

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Right-of-Way, Fresnal
Community, Schuk Du'ag District, Tohono O'odham Nation)**

RESOLUTION NO. 98-284

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4 **WHEREAS, by Resolution No. 08-70 the Nation established the Papago Tribal**
5 **Utility Authority, now known as Tohono O'odham Utility Authority**
6 **(TOUA), for purposes of constructing, maintaining and operating**
7 **various utility systems within the Nation to be owned wholly by the**
8 **Nation; and**

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10 **WHEREAS, the Tohono O'odham Legislative Council on 10 December 1990 did**
11 **pass Resolution No. 447-90 (Amending the Restated Plan of Operation**
12 **of the Tohono O'odham Utility Authority) and Resolution No. 97-175**
13 **(Adopting Second Restated Plan of Operation for the Tohono O'odham**
14 **Utility Authority) which requires the Authority to submit for prior**
15 **review and approval of the Legislative Council and each affected**
16 **District any proposed utility easement; and**

17 **WHEREAS, TOUA requests permission for a Right-of-Way to extend the Water**
18 **System and related facilities to an area designated for development of**
19 **future housing within Fresnal Community, Schuk Du'ag District,**
20 **Tohono O'odham Nation; and**

21 **WHEREAS, TOUA has respectfully submitted all documents and pertinent**
22 **information (attached hereto and incorporated herein by reference)**
23 **for uses consistent with the authorized purposes of TOUA; and**

24
25 **WHEREAS, the new waterline extension and related facilities will be of substantial**
26 **benefit to the Fresnal Community, Schuk Du'ag District, the Tohono**
27 **O'odham Nation and their respective members; and**

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WHEREAS, on 23 June 1998 the Natural Resources Committee reviewed the proposed Right-of-Way and recommends approval thereof by the Tohono O'odham Legislative Council.

NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby approve the Right-of-Way as requested by TOUA to extend the existing water system and related facilities for the location (as more fully described in the attached map and legal description) 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 Council on the 08TH day of JULY, 1998 at a meeting at which a quorum was present with a vote of 1,927.0 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



Dennis Ramon, Legislative Chairman

10th day of July, 1998

ATTEST:



Julianna Saraficio, Acting Legislative Secretary

8th day of July, 1998.

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 10th day of July, 19 98 at 3:34 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




Dennis Ramon, Legislative Chairman

APPROVED

on the 14th day of July, 19 98

DISAPPROVED

at 1:43 o'clock, P.M.



EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14th day of

July, 19 98, at 2:04 o'clock, P.M.



Julianna Saraffio, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY RIGHT-OF-WAY, FRESNAL COMMUNITY, SCHUK DU'AG DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN FRANCES ANTONE

SECOND: COUNCILMAN TONY BURRELL

DATE: JULY 08, 1998

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|-----------------------------|--|----------------|----------------|------------|------------|-------------|
| CHUKUT KUK 189.0 | 1. DAVID GARCIA (Marvin Thomas) | 94.5 | X | | | |
| | 2. KENNETH WILLIAMS (Arnold F. Smith Sr.) | 94.5 | X | | | X |
| HICKIWAN 146.0 | 1. ALEX JOSE () | 73.0 | X | | | |
| | 2. LLOYD FRANCISCO (Susan Sam) | 73.0 | X | | | |
| GU VO 142.0 | 1. FERN SALCIDO (Larry Montana) | 71.0 | X | | | |
| | 2. GLORIA MONTANA (Phillip Antone) | 71.0 | X | | | |
| SAN LUCY 114.0 | 1. JOHN RENO (Mary Hoffman) | 57.0 | X | | | |
| | 2. ALBERT MANUEL, JR. (Jana Montana) | 57.0 | X | | | |
| PISINEMO 139.0 | 1. BARBARA SALVICIO () | 69.5 | X | | | |
| | 2. JOHNSON JOSE () | 69.5 | X | | | |
| GU ACHI 190.0 | 1. LOUIS JOHNSON () | 95.0 | X | | | X |
| | 2. ALEX J. RAMON () | 95.0 | X | | | |
| BABOQUIVARI 258.0 | 1. FRANCES MIGUEL () | 129.0 | X | | | X |
| | 2. FRANCES G. ANTONE (Edward N. Kisto) | 129.0 | X | | | |
| SAN XAVIER 146.0 | 1. TONY BURRELL () | 73.0 | X | | | |
| | 2. DENNIS RAMON () | 73.0 | X | | | |
| SCHUK TOAK 120.0 | 1. JOSEPH JUAN () | 60.0 | X | | | |
| | 2. AMBROSE ENCINAS () | 60.0 | X | | | |
| SELLS 322.0 | 1. DENNIS E. JOSE () | 161.0 | X | | | |
| | 2. EVELYN JUAN () | 161.0 | X | | | |
| SIF Oidak 161.0 | 1. RITA MARTINEZ (Maxine Norris) | 80.5 | X | | | X |
| | 2. MARY ANN ANTONE (Darlene Andrew) | 80.5 | X | | | |
| TOTAL | | 1,927.0 | 1,927.0 | -0- | -0- | [04] |

**PASSED VOTES