

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Kukatch Community Combined
Utility Right-of-Way, Gu-Vo District, Tohono O'odham Nation)

RESOLUTION NO. 04-591

- 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 did pass Resolution No 447-90 (Amending**
6 **the Restated Plan of Operation of the Tohono O'odham Utility Authority) and**
7 **Resolution No. 91-175 (Adopting Second Restated Plan of Operation for the Tohono**
8 **O'odham Utility Authority) which requires the Authority to submit for prior review**
9 **and approval of the Legislative Council and each affected District any proposed utility**
10 **easement; and**
- 11 **WHEREAS, TOUA requests permission for a Combined Utility Right-of-Way to include Electric,**
12 **Water/Wastewater & Propane, Telecommunications and related facilities from the**
13 **community of Gu-Vo to the community of Kukatch, Gu-Vo District, Tohono O'odham**
14 **Nation; and**
- 15 **WHEREAS, Environmental and Cultural Surveys have been conducted and find mitigating factors**
16 **that TOUA will adhere to in the construction of said combined utility facilities with**
17 **regard to the Cactus Ferruginous Pygmy Owl (CFPO) & Archaeological review**
18 **requirements; and**
- 19 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information (attached**
20 **hereto and incorporated herein by reference) for uses consistent with the authorized**
21 **purposes of TOUA; and**
- 22 **WHEREAS, the requested Combined Utility Right-of-Way and related facilities will be of**
23 **substantial benefit to the Kukatch Community, Gu-Vo District, Tohono O'odham**
24 **Nation and their respective members; and**
- 25 **WHEREAS, the Gu-Vo District Governing Council did approve the requested Right-of-Way on 23**
26 **October 2004 by enacting Resolution No. GV 04-112; and**
- 27 **WHEREAS, the Natural Resources Committee reviewed the requested Right-of-Way on 01**
28 **November 2004 and by consensus does recommend approval thereof by the Tohono**
29 **O'odham Legislative Council.**

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**(Approving Tohono O'odham Utility Authority Kukatch Community Combined Utility Right-of-Way, Gu-
Vo District, Tohono O'odham Nation)**

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1 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
2 **approve the TOUA Kukatch Community Combined Utility Right-of-Way as requested**
3 **by TOUA for the Electric, Water/Wastewater & Propane, Telecommunications and**
4 **related facilities in the location (as more fully described in the attached map and**
5 **legal description) and construction by TOUA or its designated subsidiaries for uses**
6 **consistent with the authorized purposes of TOUA.**

7 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04TH Day**
8 **of NOVEMBER, 2004 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0-**
9 **AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**
10 **Section 1 (i) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**
11 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
12 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
13 **Stat. 984).**

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15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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17
18 *for* 
19 **Isidro Lopez, Legislative Chairman**
20
21 *04th* day of *November*, 2004

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24 **ATTEST:**

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28 **Julianna Saraficio, Acting Legislative Secretary**
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30 *8th* day of *November*, 2004.

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32 **Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono**
33 **O'Odham Nation on the *04th* day of *November*, 2004 at *16:42* o'clock,**
34 **____.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
35 **effective upon her approval or upon her failure to either approve or disapprove it within 48 hours**
36 **of submittal.**

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38 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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40
41 *for* 
42 **Isidro Lopez, Legislative Chairman**
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Vo District, Tohono O'odham Nation)**

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APPROVED

on the 9th day of November, 2004

DISAPPROVED

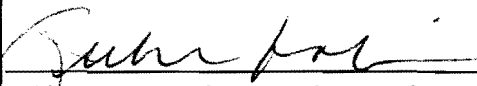
at 2:34 o'clock, P..M.



**VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 9th day of

November, 2004, at 3:51 o'clock, P..M.



Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY KUKATCH COMMUNITY COMBINED UTILITY
RIGHT-OF-WAY, GU-VO DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILMAN RAYMOND VICTOR

SECOND: COUNCILMAN MICHAEL FLORES

DATE: NOVEMBER 04, 2004

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30	X			
SELLS 465.6	1. DENNIS E. JOSE ()	232.80	X			
	2. EVELYN JUAN ()	232.80	X			
SCHUK TOAK 176.1	1. FRANCES B. CONDE ()	88.05	X			
	2. PHYLLIS JUAN ()	88.05	X			
SAN XAVIER 215.4	1. FELICIA NUÑEZ (Olivia Liston-Villegas)	107.70	X			
	2. DENNIS RAMON (Eleanor Hunter)	107.70	X			
SAN LUCY 166.3	1. JOHN W. LAWSON, SR. ()	83.15	X			
	2. GLORIA RAMIREZ ()	83.15	X			
PISINEMO 175.4	1. BARBARA SALVICIO ()	87.70	X			
	2. PATRICIA CRUZ ()	87.70	X			
HICKIWAN 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			
	2. SANDRA ORTEGA ()	85.15	X			
GU VO 191.4	1. RAYMOND VICTOR ()	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			
GU ACHI 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Roberta Picard)	126.80	X			
CHUKUT KUK 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			X
BABOQUIVARI 364.1	1. FRANCES MIGUEL (Lucilda Norris-Valenzuela)	182.05	X			
	2. FRANCES G. ANTONE ()	182.05	X			
TOTAL		2,629.7	2,629.7	-0-	-0-	[01]

**PASSED VOTES