

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'Odham Utility Authority in Constructing a Sewer Main
Extension and combined Right-of-Way 50 feet wide and 1,788 feet long Totaling
2.30 acres of Land)**

RESOLUTION NO. 11-054

1 **WHEREAS, by Resolution No. 08-70, the Papago Tribe of Arizona established the Papago Tribal**
2 **Utility Authority, now known as Tohono O'Odham Utility Authority (TOUA) for purposes**
3 **of 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. 91-175 (Adopting**
6 **Second Restated Plan of Operation for the Tohono O'Odham Utility Authority) which**
7 **requires the Authority to submit for prior review and approval of the Legislative**
8 **Council and each affected District any proposed utility easement; and**

9 **WHEREAS, TOUA request permission for a combined Right-of-Way to install a Sewer main**
10 **extension and related facilities and utilities for the Sells Community, Sells District,**
11 **Tohono O'Odham Nation; and**

12 **WHEREAS, the requested combined right-of-way for the sewer main extension is 50 feet wide and**
13 **1,788 feet long which encompasses 2.30 acres of tribal land more or less; and**

14 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information**
15 **incorporated herein by references for uses consistent with the authorized purpose of**
16 **TOUA; and**

17 **WHEREAS, the Sells Sewer Main Extension Project was presented at the Sells Community meeting**
18 **held on October 11, 2010, with no objections from those who were present; and**

19 **WHEREAS, the Sells District Council approved the proposed Right-of-Way on December 9, 2010,**
20 **with enactment of Sells District Council Resolution No. SD-95-10; and**

21 **WHEREAS, the Legislative Council Natural Resources and Water Committees did review the**
22 **supporting documents and project and recommends approval thereof by the Tohono**
23 **O'Odham Legislative Council; and**

24 **WHEREAS, the Sells Sewer Main Project and related facilities and utilities will be of substantial**
25 **benefit to the Sells Community, Sells District, Tohono O'Odham Nation and their**
26 **respective members.**

27 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'Odham Legislative Council does hereby**
28 **approve the combined Right-of-Way as requested by TOUA for the installation of the**
29 **Sewer Main Extension and related facilities and utilities in the location (as more fully**

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1 described in the referenced map and supporting documents) to be constructed by
2 TOUA or its designated subsidiaries for uses consistent with the authorized purposes
3 of TOUA.

4 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH Day
5 of FEBRUARY, 2011 at a meeting at which a quorum was present with a vote of 2,421.0 FOR; -0-
6 AGAINST; -0- NOT VOTING; and 174.50[03] ABSENT, pursuant to the powers vested in the Council
7 by Article VI, Section 1 (i) of the Constitution of the Tohono O'odham Nation, adopted by the
8 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).

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12 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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16 Verlon M. Jose, Legislative Chairman

17
18 11th day of February, 2011

19
20 ATTEST:

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23 Evonne Wilson, Legislative Secretary

24
25 11 day of February, 2011.

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27 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
28 Nation on the 11th day of February, 2011 at 7:07 o'clock, P.M.,
29 pursuant to the provisions of Section 5 of Article VI of the Constitution and will become effective
30 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
31 submittal.

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33 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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37 Verlon M. Jose, Legislative Chairman

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41 APPROVED

on the 11 day of February, 2011

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43 DISAPPROVED

at 4:19 o'clock, P.M.

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46 
47 NED NORRIS, JR., CHAIRMAN
48 TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 11 day of

February, 2011, at 4:41 o'clock, P.M.

Evonne Wilson

Evonne Wilson, Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY IN CONSTRUCTING A SEWER MAIN EXTENSION AND COMBINED RIGHT-OF-WAY 50 FEET WIDE AND 1,788 FEET LONG TOTALING 2.30 ACRES OF LAND

MOVED: COUNCILWOMAN KIMBERLY MULL

SECOND: COUNCILWOMAN EVELYN JUAN MANUEL

DATE: FEBRUARY 09, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			
	2. MARY LOPEZ ()	99.35	X			
SELLS 449.6	1. KIMBERLY LISTO ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (<i>Absent</i>) (Eugene Enis) (<i>Present</i>)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X			
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25				X
	2. SANDRA ORTEGA ()	87.25				X
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	115.05	X			X
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			
BABOQUIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	162.0	X			
TOTAL		2,595.50	2,421.0	-0-	-0-	174.50 [03]