

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Cowlic Water Main Construction & Water Storage Tank Right- of-Way, Sells, District, Tohono O'odham Nation)

RESOLUTION NO. 05-665

- 1 **WHEREAS, by Resolution No. 08-70 the Nation established the Papago Tribal Utility Authority, now**
2 **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 the**
6 **Restated Plan of Operation of the Tohono O'odham Utility Authority) & Resolution No.**
7 **91-175 (Adopting Second Restated Plan of Operation for the Tohono O'odham Utility**
8 **Authority) which requires the Authority to submit for prior review and approval of the**
9 **Legislative Council and each affected District any proposed utility easement; and**
- 10 **WHEREAS, TOUA requests permission for a Water Main Construction & Water Storage Tank Right-**
11 **of-Way and related facilities for the community of Cowlic, Sells District, Tohono**
12 **O'odham Nation; and**
- 13 **WHEREAS, the requested Water Main Construction Parcel measures 26,444.18 feet by 50 feet in**
14 **width which equals 30.35 acres more or less; and**
- 15 **WHEREAS, the proposed Water Storage Tank Site will be a 150 foot by 150 foot square parcel which**
16 **equals 0.52 acres fore or less; and**
- 17 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information (attached**
18 **hereto and incorporated herein by reference) for uses consistent with the authorized**
19 **purposes of TOUA; and**
- 20 **WHEREAS, the TOUA Cowlic Water Main Construction & Water Storage Tank Right-of-Way and**
21 **related facilities will be of substantial benefit to the Tohono O'odham Nation and their**
22 **respective members; and**
- 23 **WHEREAS, the community of Cowlic and Sells District Council approved the requested Right-of-**
24 **Way by enacting resolutions CC-06-05 & SD-25-05 respectively; and**
- 25 **WHEREAS, the Natural Resources Committee reviewed the Right-of-Way on November 07, 2005**
26 **and by consensus recommends approval thereof by the Tohono O'odham Legislative**
27 **Council.**

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1 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
2 **approve the Right-of-Way as requested by TOUA for the Water Main Construction &**
3 **Water Storage Tank and related facilities in the location (as more fully described in**
4 **the attached Right-of-Way Plan and Legal Description) and construction by TOUA or**
5 **its designated subsidiaries for uses consistent with the authorized purposes of TOUA.**

6 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15TH Day**
7 **of NOVEMBER, 2005 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0-**
8 **AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**
9 **Section 1 (i) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**
10 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
11 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
12 **Stat. 984).**

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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18 **Evelyn B. Juan Manuel, Legislative Chairwoman**

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20 22nd day of November, 2005

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23 **ATTEST:**

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27 **Lucille Lopez, Acting Legislative Secretary**

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29 15th day of November, 2005.

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31 **Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono**
32 **O'Odham Nation on the 22nd day of November, 2005 at 4:56 o'clock,**
33 **P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
34 **effective upon her approval or upon her failure to either approve or disapprove it within 48 hours**
35 **of submittal.**

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37 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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41 **Evelyn B. Juan Manuel, Legislative Chairwoman**

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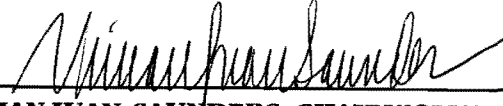
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APPROVED

on the 20th day of November, 2005

DISAPPROVED

at 10:17 o'clock, P.M.


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 28th day of

November, 2005, at 8:50 o'clock, A.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY COWLIC WATER MAIN CONSTRUCTION & WATER STORAGE TANK RIGHT-OF-WAY, SELLS DISTRICT, TOHONO O'ODHAM NATION

Moved: COUNCILMAN DENNIS JOSE

SECOND: COUNCILWOMAN WAVALENE SAUNDERS

DATE: NOVEMBER 15, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL ()	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
GU VO 193.1	1. RAYMOND VICTOR ()	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. JOHN W. LAWSON, SR. ()	84.50	X			X
	2. GLORIA RAMIREZ ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			
	2. OLIVIA VILLEGAS-LISTON ()	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. DENNIS E. JOSE ()	210.50	X			
	2. EVELYN B. JUAN MANUEL ()	210.50	X			
SIF Oidak 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Martinez)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[01]

**PASSED VOTES