

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Recognizing and Confirming the Authority of the San Xavier District
Council to Adopt its Land Use Plan)**

RESOLUTION NO. 93-119

WHEREAS, the Tohono O'odham Constitution, Article IX, Section 5, as adopted and approved on March 6, 1986, authorizes and empowers the Districts of the Tohono O'odham Nation to take actions deemed necessary for local matters; and

WHEREAS, the Tohono O'odham Legislative Council adopted Resolution No. 409-86 declaring a moratorium on all future large-scale non-Indian developments on all lands in the Nation; and

WHEREAS, the San Xavier District Council established a planning program for the purpose of developing and implementing a land use plan to govern all developments within the San Xavier District; and

WHEREAS, said District Council established a planning committee at the same time to oversee the work on the land use plan and to provide community input into said plan; and

WHEREAS, the San Xavier District has provided proper public notification, on the land use plan, to its community members and San Xavier allottees; and held informational and public hearings on said plan; and

WHEREAS, the planning program and planning committee of the San Xavier District completed the land use plan for the District with appropriate and necessary review and comment from the

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community and allottees; and from federal and tribal agencies;
and

WHEREAS, this Legislative Council finds it appropriate that the San Xavier District adopt a land use plan as a guide for all development within its boundaries, and approves the land use plan adopted on December 15, 1992 by said District Council.

NOW, THEREFORE, BE IT RESOLVED that the Legislative Council of the Tohono O'odham Nation does hereby recognize and confirm the authority of the San Xavier District Council to adopt its land use plan.

BE IT FURTHER RESOLVED that the Legislative Council of the Tohono O'odham Nation hereby recognizes and approves the San Xavier District General Plan as adopted by said District Council requiring all developments on tribal and allotted lands within the boundaries of the San Xavier District to be approved by and through the review process provided for in the General Plan as authorized by the Tohono O'odham Constitution.

BE IT FURTHER RESOLVED that the Legislative Council of the Tohono O'odham Nation does hereby exclude the San Xavier District

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from its moratorium, as adopted on August 27, 1986 for all commercial and non-Indian developments.

BE IT FURTHER RESOLVED that all power and authority incident to the District General Plan, necessary and proper to carry out its provisions, be recognized and confirmed to the San Xavier District Council.

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 15TH day of April, 1993 at a meeting at which a quorum was present with a vote of 917.5 FOR; 681.5 AGAINST; 125.0 NOT VOTING; and 04 ABSENT, pursuant to the powers vested in the Council by Section 1 (c)(1), (2), (4), (5), (8); (i) (1),(2) & (4) of Article VI and Article IX, Section 5 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



Mary Ann Antone, Legislative Chairwoman

16th day of April, 1993

ATTEST:


Teresa M. Choyguha, Legislative Secretary

16th day of April, 1993.

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 16th day of April, 1993 at 9:11 o'clock, a.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

Mary Ann Antone
Mary Ann Antone, Legislative Chairwoman

APPROVED on the 16 day of April, 1993

DISAPPROVED) at 5:51 o'clock, p.M.

Josiah Moore
JOSIAH MOORE, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19th day of April,
1993, at 12:15 o'clock, p.M.

Teressa M. Choyguha for:
Teresa M. Choyguha, Legislative Secretary

MOVED: COUNCILMAN WILLARD ANITASUBJECT: RECOGNIZING AND CONFIRMING THE AUTHORITYSECOND: COUNCILMAN ALEX RAMONOF THE SAN XAVIER DISTRICT COUNCIL TO ADOPT ITS LANDDATE: APRIL 15, 1993USE PLAN

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Kenneth Williams (Harriet Toro)	81.5	X			
	2. Alberta M. Lopez (Berdella Jose)	81.5		X		
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5			X	
	2. Manuel Osequeda, Jr. ()	62.5			X	X
GU VO 114.0	1. Michael Flores	57.0	X			
	2. Emilio Lewis (Anthony Flores)	57.0	X			
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0		X		X
	2. John Reno ()	53.0		X		
PISINEMO 119.0	1. Johnson Jose ()	59.5	X			
	2. Chester Antone (Fernando Valentine)	59.5	X			
GU ACHI 166.0	1. Alex Ramon (Fernando Joaquin)	83.0	X			
	2. Willard Anita ()	83.0	X			
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico, Sr.)	114.5		X		
	2. Frances Miguel ()	114.5		X		
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5	X			
	2. Eugene Enis, Sr. (Michael R. Rios)	63.5	X			
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela Sr.)	53.5		X		X
	2. Frances Francisco (Joseph Juan)	53.5		X		
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Lucille Encinas)	155.0	X			
SIF OIDAK 158.0	1. Mary Ann Antone (Nina Jose)	79.0		X		
	2. Willard Juan, Sr. (Delbert Thomas)	79.0		X		X
TOTAL		1,724.0	917.5	681.5	125.0	04

**PASSED VOTES