

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

RESOLUTION NO. 03-570

- 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 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 utility**
10 **easement; and**
- 11 **WHEREAS, TOUA requests permission for a Right-of-Way to construct the Sells Fiber Optic Cable**
12 **Project and related facilities to serve the Tohono O'odham Nation's Department of**
13 **Information Technology, community of Sells, Sells District, Tohono O'odham Nation;**
14 **and**
- 15 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information**
16 **(incorporated herein by reference) for uses consistent with the authorized purposes**
17 **of TOUA; and**
- 18 **WHEREAS, the Sells Fiber Optic Cable Project and related facilities will be of substantial benefit**
19 **to the Tohono O'odham Nation and their respective members; and**
- 20 **WHEREAS, the Sells Community & District Council did approve the TOUA Sells Fiber Optic Cable**
21 **Project Right-of-Way as presented on December 08 & 11, 2003, respectively; and**
- 22 **WHEREAS, the Natural Resources Committee did review the request on December 15, 2003 and**
23 **by consensus recommends approval thereof by the Tohono O'odham Legislative**
24 **Council.**
- 25 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
26 **approve the Right-of-Way as requested by TOUA for the Sells Fiber Optic Cable Project**
27 **and related facilities in the location (as more fully described in the attached Project**

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

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Route Sheet) and construction by TOUA or its designated subsidiaries for uses consistent with the authorized purposes of TOUA.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 16TH Day of DECEMBER, 2003 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Section 2(d)(2) & (3) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Dennis Ramon, Legislative Chairman

19th day of December, 2003

ATTEST:


Vivian Hedrington, Legislative Secretary

16 day of December, 2003.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 19th day of December, 2003 at 10:44 o'clock, A.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

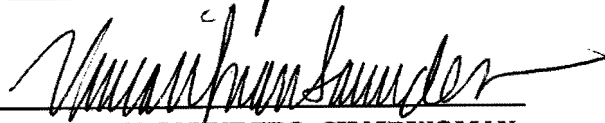

Dennis Ramon, Legislative Chairman

APPROVED

on the 19 day of December, 2003

DISAPPROVED

at 12:19 o'clock, P.M.


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

RESOLUTION NO. 03-570

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

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Returned to the Legislative Secretary on the 19 day of

December, 2003, at 12:40 o'clock, P.M.

Vivian Hedrington

Vivian Hedrington, Legislative Secretary

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

MOVED: COUNCILMAN DENNIS JOSE

SECOND: COUNCILMAN JEROME JOAQUIN

DATE: DECEMBER 16, 2003

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30	X			
SELLS 465.6	1. DENNIS E. JOSE ()	232.80	X			
	2. EVELYN JUAN ()	232.80	X			
SCHUK TOAK 176.1	1. FRANCES B. CONDE ()	88.05	X			
	2. PHYLLIS JUAN ()	88.05	X			
SAN XAVIER 215.4	1. FELICIA NUÑEZ ()	107.70	X			
	2. DENNIS RAMON (Eleanore Hunter)	107.70	X			
SAN LUCY 166.3	1. JOHN W. LAWSON, SR. ()	83.15	X			
	2. GLORIA RAMIREZ ()	83.15	X			
PISINEMO 175.4	1. BARBARA SALVICIO ()	87.70	X			
	2. PATRICIA CRUZ ()	87.70	X			
HICKIWAN 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			
	2. SANDRA ORTEGA ()	85.15	X			
GU VO 191.4	1. RAYMOND VICTOR ()	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			
GU ACHI 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN ()	126.80	X			
CHUKUT KUK 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			
BABOQUIVARI 364.1	1. FRANCES MIGUEL (Lucilda Norris-Valenzuela)	182.05	X			
	2. FRANCES G. ANTONE ()	182.05	X			X
TOTAL		2,629.7	2,629.7	-0-	-0-	[01]

**PASSED VOTES