

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Little Tucson Community Water Storage Tank Site & Water Main Extension Right-of-Way, Baboquivari District, Tohono O'odham Nation)

RESOLUTION NO. 05-072

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 Right-of-Way to include a Water Storage Tank Site &**
12 **Water Main Extension and related facilities within the community of Little Tucson,**
13 **Baboquivari District, Tohono O'odham Nation; and**

14 **WHEREAS, the proposed Tank Site is a 100' x 100' square parcel encompassing 0.23 acres more**
15 **or less; and**

16 **WHEREAS, the proposed Water Storage Tank will be 20 feet in diameter, 51 feet in height with a**
17 **115,000 gallon capacity; and**

18 **WHEREAS, the Water Main Extension is 2,858.10 feet in length, 50 feet in width encompassing**
19 **3.281 acres more or less; and**

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

23 **WHEREAS, the TOUA Little Tucson Community Water Storage Tank Site & Water Main Extension**
24 **Right-of-Way and related facilities will be of substantial benefit to the Baboquivari**
25 **District, Tohono O'odham Nation and their respective members; and**

26 **WHEREAS, the Little Tucson & Artesia Communities approved the requested Right-of-Way at a**
27 **meeting on December 11, 2004 by enacting the attached community resolution; and**

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1 **WHEREAS, the Baboquivari District Council approved the requested Right-of-Way by enacting**
2 **Resolution No. 05-B-05; and**

3 **WHEREAS, the Natural Resources Committee reviewed the requested Right-of-Way on January**
4 **24, 2005 and by consensus recommends approval thereof by the Tohono O'odham**
5 **Legislative Council.**

6 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
7 **approve the Right-of-Way as requested by TOUA for the Little Tucson Community**
8 **Water Storage Tank Site & Water Main Extension and related facilities in the location**
9 **(as more fully described in the attached map and supporting documents) and**
10 **construction by TOUA or its designated subsidiaries for uses consistent with the**
11 **authorized purposes of TOUA.**

12 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH Day**
13 **of FEBRUARY, 2005 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0-**
14 **AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**
15 **Section 1 (j) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**
16 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
17 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
18 **Stat. 984).**

19
20 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

21 
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23 **Isidro Lopez, Legislative Chairman**

24
25 14th day of February, 2005

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28 **ATTEST:**

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31 **Lucille Lopez, Acting Legislative Secretary**

32 14th day of February, 2005.

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35 **Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono**
36 **O'Odham Nation on the 14th day of February, 2005 at 2:21 o'clock,**
37 **P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
38 **effective upon her approval or upon her failure to either approve or disapprove it within 48 hours**
39 **of submittal.**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL



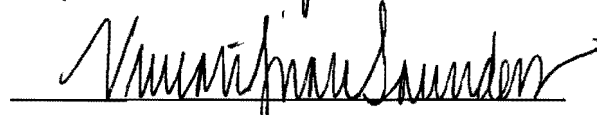
Isidro Lopez, Legislative Chairman

APPROVED

on the 15 day of February, 2005

DISAPPROVED

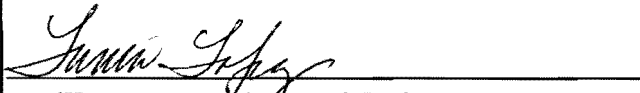
at 1:27 o'clock, P.M.



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

Returned to the Legislative Secretary on the 15th day of

February, 2005, at 2:42 o'clock, P.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY LITTLE TUCSON COMMUNITY WATER STORAGE TANK SITE & WATER MAIN EXTENSION RIGHT-OF-WAY, BABOQUIVARI DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN FRANCES ANTONE

SECOND: COUNCILWOMAN FRANCES MIGUEL

DATE: FEBRUARY 09, 2005

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			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 (Absent) (Eleanor Hunter) (Present)	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			X
GU VO 191.4	1. RAYMOND VICTOR ()	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			X
GU ACHI 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Absent) (Roberta Picard) (Present)	126.80	X			
CHUKUT KUK 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	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-	[03]

**PASSED VOTES