

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'Odham Utility Authority in Constructing a Residential
Water/Sewer Project Within a Right-of-Way on Tribal Lands Totaling 2.82 acres)**

RESOLUTION NO. 11-055

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 water and sewer**
10 **main line and related facilities and utilities for the Wa:k Community San Xavier**
11 **District, Tohono O'Odham Nation; and**

12 **WHEREAS, the requested combined right-of-way for the water and sewer main line encompasses**
13 **2.82 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 San Xavier Housing Water/Sewer Main Project was presented at the District**
18 **Community meeting held on July 24, 2010, with no objections from those who were**
19 **present; and**

20 **WHEREAS, the San Xavier District Council approved the proposed Right-of-Way on December 14,**
21 **2010, with enactment of San Xavier District Council Resolution No. SXDC12-10-01; and**

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

25 **WHEREAS, the San Xavier Housing Water/Sewer Main Project and related facilities and utilities**
26 **will be of substantial benefit to the Wa:k Community, San Xavier District, Tohono**
27 **O'Odham Nation and their respective members.**

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

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

11 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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15 *Felicia M. Jose*
16 Verlon M. Jose, Legislative Chairman

17
18 11th day of February, 2011

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20 ATTEST:

21 *Evonne Wilson*
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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 4:07 o'clock, P.M.,
29 pursuant to the provisions of Section 5 of Article VII 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.

32 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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36 *Felicia M. Jose*
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 4:21 o'clock, P.M.

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46 *Ned Norris, Jr.*
47 NED NORRIS, JR., CHAIRMAN
48 TOHONO O'ODHAM NATION

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1 Returned to the Legislative Secretary on the 11 day of

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

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5 Evonne Wilson
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7 **Evonne Wilson, Legislative Secretary**

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ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY IN CONSTRUCTING A RESIDENTIAL WATER/SEWER PROJECT WITHIN A RIGHT-OF-WAY ON TRIBAL LANDS TOTALING 2.82 ACRES

MOVED: VICE CHAIRWOMAN FELICIA NUNEZ

SECOND: COUNCILWOMAN MARY LOPEZ

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]