

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Hickiwan/Vaya Chin Regional Water
System Right-of-Way & the Westside Clinic Inter-tie Right-of-Way, Hickiwan and
Pisinemo Districts, Tohono O'odham Nation)

RESOLUTION NO. 02-083

1 **WHEREAS, by Resolution No. 08-70 the Nation established the Papago Tribal Utility Authority,**
2 **now known as Tohono O'odham Utility Authority (TOUA) for purposes of constructing,**
3 **maintaining and operating various utility systems within the Nation to be owned**
4 **wholly by the Nation; and**

5 **WHEREAS, the Tohono O'odham Legislative Council on 10 December 1990 did pass Resolution**
6 **No. 447-90 (Amending the Restated Plan of Operation of the Tohono O'odham Utility**
7 **Authority) and Resolution No. 91-175 (Adopting Second Restated Plan of Operation for**
8 **the Tohono O'odham Utility Authority) which requires the Authority to submit for**
9 **prior review and approval of the Legislative Council and each affected District any**
10 **proposed utility easement; and**

11 **WHEREAS, TOUA requests permission for Rights-of-Way to construct the Hickiwan/Vaya Chin**
12 **Regional Water System & the Westside Clinic Inter-tie and related facilities to serve**
13 **the communities of Hickiwan & Vaya Chin, the Westside Clinic, within Hickiwan and**
14 **Pisinemo Districts, Tohono O'odham Nation; and**

15 **WHEREAS, the Hickiwan District Council Resolution No. 98-24 approves both the Hickiwan/Vaya**
16 **Chin Regional Water System & the Westside Clinic Inter-tie Projects; and**

17 **WHEREAS, the Hickiwan District Council also approved the requested Rights-of-Way at a**
18 **meeting on 09 February 2002 with enactment of Resolution No. 02-02; and**

19 **WHEREAS, the Pisinemo District Council Resolution No. 00-27 approves the Right-of-Way for the**
20 **Westside Clinic Water Line through Pisinemo District; and**

21 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information (attached**
22 **hereto and incorporated herein by reference) for uses consistent with the authorized**
23 **purposes of TOUA; and**

24 **WHEREAS, the Natural Resources Committee by consensus has approved the Right-of-Way**
25 **request on 01 March 2002 and recommends further approval thereof by the Tohono**
26 **O'odham Legislative Council; and**

27 **WHEREAS, the Hickiwan/Vaya Chin Regional Water System & the Westside Clinic Inter-tie and**
28 **related facilities will be of substantial benefit to the Hickiwan and Pisinemo Districts,**
29 **the Tohono O'odham Nation and their respective members.**

RESOLUTION NO. 02-083

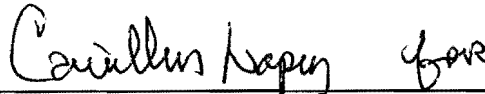
(Approving Tohono O'odham Utility Authority Hickiwan/Vaya Chin Regional Water System Right-of-Way & the Westside Clinic Inter-tie Right-of-Way, Hickiwan and Pisinemo Districts, Tohono O'odham Nation)

Page 2 of 3

1 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby
2 approve the Rights-of-Way as requested by TOUA for the Hickiwan/Vaya Chin
3 Regional Water System & the Westside Clinic Inter-tie and related facilities in the
4 location (as more fully described in the attached map and legal description) and
5 construction by TOUA or its designated subsidiaries for uses consistent with the
6 authorized purposes of TOUA.

7 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05TH. Day
8 of MARCH, 2002 at a meeting at which a quorum was present with a vote of 2,273.0 FOR; -0-
9 AGAINST; -0- NOT VOTING; and 144.5 [05] ABSENT, pursuant to the powers vested in the Council by
10 Section 1 (c)(2) and (i)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted
11 by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
12 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
13 18, 1934 (48 Stat. 984).

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15 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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19 Rita A. Martinez, Legislative Chairwoman

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21 7th day of March, 20 02

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24 ATTEST:

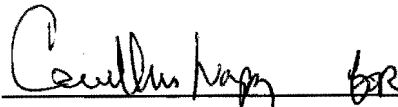
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28 Julianna Saraficio, Acting Legislative Secretary

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30 05 day of March, 20 02.

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32 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham
33 Nation on the 7th day of March, 20 02 at 8:53 o'clock, A.M.,
34 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
35 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
36 submittal.

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38 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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42 Rita A. Martinez, Legislative Chairwoman

RESOLUTION NO. 02-083

(Approving Tohono O'odham Utility Authority Hickiwan/Vaya Chin Regional Water System Right-of-Way & the Westside Clinic Inter-tie Right-of-Way, Hickiwan and Pisinemo Districts, Tohono O'odham Nation)

Page 3 of 3

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APPROVED

on the 7 day of March, 2002

DISAPPROVED

at 2:50 o'clock, P.M.

Henry C. Cameron

EDWARD D. MANUEL, Chairman

TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 7th day of

March, 2002, at 4:32 o'clock, P.M.

Mashone L. Johnson for
Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY HICKIWAN/VAYA CHIN REGIONAL WATER SYSTEM RIGHT-OF-WAY & THE WESTSIDE CLINIC INTER-TIE RIGHT-OF-WAY, HICKIWAN AND PISINEMO DISTRICTS, TOHONO O'ODHAM NATION

MOVED: COUNCILMAN KENNETH WILLIAMS

SECOND: COUNCILMAN ISIDRO LOPEZ

DATE: MARCH 05, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
GU VO 188.3	1. FERN SALCIDO ()	94.15	X			X
	2. EMILIO LEWIS (Michael Flores)	94.15	X			
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65	X			
	2. SANDRA ORTEGA ()	83.65	X			
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			
	2. GLORIA RAMIREZ ()	80.35	X			
SAN XAVIER 184.7	1. TONY BURRELL ()	92.35	X			X
	2. DENNIS RAMON ()	92.35	X			
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25				X
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25				X
SELLS 416.1	1. DENNIS E. JOSE ()	208.05	X			
	2. EVELYN JUAN ()	208.05	X			
SIF Oidak 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			X
TOTAL		2,417.5	2,273.0	-0-	-0-	144.5 [05]

****PASSED VOTES**