

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving TOUA San Xavier Community Sanitary Sewerline Right-of-Way,
San Xavier District, Tohono O'odham Nation)

RESOLUTION NO. 06-665

- 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. 91-175 (Adopting**
6 **Second Restated Plan of Operation for the Tohono O'odham Utility Authority) which**
7 **requires the Authority to submit for prior review and approval of the Legislative**
8 **Council and each affected District any proposed utility easement; and**
- 9 **WHEREAS, TOUA requests permission for a Sanitary Sewerline Right-of-Way and related facilities**
10 **to accommodate three homes identified with Public Law 86-121 funding, San Xavier**
11 **District, Tohono O'odham Nation; and**
- 12 **WHEREAS, the Sanitary Sewerline Right-of-Way consists of Parcel "A" which is 1,204.11 feet in**
13 **length x 50 feet in width which encompasses 1.38 acres more or less; 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 TOUA San Xavier Community Sanitary Sewerline Right-of-Way and related**
18 **facilities will be of substantial benefit to the San Xavier Community, San Xavier**
19 **District, the Tohono O'odham Nation and their respective members; and**
- 20 **WHEREAS, the San Xavier District's Housing Committee reviewed and approved the requested**
21 **Right-of-Way on August 23, 2006 and recommended approval thereof by the San**
22 **Xavier District Council; and**
- 23 **WHEREAS, the San Xavier District Council approved the proposed Right-of-Way on September**
24 **05, 2006 with enactment of District Council Resolution No. SXDC 09-06-04; and**
- 25 **WHEREAS, TOUA personnel presented and reviewed this project with the San Xavier District's**
26 **Planning Committee on September 06, 2006 for further support and approval; and**
- 27 **WHEREAS, the Natural Resources Committee did review the supporting documents and scope**
28 **of work on October 02, 2006 and by consensus recommends approval thereof by the**
29 **Tohono O'odham Legislative Council.**
- 30 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
31 **approve the Right-of-Way as requested by TOUA for the San Xavier Community**
32 **Sanitary Sewerline and related facilities in the location (as more fully described in the**
33 **referenced Legal Description, Right-of-Way Plan and Supporting Documents) and**

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construction by TOUA or its designated subsidiaries for uses consistent with the authorized purposes of TOUA.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH Day of OCTOBER, 2006 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0- AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1 (i) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


TOHONO O'ODHAM LEGISLATIVE COUNCIL



Verlon M. Jose, Legislative Chairman

17 day of October, 2006

ATTEST:

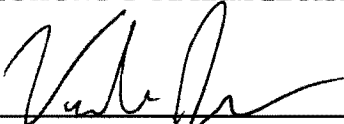


Lucille Lopez, Acting Legislative Secretary

09 day of October, 2006.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 17 day of October, 2006 at 10:01 o'clock, a..M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Verlon M. Jose, Legislative Chairman

APPROVED

on the 17 day of October, 2006

DISAPPROVED

at 11:46 o'clock, a..M.



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

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Returned to the Legislative Secretary on the 17 day of

October, 2006, at 12.10 o'clock, P.M.

Lucille Lopez

Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING TOUA SAN XAVIER COMMUNITY SANITARY SEWERLINE RIGHT-OF-WAY, SAN XAVIER DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN SANDRA ORTEGA

SECOND: COUNCILWOMAN FELICIA NUNEZ

DATE: OCTOBER 09, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (Vernon J. Smith)	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			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			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 (Eileen A. Estrada-Lopez)	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			X
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. MARLENE SARAFICIO-JUAN ()	210.50	X			
	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50	X			
SIF OIDAK 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			
	2. DARLENÉ ANDREW (Rita Martinez)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[04]

**PASSED VOTES