

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Granting a Right of Way to the Tohono O'odham Utility Authority for a General Utility  
Alignment at the Anegam Community Subdivision Project in the Sif Oidak District)**

**RESOLUTION NO. 24-236**

- 1 **WHEREAS, the Tohono O'odham Legislative Council is authorized to "manage, protect,**  
2 **preserve and regulate the use of the property . . . of the Tohono O'odham Nation"**  
3 **and to "manage . . . or otherwise deal with lands, or interests in land" belonging**  
4 **to the Nation." (Constitution of the Tohono O'odham Nation, Art. VI, §§ 1(i)(2),**  
5 **2(d)); and**
- 6 **WHEREAS, the Tohono O'odham Ki:Ki Association ("TOKA"), a wholly-owned entity of the**  
7 **Nation, has initiated the Anegam Community Subdivision Project ("Project") to**  
8 **construct homes in the Sif Oidak District; and**
- 9 **WHEREAS, to complete the Project, the Ki:Ki Association requested the Tohono O'odham**  
10 **Utility Authority ("TOUA") to facilitate utility connections for the homes; and**
- 11 **WHEREAS, pursuant to 24 T.O.C. Ch. 1, § 4(A)(3), TOUA is chartered, in part, to, "acquire,**  
12 **construct, operate, maintain, promote and expand utility systems furnishing**  
13 **electric, gas, water, sewer and telephone services within the Tohono O'odham**  
14 **Nation"; and**
- 15 **WHEREAS, to connect the homes in the Subdivision Project to TOUA's existing utility lines,**  
16 **TOUA must obtain a right of way for a proposed 50 ft. alignment encompassing**  
17 **roughly 131,206 sq. ft.; and**
- 18 **WHEREAS, TOKA has provided a detailed General Utility Easement Description, as well as**  
19 **photographs and maps, to the Department of Planning & Economic**  
20 **Development, and these are hereby incorporated into this resolution with the**  
21 **packet submission to obtain this right of way; and**
- 22 **WHEREAS, the Sif Oidak District Council approved TOUA's right of way application for the**  
23 **Project in Res. SODC-22-005; and**
- 24 **WHEREAS the Nation's Wildlife and Vegetation Management Program reviewed the Ki:Ki**  
25 **Association's biological review documents for the proposed site and**  
26 **recommended that the right of way proceed; and**
- 27 **WHEREAS, the Nation's Cultural Affairs Office surveyed the proposed site and did not observe**  
28 **any cultural resources, thereby recommending that the right of way proceed**  
29 **pursuant to best practices in case cultural resources are discovered during**  
30 **construction; and**
- 31 **WHEREAS, connecting utilities to houses in the Project is in the best interest of the Nation**  
32 **and its Members; and**
- 33

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Page 2 of 3

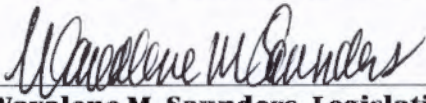
1 WHEREAS, the Agricultural and Natural Resources Committee of the Tohono O'odham  
2 Legislative Council has reviewed the right of way application packet and  
3 recommends its approval.

4 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves a  
5 right of way for the Tohono O'odham Utility Authority to furnish utilities to the  
6 Anegam Community Subdivision Project.

7 BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham  
8 Nation chairperson or any designated official shall execute the necessary  
9 documentation to authorize this right of way, provided however, that any  
10 amendments or modifications shall be submitted for further prior approval by  
11 the Tohono O'odham Legislative Council.

12 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06<sup>TH</sup>  
13 day of AUGUST 2024 at a meeting at which a quorum was present with a vote of 3,263.3 FOR; -0-  
14 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by  
15 Article VI, Section 1(d)(2) and (3) the Constitution of the Tohono O'odham Nation, adopted by the  
16 Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
17 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June  
18 18, 1934 (48 Stat.984).

19  
20 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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23 \_\_\_\_\_  
24 Wavalene M. Saunders, Legislative Chairwoman

25  
26 9 day of August, 2024  
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29 ATTEST,

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31 \_\_\_\_\_  
32 Evonne Wilson, Legislative Secretary

33  
34 9 day of August, 2024  
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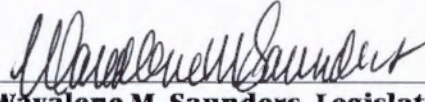
36 Said Resolution was submitted for approval to the office of the Chairman of the Tohono  
37 O'odham Nation on the 9 day of August, 2024 at 9:25 o'clock, a.m.,  
38 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
39 effective upon his approval or upon his failure to either approve or disapprove it within 48  
40 hours of submittal.  
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Page 3 of 3

TOHONO O'ODHAM LEGISLATIVE COUNCIL

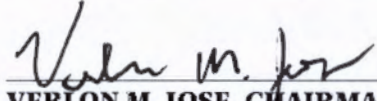
  
Wavalene M. Saunders, Legislative Chairwoman

APPROVED

on the 11 day of August, 2024

DISAPPROVED

at 4:08 o'clock, p. .m.

  
VERLON M. JOSE, CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 12 day of

August, 2024, at 2:16 o'clock, p. .m.

  
Evonne Wilson, Legislative Secretary

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**ACTION: GRANTING A RIGHT OF WAY TO THE TOHONO O'ODHAM UTILITY AUTHORITY FOR A GENERAL UTILITY ALIGNMENT AT THE ANEGAM COMMUNITY SUBDIVISION PROJECT IN THE SIF OIDAK DISTRICT**

**Moved: VICE CHAIRWOMAN MARLAKAY HENRY**

**SECOND: COUNCILMAN ROGER MANUEL**

**DATE: AUGUST 06, 2024**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 394.2	1. LEANDER MASE (Francine Schooling) 2. JESSE NAVARRO (Alberta J. Ray)	197.1 197.1	X X			X
CHUKUT KUK 354.7	1. VIVIAN JUAN-SAUNDERS (Cornelius Antone) 2. MARLAKAY HENRY ( )	177.35 177.35	X X			
GUACHI 282.7	1. VICTORIA HOBBS (Tonya L. Joaquin) 2. JEROME F. JOAQUIN ( )	141.35 141.35	X X			
GU VO 276.0	1. DALLAS LEWIS ( ) 2. LESLIE LUNA ( )	138.0 138.0	X X			X
HICKIWAN 220.5	1. DELMA M. GARCIA ( ) 2. LOUIS R. LOPEZ (Loretta A. Ortega)	110.25 110.25	X X			
PISINEMO 236.2	1. EDWARD D. MANUEL (Monica Morgan) 2. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	118.1 118.1	X X			
SAN LUCY 257.6	1. ROGER MANUEL (Christina Andrews) 2. GLORIA M. RAMIREZ (Lorraine M. Eiler)	128.8 128.8	X X			
SAN XAVIER 244.5	1. JANICE FELIX ( ) 2. DANIEL L.A. PRESTON III ( )	122.25 122.25	X X			
SCHUK TOAK 191.8	1. DELISA M. RAMON (Sharon A. Francisco) 2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9 95.9	X X			
SELLS 558.0	1. EVELYN JUAN MANUEL (Arvada Liston) 2. JANET B. ELEANDO ( )	279.0 279.0	X X			
SIF OIDAK 247.1	1. LUCINDA ALLEN (Francis Homewytewa) 2. WAVALENE M. SAUNDERS (Mary Lopez)	123.55 123.55	X X			
	<b>TOTAL</b>	<b>3,263.30</b>	<b>3,263.3</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>