

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving an Encroachment Permit Application submitted by the Tohono O'odham
Utility Authority for utility purposes upon a right-of-way issued to the Bureau of
Indian Affairs for BIA Route 22 at a location within the Mountain Village Community
of the Gu Achi District and approving with the work described therein)

RESOLUTION NO. 18-119

1 **WHEREAS, Article XVI, Section 1, of the Constitution of the Tohono O'odham Nation provides**
2 **that control and management of the lands of the Tohono O'odham Nation**
3 **("Nation") are vested in the Legislative Council of the Nation; and**
4 **WHEREAS, the Nation has approved the issuance of a right-of-way to the Bureau of Indian**
5 **Affairs ("BIA") for BIA Route 22, which serves the Mountain Village Community of**
6 **the Gu Achi District; and**
7 **WHEREAS, the Tohono O'odham Utility Authority ("TOUA") has proposed a project ("Project")**
8 **which will provide for the installation of water and telephone lines to Lonnie**
9 **Antone's residence which is located along BIA Route 22 within the Gu Achi**
10 **District; and**
11 **WHEREAS, in order to complete the Project, TOUA will need to bore underneath BIA Route 22**
12 **and may need to open the road pavement to construct a trench across the road**
13 **for the installation of a 40 foot, 4 inch encasement as depicted on the map TOUA**
14 **submitted with its Encroachment Permit Application; and**
15 **WHEREAS, the BIA will not allow TOUA to do any work within a right-of-way issued to the BIA**
16 **until an encroachment permit has been issued; and**
17 **WHEREAS, TOUA has completed an Encroachment Permit Application, which is**
18 **incorporated by this reference, for the issuance of an encroachment permit; and**
19 **WHEREAS, a resolution from the Nation approving the Encroachment Permit Application**
20 **and the work described therein must be included with such application; and**
21 **WHEREAS, the Gu Achi District Council approved Resolution No. 1210-292 which grants a**
22 **home site assignment to Lonnie Antone and grants permission to TOUA to**
23 **proceed with the necessary services for utility and sanitation hookups; and**
24 **WHEREAS, the Agricultural and Natural Resources Committee has reviewed the attached**
25 **Encroachment Permit Application and supporting documents and recommends**
26 **its approval.**
27 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
28 **Encroachment Permit Application for utility purposes upon a right-of-way issued**
29 **to the Bureau of Indian Affairs for BIA Route 22 and approves the work described**
30 **in the Encroachment Permit Application.**
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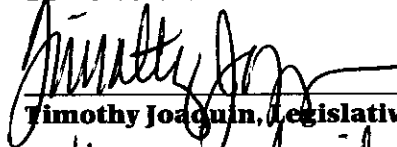
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1 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10TH
2 day of APRIL, 2018 at a meeting at which a quorum was present with a vote of 3,084.6 FOR; -0-
3 AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by
4 Article XVI, Section 1 of the Constitution of the Tohono O'odham Nation, adopted by the Tohono
5 O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -
6 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934
7 (48 Stat.984).
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman
11 day of April, 2018

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17 ATTEST:

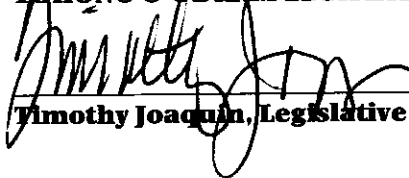


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20 Evonne Wilson, Legislative Secretary

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22 11 day of April, 2018
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24 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
25 O'odham Nation on the 11 day of April, 2018 at 4:00 o'clock, p.m.,
26 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
27 effective upon his approval or upon his failure to either approve or disapprove it within 48
28 hours of submittal.
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30 TOHONO O'ODHAM LEGISLATIVE COUNCIL



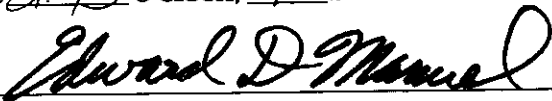
Timothy Joaquin, Legislative Chairman

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39 APPROVED

on the 13th day of April, 2018

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41 DISAPPROVED

at 2:43 o'clock, p.m.



EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION
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Returned to the Legislative Secretary on the 13 day of

April, 2018, at 3:50 o'clock, P.m.

Deanna Juan Jr.
Evonne Wilson, Legislative Secretary

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ACTION: APPROVING AN ENCROACHMENT PERMIT APPLICATION SUBMITTED BY THE TOHONO O'ODHAM UTILITY AUTHORITY FOR UTILITY PURPOSES UPON A RIGHT-OF-WAY ISSUED TO THE BUREAU OF INDIAN AFFAIRS FOR BIA ROUTE 22 AT A LOCATION WITHIN THE MOUNTAIN VILLAGE COMMUNITY OF THE GU ACHI DISTRICT AND APPROVING WITH THE WORK DESCRIBED THEREIN

Moved: COUNCILMAN LOUIS R. LOPEZ

SECOND: COUNCILWOMAN MONICA K. MORGAN

DATE: APRIL 10, 2018

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ()	117.9	X			X
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel)	263.6	X			X
	2. ADRIANNE TILLER (Idaleen Reyes)	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. <i>(Absent)</i> (Teresa F. Donahue) <i>(Present)</i>	92.85	X			
	2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez)	116.15	X			
	2. JANICE FELIX ()	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel)	115.55	X			
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55	X			
PISINEMO 225.9	1. CHESTER ANTONE <i>(Absent)</i> (Caroline D. Garcia) <i>(Present)</i>	112.95	X			
	2. MONICA K. MORGAN ()	112.95	X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (Shirley Molina)	104.5	X			X
	2. SANDRA D. ORTEGA ()	104.5	X			
GU VO 256.9	1. GRACE MANUEL ()	128.45	X			X
	2. DALLAS LEWIS (Nacho Flores)	128.45	X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X			
	2. LORETTA LEWIS (Victoria Hobbs)	135.45	X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			
	2. LEANDER MASE (Francine Schooling)	186.05	X			
TOTAL		3,084.6	3,084.6	-0-	-0-	[04]