

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Garcia Strip Community Telecommunications
Right-of-Way, Schuk Toak District, Tohono O'odham Nation)

RESOLUTION NO. 03-174

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**
3 **constructing, maintaining and operating various utility systems within the Nation**
4 **to be owned wholly by the Nation; and**

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

11 **WHEREAS, TOUA requests permission for a Telecommunications Right-of-Way within Schuk**
12 **Toak District, to install two 50 Pair Copper Cables and related facilities from the**
13 **Schuk Toak Farms to the communities of Garcia Strip, Tohono O'odham Nation; and**

14 **WHEREAS, TOUA Electric Utility may utilize the requested Right-of-Way for construction and**
15 **maintenance purposes should the residents of the Garcia Strip Community find it**
16 **feasible to be served by TOUA Electric Utility; 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**
19 **authorized purposes of TOUA; and**

20 **WHEREAS, the TOUA Garcia Strip Community Telecommunications Right-of-Way and related**
21 **facilities will be of substantial benefit to the Tohono O'odham Nation and their**
22 **respective members; and**

23 **WHEREAS, the Schuk Toak District Council did approve the requested Right-of-Way by its**
24 **Resolution No. S.T. 03-22-03-07; and**

25 **WHEREAS, the Natural Resources Committee reviewed the requested Right-of-Way on 04 April**
26 **2003 and by consensus does recommend approval thereof by the Legislative Council.**

27 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
28 **approve the Right-of-Way as requested by TOUA for the Garcia Strip Community**
29 **Telecommunications System and related facilities in the location (as more fully**
30 **described in the attached map, legal description and supporting documents) and**
31 **construction by TOUA or its designated subsidiaries for uses consistent with the**
32 **authorized purposes of TOUA.**

RESOLUTION NO. 03-174

(Approving Tohono O'odham Utility Authority Garcia Strip Community Telecommunications Right-of-Way, Schuk Toak District, Tohono O'odham Nation)

Page 2 of 3

1 **BE IT FINALLY RESOLVED that the Garcia Strip Community Telecommunications System Right-of-**
2 **Way may be utilized for the construction and maintenance of TOUA Electric Utility**
3 **should the residents find it feasible to be served with TOUA Electric Utility.**


4 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH Day**
5 **of APRIL, 2003 at a meeting at which a quorum was present with a vote of 2,323.35 FOR; -0-**
6 **AGAINST; 94.15 NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**
7 **Section 1 (c)(2) and (i) (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).**

11 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

12 
13 _____
14 Rita A. Martinez, Legislative Chairwoman

15 14th day of April, 2003

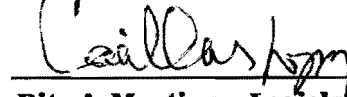
17
18 **ATTEST:**

19 
20 _____
21 Julianna Saraficio, Acting Legislative Secretary

22
23 08 day of April, 2003.

24
25 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
26 **Nation on the 14th day of April, 20 03 at 3:17 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**


31 
32 _____
33 Rita A. Martinez, Legislative Chairwoman

34
35
36
37
38 **APPROVED**

on the 16 day of April, 2003

39
40 **DISAPPROVED**

at 9:40 o'clock, A..M.

41
42
43 
44 _____
45 EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

RESOLUTION NO. 03-174

(Approving Tohono O'odham Utility Authority Garcia Strip Community Telecommunications Right-of-Way, Schuk Toak District, 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

Returned to the Legislative Secretary on the 14th day of

April, 2003, at 11:10 o'clock, A.M.

Julianna Saraficio
Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY GARCIA STRIP COMMUNITY TELECOMMUNICATIONS RIGHT-OF-WAY, SCHUK TOAK DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN MARY FLORES

SECOND: COUNCILMAN AMBROSE ENCINAS

DATE: APRIL 08, 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			
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			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 (Nicholas Jose)	92.35	X			
	2. RITA MARTINEZ ()	92.35	X			
TOTAL		2,417.5	2,323.35	-0-	94.15	[01]

****PASSED VOTES**