

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Kupk & Dirtburn Community Electric Powerline & Telecommunications System Right-of-Way, Pisinemo District, Tohono O'odham Nation)

RESOLUTION NO. 03-210

- 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, the Indian Health Service has designated funds for improvements to the existing**
12 **Dirtburn Community Well Site which will be the primary source of a planned water**
13 **distribution system for the communities of Kupk & Dirtburn; and**
- 14 **WHEREAS, TOUA requests permission for an Electric Powerline Right-of-Way to install a Single**
15 **Phase Overhead Powerline and related facilities from the Pisinemo Well Sites 3 & 4**
16 **through the community of Kupk & onto the Dirtburn Community Well Site, Pisinemo**
17 **District, Tohono O'odham Nation; and**
- 18 **WHEREAS, TOUA Telecommunications may utilize the requested Right-of-Way for construction**
19 **and maintenance purposes should it be feasible to provide land line services to the**
20 **residents of Kupk and Dirtburn; and**
- 21 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information (attached**
22 **hereto and incorporated herein by reference) for uses consistent with the**
23 **authorized purposes of TOUA; and**
- 24 **WHEREAS, the TOUA Kupk & Dirtburn Community Electric Powerline & Telecommunications**
25 **System Right-of-Way and related facilities will be of substantial benefit to the**
26 **Tohono O'odham Nation and their respective members.**
- 27 **WHEREAS, the Pisinemo District Council approved the requested Right-of-Way on 22 April 2003**
28 **by its Resolution No. 2003-12; and**
- 29 **WHEREAS, the Natural Resources Committee reviewed the requested Right-of-Way on 25 April**
30 **2003 and by consensus does recommend approval thereof by the Tohono O'odham**
31 **Legislative Council.**

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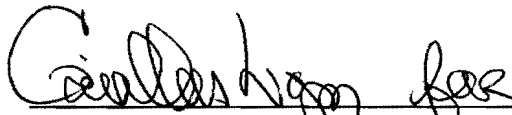
(Approving Tohono O'odham Utility Authority Kupk & Dirtburn Community Electric Powerline & Telecommunications System Right-of-Way, Pisinemo District, Tohono O'odham Nation)

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1 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby
2 approve the Right-of-Way as requested by TOUA for the Kupk & Dirtburn Electric
3 Powerline & Telecommunications System and related facilities in the location (as
4 more fully described in the attached map and legal description) and construction
5 by TOUA or its designated subsidiaries for uses consistent with the authorized
6 purposes of TOUA

7 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH Day
8 of MAY, 2003 at a meeting at which a quorum was present with a vote of 2,417.5 FOR; -0- AGAINST;
9 -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Section 1 (c)(2)
10 & (i)(2) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the Tohono
11 O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -
12 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
13 Stat. 984).

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15 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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18 Rita A. Martinez, Legislative Chairwoman

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20
21 12th day of May, 2003
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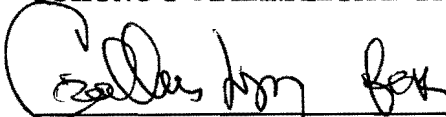
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24 ATTEST:

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28 Julianna Saraficio, Acting Legislative Secretary

29
30 07th day of May, 2003.
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33 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
34 Nation on the 12th day of May, 2003 at 10:18 o'clock, A.M.,
35 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
36 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
37 submittal.

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39 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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42 Rita A. Martinez, Legislative Chairwoman
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APPROVED

on the 12 day of May, 2003

DISAPPROVED

at 1:10 o'clock, P.M.

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

Returned to the Legislative Secretary on the 14th day of

May, 2003, at 8:47 o'clock, A.M.

Julianna Saraficio
Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY KUPK & DIRTBURN COMMUNITY ELECTRIC POWERLINE & TELECOMMUNICATIONS SYSTEM RIGHT-OF-WAY, PISINEMO DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN FERN SALCIDO

SECOND: COUNCILWOMAN FRANCES MIGUEL

DATE: MAY 07, 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			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			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 (Nicholas Jose)	92.35	X			
	2. RITA MARTINEZ ()	92.35	X			
TOTAL		2,417.5	2,417.5	-0-	-0-	[02]

****PASSED VOTES**