

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Tohono O'odham Utility Authority Artesia Sanitary Sewer Main & Community**  
**Drainfield Right-of-Way, Baboquivari District, Tohono O'odham Nation)**

**RESOLUTION NO. 03-007**

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 a Right-of-Way to construct and maintain the Artesia**  
12 **Sanitary Sewer Main & Community Drainfield and related facilities to serve the**  
13 **community of Artesia, Baboquivari District, Tohono O'odham Nation; and**

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

17 **WHEREAS, the Artesia Community and Baboquivari District Council did approve the Right-of-**  
18 **Way request on 17 October 2002 and 16 December 2002 respectively; and**

19 **WHEREAS, the Natural Resources Committee reviewed TOUA's request at a regularly scheduled**  
20 **meeting on 03 January 2002 and by consensus recommends approval thereof by the**  
21 **Tohono O'odham Legislative Council; and**

22 **WHEREAS, the Artesia Sanitary Sewer Main & Community Drainfield and related facilities will**  
23 **be of substantial benefit to the Artesia Community, Baboquivari District, the Tohono**  
24 **O'odham Nation and their respective members.**

25 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**  
26 **approve the Right-of-Way as requested by TOUA for the Artesia Sanitary Sewer Main**  
27 **& Community Drainfield and related facilities in the location (as more fully described**

**RESOLUTION NO. 03-007**

**(Approving Tohono O'odham Utility Authority Artesia Sanitary Sewer Main & Community Drainfield Right-of-Way, Baboquivari District, Tohono O'odham Nation)**

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1 in the attached map and legal description) and construction by TOUA or its  
2 designated subsidiaries for uses consistent with the authorized purposes of TOUA.

3 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06<sup>TH</sup> Day  
4 of JANUARY, 2003 at a meeting at which a quorum was present with a vote of 2,068.5 FOR; -0-  
5 AGAINST; 160.7 NOT VOTING; and 188.3 [06] ABSENT, pursuant to the powers vested in the Council  
6 by Section 1 (c)(2) and (i)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted  
7 by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
8 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June  
9 18, 1934 (48 Stat. 984).

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11 TOHONO O'ODHAM LEGISLATIVE COUNCIL

12 Candice Lopez for  
13 Rita A. Martinez, Legislative Chairwoman

14 7<sup>th</sup> day of January, 20 03

17 ATTEST:

18 Juliana Saraficio  
19  
20 Julianna Saraficio, Acting Legislative Secretary

21 06 day of January, 20 03.

22  
23  
24 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham  
25 Nation on the 7<sup>th</sup> day of January, 20 03 at 1:32 o'clock, P.M.,  
26 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective  
27 upon his approval or upon his failure to either approve or disapprove it within 48 hours of  
28 submittal.

29  
30 TOHONO O'ODHAM LEGISLATIVE COUNCIL

31 Candice Lopez for  
32 Rita A. Martinez, Legislative Chairwoman

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37  APPROVED

on the 8 day of January, 20 03

38  
39  DISAPPROVED

at 10:00 o'clock, A.M.

40  
41 Edward D. Manuel  
42 EDWARD D. MANUEL, Chairman  
43 TOHONO O'ODHAM NATION  
44  
45

**RESOLUTION NO. 03-007**

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Returned to the Legislative Secretary on the 08<sup>th</sup> day of

January, 20 03, at 11.00 o'clock, A.M.

Juliana Saraficio for  
Juliana Saraficio, Acting Legislative Secretary

**ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY ARTESIA SANITARY SEWER MAIN & COMMUNITY DRAINFIELD RIGHT-OF-WAY, BABOQUIVARI DISTRICT, TOHONO O'ODHAM NATION**

**MOVED: COUNCILWOMAN FRANCES ANTONE**

**SECOND: COUNCILWOMAN FRANCES MIGUEL**

**DATE: JANUARY 06, 2003**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 317.7	1. FRANCES MIGUEL ( )	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
<b>CHUKUT KUK</b> 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
<b>GU ACHI</b> 230.7	1. CAMILLUS LOPEZ ( )	115.35	X			
	2. JEROME JOAQUIN ( )	115.35	X			X
<b>GU VO</b> 188.3	1. FERN SALCIDO ( )	94.15				X
	2. EMILIO LEWIS (Michael Flores)	94.15				X
<b>HICKIWAN</b> 167.3	1. SHIRLEY MOLINA ( )	83.65	X			
	2. SANDRA ORTEGA ( )	83.65	X			
<b>PISINEMO</b> 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
<b>SAN LUCY</b> 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35			X	X
	2. GLORIA RAMIREZ ( )	80.35			X	
<b>SAN XAVIER</b> 184.7	1. FELICIA NUÑEZ ( )	92.35	X			
	2. DENNIS RAMON ( )	92.35	X			
<b>SCHUK TOAK</b> 144.5	1. MARY FLORES ( )	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			X
<b>SELLS</b> 416.1	1. DENNIS E. JOSE ( )	208.05	X			X
	2. EVELYN JUAN ( )	208.05	X			
<b>SIF OIDAK</b> 184.7	1. ISIDRO LOPEZ ( )	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
<b>TOTAL</b>		<b>2,417.5</b>	<b>2,068.5</b>	<b>-0-</b>	<b>160.7</b>	<b>188.3 [06]</b>

**\*\*PASSED VOTES**