

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving TOUA Sikol Himatk New Water Main Right-of-Way, Gu Achi District,
Tohono O'odham Nation)**

RESOLUTION NO. 10-395

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. 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 New Water Main Right-of-Way and related facilities**
10 **to better serve the Sikol Himatk community, Gu Achi District, Tohono O'odham Nation;**
11 **and**

12 **WHEREAS, the New Water Main Right-of-Way consists of 10,713.01 feet in length x 50 feet in width**
13 **which encompasses 12.30 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 Sikol Himatk water main Right-of-Way and related facilities will be of**
18 **substantial benefit to the Sikol Himatk Community, Gu Achi District, the Tohono**
19 **O'odham Nation and their respective members; and**

20 **WHEREAS, the Sikol Himatk community reviewed and support the requested Right-of-Way on**
21 **April 28, 2010 and recommended approval thereof by the Gu Achi District Council; and**

22 **WHEREAS, TOUA personnel presented and reviewed this project with the Gu Achi District council**
23 **on May 7, 2010 for further support and approval; and**

24 **WHEREAS, the Gu Achi District Council approved the proposed Right-of-Way on May 05, 2010 with**
25 **enactment of District Council Resolution No. 0510-186; and**

26 **WHEREAS, the Natural Resources Committee did review the supporting documents and scope of**
27 **work on September 20, 2010 and by consensus recommends approval thereof by the**
28 **Tohono O'odham Legislative 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 Sikol Himatk New Water Main**
3 **and related facilities and utilities in the location (as more fully described in the**
4 **referenced Legal Description, Right-of-Way Plan and Supporting Documents) and**
5 **construction by TOUA or its designated subsidiaries for uses consistent with the**
6 **authorized purposes of TOUA.**

7 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 29TH Day**
8 **of SEPTEMBER, 2010 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0-**
9 **AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Article**
10 **VI, Section 1 (i) 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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19 **Verlon M. Jose, Legislative Chairman**

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22 7 day of October, 2010

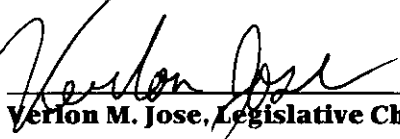
23
24 **ATTEST:**

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26 _____
27 **Evonne Wilson, Legislative Secretary**

28
29 1 day of October, 2010.

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31 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**
32 **Nation on the 7 day of October, 2010 at 4:15 o'clock, P. .M.,**
33 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
34 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
35 **submittal.**

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37 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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40 _____
41 **Verlon M. Jose, Legislative Chairman**

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APPROVED

on the 11 day of October, 2010

DISAPPROVED

at 3:58 o'clock, P.M.



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

Returned to the Legislative Secretary on the 11 day of

October, 2010, at 4:00 o'clock, P.M.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING TOUA SIKOL HIMATK NEW WATER MAIN RIGHT-OF-WAY, GU ACHI DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILMAN TIMOTHY JOAQUIN

SECOND: COUNCILWOMAN ETHEL GARCIA

DATE: SEPTEMBER 29, 2010

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDA 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			
	2. MARY LOPEZ ()	99.35	X			
SELLS 449.6	1. KIMBERLY LISTO ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (<i>Absent</i>) (Fredrick Jose) (<i>Present</i>)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			X
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X			
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			X
	2. SANDRA ORTEGA ()	87.25	X			
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (<i>Absent</i>) (Angela Ortiz) (<i>Present</i>)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL ()	115.05	X			X
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			X
BABOQUIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			X
	2. FRANCES G. ANTONE (Vernon Smith)	162.0	X			
TOTAL		2,595.50	2,595.50	-0-	-0-	[05]