

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Tohono O'odham Utility Authority Mountain Village water main, sewer main, sewer lagoon Right-of-Way, Gu-Achi District, Tohono O'odham Nation)**

**RESOLUTION NO. 08-394**

- 1 **WHEREAS, the Tohono O'odham Legislative Council convened at a scheduled meeting on June**  
2 **27, 2008; and**
- 3 **WHEREAS, by Resolution No. 08-70 the Nation established the Papago Tribal Utility Authority,**  
4 **now known as Tohono O'odham Utility Authority (TOUA) for purposes of**  
5 **constructing, maintaining and operating various utility systems within the Nation**  
6 **to be owned wholly by the Nation; and**
- 7 **WHEREAS, the Tohono O'odham Legislative Council did pass Resolution No. 91-175 (Adopting**  
8 **Second Restated Plan of Operation for the Tohono O'odham Utility Authority) which**  
9 **requires the Authority to submit for prior review and approval of the Legislative**  
10 **Council and each affected District any proposed utility easement; and**
- 11 **WHEREAS, TOUA requests permission for combined Right-of-Way to install a new Water main,**  
12 **Sewer main, and Sewer lagoon and related facilities and utilities for the community**  
13 **of Mountain Village, Gu-Achi District, Tohono O'odham Nation; and**
- 14 **WHEREAS, the requested combined right-of-way for the new Water main, Sewer main, Sewer**  
15 **lagoon measures 11605.14 FT in length x 50 FT in width which encompasses 16.53**  
16 **acres more or less; and**
- 17 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information**  
18 **(incorporated herein by reference) for uses consistent with the authorized purposes**  
19 **of TOUA; and**
- 20 **WHEREAS, the TOUA Mountain Village water main, sewer main, and sewer lagoon Right-of-Way**  
21 **and related facilities and utilities will be of substantial benefit to the Mountain**  
22 **Village community, Gu-Achi District, Tohono O'odham Nation and their respective**  
23 **members; and**
- 24 **WHEREAS, the Gu-Achi District Council did approve the Right-of-Way request by enactment of**  
25 **Resolution No. 0608-194; and**
- 26 **WHEREAS, the Natural Resources Committee reviewed the requested Right-of-Way on June 19,**  
27 **2008 and by consensus does recommend further approval thereof by the Tohono**  
28 **O'odham Legislative Council.**
- 29 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**  
30 **approve the Right-of-Way as requested by TOUA for the Water main, sewer main, and**  
31 **sewer lagoon and related facilities in the location (as more fully described in the**

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referenced map and supporting documents) and 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 27<sup>TH</sup> Day of [JUNE, 2008] at a meeting at which a quorum was present with a vote of 2,534.5 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

1 day of July, 2008

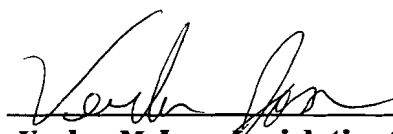
ATTEST:

  
\_\_\_\_\_  
Lucille Lopez, Acting Legislative Secretary

27 day of June, 2008.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 1 day of July, 2008 at 4:01 o'clock, P. .M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his 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 01 day of July, 2008

DISAPPROVED at 4:25 o'clock, P. .M.

  
\_\_\_\_\_  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 01 day of

July, 2008 at 4:31 o'clock, P.M.

*Lucille Lopez*  
Lucille Lopez, Acting Legislative Secretary

**ACTION:** APPROVING TOHONO O'ODHAM UTILITY AUTHORITY MOUNTAIN VILLAGE WATER MAIN, SEWER MAIN, SEWER LAGOON RIGHT-OF-WAY, GU-ACHI DISTRICT, TOHONO O'ODHAM NATION

**MOVED:** COUNCILWOMAN CYNTHIA E. MANUEL

**SECOND:** COUNCILMAN TIMOTHY JOAQUIN

**DATE:** JUNE 27, 2008

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> <b>316.9</b>	1. FRANCES MIGUEL ( <i>Absent</i> ) (Roberta Harvey) ( <i>Present</i> )	158.45	X			
	2. FRANCES G. ANTONE ( <i>Absent</i> ) (Vernon Smith)( <i>Present</i> )	158.45	X			X
<b>CHUKUT KUK</b> <b>264.8</b>	1. ETHEL GARCIA ( )	132.40	X			
	2. VERLON M. JOSE ( )	132.40	X			
<b>GU ACHI</b> <b>227.9</b>	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ( )	113.95	X			
<b>GU VO</b> <b>199.2</b>	1. GRACE MANUEL ( )	99.60	X			
	2. RAYMOND VICTOR ( )	99.60	X			
<b>HICKIWAN</b> <b>172.0</b>	1. MICHELLE ORTEGA ( )	86.00	X			
	2. SANDRA ORTEGA ( )	86.00	X			X
<b>PISINEMO</b> <b>182.4</b>	1. CHESTER ANTONE (Tony Murrietta)	91.20	X			
	2. GERALD FAYUANT ( )	91.20	X			
<b>SAN LUCY</b> <b>181.1</b>	1. LORRAINE EILER ( )	90.55	X			
	2. GLORIA RAMIREZ ( )	90.55	X			
<b>SAN XAVIER</b> <b>196.5</b>	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			X
<b>SCHUK TOAK</b> <b>154.6</b>	1. FRANCES B. CONDE (Fredrick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
<b>SELLS</b> <b>444.7</b>	1. KIMBERLY LISTO ( )	222.35	X			X
	2. EVELYN B. JUAN MANUEL ( )	222.35	X			
<b>SIF Oidak</b> <b>194.4</b>	1. WAVALENE SAUNDERS ( )	97.20	X			
	2. MARY LOPEZ ( )	97.20	X			
<b>TOTAL</b>		<b>2,534.5</b>	<b>2,534.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[04]</b>

**\*\*PASSED VOTES**