

RESOLUTION OF THE PAPAGO COUNCIL

RES. NO. 34-73

WHEREAS, on March 15, 1973, the Papago Tribal Utility Authority enacted a resolution requesting authorization of The Papago Council to borrow funds, on behalf of the Papago Tribe, from the Rural Electrification Administration (REA) and other financial sources as well as to assume the indebtedness of third parties to the United States of America, such loans and such assumptions of indebtedness to be in such amounts and upon such terms as the Management Board of PTUA shall deem advisable to finance the construction, acquisition and operation of such electric generating, transmission, distribution and service facilities as the Management Board shall from time to time determine upon, provided, however, that the aggregate amount of such indebtedness so assumed shall not exceed SIX MILLION DOLLARS (\$6,000,000) at any one time; and

WHEREAS, PTUA requests that it be authorized to allow its Management Board to cause the proper officers, on behalf of the Papago Tribe, from time to time, to execute, seal and deliver notes, bonds, or other evidences of indebtedness to evidence and secure indebtedness created by such loans and assumptions to refund the notes, bonds, or other evidences of indebtedness hereafter issued pursuant to the authorization requested, all upon such terms as the Management Board shall determine; and

WHEREAS, PTUA is limited by its Plan of Operation (Article 13. B. § 8) to an expenditure of \$200,000 without prior approval of The Papago Council; and

WHEREAS, it is necessary that the debt limit of PTUA be extended to the sum of SIX MILLION DOLLARS (\$6,000,000) in order that PTUA may fully comply with its responsibilities in the pursuit of the purposes as set forth in its Plan of Operation,

NOW, THEREFORE, BE IT RESOLVED BY THE PAPAGO COUNCIL:

1. That the Papago Tribal Utility Authority (PTUA) be, and hereby is, authorized, on behalf of the Papago Tribe, to borrow from time to time monies from the United States of America, pursuant to the provisions of the Rural Electrification Act of 1936, as amended, and from other financial sources, as well as to assume the indebtedness of third parties to the United States of America, such loans and such assumptions of indebtedness to be in such amounts and upon such terms as the Management Board of PTUA shall deem advisable to finance the construction, acquisition and operation of such electric generating, transmission, distribution and service facilities as the Management Board shall from

time to time determine upon, provided, however, that the aggregate amount of such indebtedness so assumed shall not exceed a debt limit of SIX MILLION DOLLARS (\$6,000,000) at any one time.

BE IT FURTHER RESOLVED that the Papago Tribal Utility Authority (PTUA) be authorized to allow its Management Board to cause the proper officers on behalf of the Papago Tribe, from time to time, to execute, seal and deliver notes, bonds, or other evidences of indebtedness to evidence and secure indebtedness created by such loans and assumptions, to refund the notes, bonds, or other evidences of indebtedness hereafter issued pursuant to the authorization herein contained, all upon such terms as the Management Board shall determine.

The foregoing Resolution was duly enacted by The Papago Council on the 22nd day of June, 1973, at a meeting at which a quorum was present with a vote of 13 for, 0 against, 2 not voting, and 7 absent, pursuant to authority vested in the Papago Council by Sections 2(a), (d) and (e) and 3(a), (g) and (h) of Article V of the Constitution and By-Laws of the Papago Tribe of Arizona, ratified by the Tribe on December 12, 1936, and approved by the Secretary of the Interior on January 6, 1937, pursuant to Section 16 of the Act of June 18, 1934. Said Resolution is effective as of the date of its approval by the Superintendent of the Papago Agency and is subject to review by the Secretary of the Interior.

THE PAPAGO COUNCIL

ATTEST:

Betsy J. Norris
Betsy J. Norris, Secretary

By: Augustine B. Lopez
Augustine B. Lopez, Chairman

Joseph M. Lucero
Joseph M. Lucero
Superintendent
The Papago Agency

APPROVED: June 25, 1973

