Golden
3 **Ha:san Casino & Santa Rosa to Chuichu Fiber Optic Cable Projects** and related
4 **facilities in the location** (as more fully described in the attached maps and supporting
5 **documents) and construction** by TOUA or its designated subsidiaries for uses
6 **consistent with the authorized purposes of TOUA.**

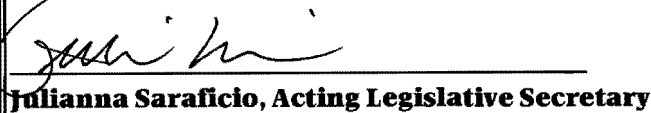
7 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06TH. Day**
8 **of MARCH, 2003** at a meeting at which a quorum was present with a vote of 2,417.5 FOR; -0-
9 **AGAINST; -0- NOT VOTING; and [03] ABSENT**, pursuant to the powers vested in the Council by
10 **Section 1 (c)(2) and (i)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted**
11 **by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
12 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
13 **18, 1934 (48 Stat. 984).**

14
15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

16 
17
18 **Rita A. Martinez, Legislative Chairwoman**

19 13th day of March, 20 03

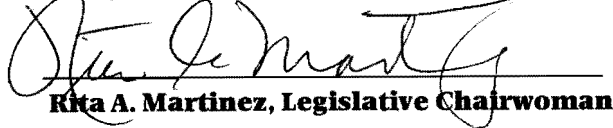
20
21
22
23 **ATTEST:**

24 
25
26 **Julianna Saraficio, Acting Legislative Secretary**

27 06 day of March, 20 03.

28
29
30 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
31 **Nation on the 13th day of March, 20 03 at 4:13 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.**

35
36
37 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

38 
39
40 **Rita A. Martinez, Legislative Chairwoman**

41
42
43
44

RESOLUTION NO. 03-125

(Approving Tohono O'odham Utility Authority Covered Wells to Golden Ha:san Casino & Santa Rosa to Chui Chu Fiber Optic Cable Project Rights-of-Way, Tohono O'odham Nation)

Page 3 of 3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

APPROVED

on the 17 day of March, 2003

DISAPPROVED

at 2:08 o'clock, 10 .M.

Edward D. Manuel
EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 17th day of

March, 2003, at 3:07 o'clock, P.M.

Julianna Saraficio for
Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY COVERED WELLS TO GOLDEN HA:SAN CASINO& SANTA ROSA TO CHUI CHU FIBER OPTIC CABLE PROJECT RIGHTS-OF-WAY, TOHONO O'ODHAM NATION

MOVED: COUNCILMAN ISIDRO LOPEZ

SECOND: COUNCILMAN ALBERT MANUEL, JR.

DATE: MARCH 06, 2003

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			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			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			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 (Nicholas Jose)	92.35	X			
	2. RITA MARTINEZ ()	92.35	X			
TOTAL		2,417.5	2,417.5	-0-	-0-	[03]

**PASSED VOTES