

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Adopting Restated Plan of Operation for the
Tohono O'odham Utility Authority)

RES. NO. 328-90

1 WHEREAS, the Papago Council, predecessor of the Tohono O'odham
2 Legislative Council, did on May 8, 1970, by Resolution
3 No. 18-70, adopt a Plan of Operation for the Papago
4 Tribal Utility Authority ("Authority") and thereby
5 create and establish the legal existence of the
6 Authority; and

7 WHEREAS, since the creation of the Authority, the Legislative
8 Council has on occasion amended the original Plan of
9 Operation in order, *inter alia*, to increase its
10 borrowing power, to change its fiscal year, and to
11 expand its authority to provide telephone and cellular
12 radio services; and

13 WHEREAS, in order to meet the requirements of the new
14 Constitution of the Tohono O'odham Nation and to
15 facilitate the management and operation of the
16 Authority, the Management Board of the Authority has
17 recommended certain amendments to the Plan of Operation
18 which are incorporated into a Restated Plan of Operation
19 and which, *inter alia*, (1) will change the name of the
20 Authority from Papago Tribal Utility Authority to Tohono
21 O'odham Utility Authority, (2) will grant to the
22 Authority a general franchise or permit to use the lands
23 and rights-of-way of the Tohono O'odham Nation for
24 utility purposes, (3) will alter the method by which the
25 directors of the Management Board are appointed, and (4)
26 will add certain fiscal and audit control provisions to
27 the Plan of Operation paralleling those recommended by
28 the REA, the Authority's principal lender; and

29 WHEREAS, the Rules and Commerce Committees of the Legislative
30 Council have reviewed the Restated Plan of Operation and
31 have recommended adoption thereof.

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1 NOW, THEREFORE, BE IT RESOLVED by the Legislative Council that it
 2 does hereby approve the amendments to the Plan of
 3 Operation of the Papago Tribal Utility Authority
 4 contained in the Restated Plan of Operation, and does
 5 hereby adopt the Restated Plan of Operation of the
 6 Tohono O'odham Utility Authority, formally known as the
 7 Papago Tribal Utility Authority.

8 The foregoing Resolution was passed by the Tohono O'odham Council
 9 on the 17th. day of September, 1990 at a meeting at which a
 10 quorum was present with a vote of 1,483.0 for; 63.5 against;
 11 177.5 not voting; 04 absent, pursuant to the powers vested in
 12 the Council by Section 1 (b)(c)(e) and (i) and Section 2 (d) of
 13 Article VI of the Constitution of the Tohono O'odham Nation,
 14 adopted by the Tohono O'odham Nation on January 18, 1986, and
 15 approved by the Acting Deputy Assistant Secretary - Indian
 16 Affairs (Operations) on March 6, 1986, pursuant to Section 16 of
 17 the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

18 Edward D. Manuel
 19 Edward D. Manuel, Legislative Chairman
 20 21st day of SEPTEMBER, 1990.

ATTEST:

21 Teresa M. Choyguha
 22 Teresa M. Choyguha, Legislative Secretary
 23 21st day of September, 1990.

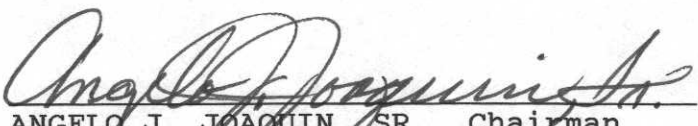
24
 25 Said Resolution was submitted for approval to the office of the
 26 Chairman of the Tohono O'odham Nation on the 21st day of
 27 SEPTEMBER, 1990, at 11:48 o'clock, A.M.,
 28 pursuant to the provisions of Section 5 of Article VII of the
 29 Constitution and will become effective upon his approval or upon
 30 his failure to either approve or disapprove it within 48 hours of
 31 submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

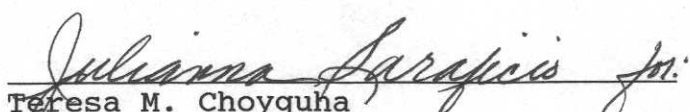
32 Edward D. Manuel
 Edward D. Manuel, Legislative Chairman

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[] APPROVED) on the 24 day of Sept., 1990.
[] DISAPPROVED) at 4:02 o'clock, P..M.


ANGELO J. JOAQUIN, SR., Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 25th day of
September, 1990, at 8:32 o'clock, A.M.


Teresa M. Choyguha
Legislative Secretary

MOVED: Joseph Juan

SUBJECT: Adopting Restated Plan of

SECOND: Lloyd Francisco

Operation for the Tohono O'odham

DATE: September 17, 1990

Utility Authority

RESOLUTION NO. 328-90

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
	2. Joann Garcia (Frances Miguel)	114.5	X			
CHUKUT KUK 163.0	1. Rosita Ruiz (Rosemary Lopez)	81.5	X			X
	2. Kenneth G. Williams (Harriet Toro)	81.5	X			
GU ACHI 166.0	1. Percy Lopez ()	83.0	X			X
	2. Alex J. Ramon (Fernando Joaquin)	83.0	X			
GU VO 114.0	1. Cross Antone (Juan Joe Cipriano)	57.0			X	
	2. Virgil Lewis (Michael Flores)	57.0			X	X
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5	X			
	2. Lenora Montana ()	62.5	X			
PISINEMO 119.0	1. Johnson Jose ()	59.5	X			
	2. Edward Manuel** (Alex Antone)	59.5	X			
SAN LUCY 106.0	1. Albert Manuel, Jr** (Max P. Jose)	53.0	X			
	2. John Reno ()	53.0	X			
SAN XAVIER 127.0	1. Eugene Enis. Sr. (Michael Rios)	63.5			X	
	2. Joanne C. Preston (Carmelita Mattias)	63.5		X		
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela Sr.)	53.5	X			
	2. Joseph Juan (Frances Francisco)	53.5	X			
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio** (Daniel Lopez)	155.0	X			
SIF OIDAK 158.0	1. Mary Ann Antone (Nina Jose)	79.0	X			
	2. Willard Juan, Sr. (Melissa Gregorio)	79.0	X			
TOTAL		1,724.0	1,483.0	63.5	177.5	04