

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving the Gu Achi District Fiscal Year 2012 Tower User Fees Budget in the**  
**amount of \$112,613.94)**

**RESOLUTION NO. 12-255**

1 **WHEREAS, the Tohono O'odham Legislative Council did convene on June 29, 2012 to address**  
2 **issues pertaining to the Nation; and**

3 **WHEREAS, the Gu Achi District Council passed Resolution #0808-244, approving the amended**  
4 **Management and Lease Agreement between the District, the Tohono O'odham Nation**  
5 **and the Tohono O'odham Utility Authority (TOUA); and**

6 **WHEREAS, the Tohono O'odham Nation Legislative Council passed Resolution #08-586 "*Approving***  
7 ***a Management Agreement Between the Tohono O'odham Nation, Gu Achi District and***  
8 ***the Tohono O'odham Utility Authority for Jewek Mountain*"; and**

9 **WHEREAS, as stated in Legislative Resolution #08-586 that "the Nation, Gu Achi District (*the***  
10 ***"District"*) and TOUA have negotiated a Management Agreement that allows and**  
11 ***directs TOUA to manage the telecommunications facilities on the top of Jewek***  
12 ***Mountain on behalf of the Nation and the District, and allows the Nation and the***  
13 ***District to obtain a stream of revenue from TOUA's leasing of space on the***  
14 ***transmission tower and the associated equipment building.*"; and**

15 **WHEREAS, the Gu Achi District has created a budget in the amount of \$112,613.94 from revenue**  
16 **from the tower user fees and was approved by the Gu Achi District Council (*Resolution***  
17 ***#1206-216*); and**

18 **WHEREAS, the District's tower user fees budget was presented, reviewed and recommended for**  
19 **approval by the members of the Tohono O'odham Legislative Council's Budget and**  
20 **Finance Committee.**

21 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**  
22 **approve Gu Achi District Fiscal Year 2012 Tower User Fees Budget of \$112,613.94 as**  
23 **attached hereto.**

24 **BE IT FINALLY RESOLVED that the Gu Achi District reserves the right to modify its Fiscal Year**  
25 **2012 tower user fees budget in accordance to the Tohono O'odham Nation's process**  
26 **set by the Tohono O'odham Legislative Council, but any amendments/modifications**  
27 **affecting the funds or funding levels of the Gu Achi District's Fiscal Year 2012 Tower**  
28 **User Fees Budget shall be approved by the Tohono O'odham Legislative Council.**  
29

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 29<sup>TH</sup> Day of JUNE, 2012 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (d)(2) 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

*Timothy Joaquin*

Timothy Joaquin, Legislative Chairman

9 day of July, 2012

ATTEST:

*Evonne Wilson*

Evonne Wilson, Legislative Secretary

9 day of July, 2012.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 9 day of July, 2012 at 3:05 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

*Timothy Joaquin*

Timothy Joaquin, Legislative Chairman

APPROVED

on the 10 day of July, 2012

DISAPPROVED

at 5:21 o'clock, P.M.

*Ned Norris, Jr.*

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

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Returned to the Legislative Secretary on the 11 day of

July, 2012, at 8:27 o'clock, a.M.

  
Evonne Wilson, Legislative Secretary

**ACTION:** APPROVING THE GU ACHI DISTRICT FISCAL YEAR 2012 TOWER USER FEES BUDGET IN THE AMOUNT OF \$112,613.94

**MOVED:** COUNCILWOMAN CYNTHIA E. MANUEL

**SECOND:** COUNCILWOMAN ETHEL GARCIA

**DATE:** JUNE 29, 2012

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE <i>(Absent)</i> (Vernon Smith) <i>(Present)</i>	171.0	X			
<b>CHUKUT KUK</b> 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ( )	151.10	X			
<b>GU ACHI</b> 244.9	1. TIMOTHY L. JOAQUIN ( )	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
<b>GU VO</b> 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Roselda Lewis)	113.35	X			
<b>HICKIWAN</b> 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			
<b>PISINEMO</b> 200.7	1. CHESTER ANTONE (Tony Murrietta)	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
<b>SAN LUCY</b> 204.6	1. LORRAINE EILER ( )	102.30	X			X
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
<b>SAN XAVIER</b> x 215.8	1. HILARION CAMPUS <i>(Absent)</i> (Racheal Vilson-Stoner) <i>(Present)</i>	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
<b>SCHUK TOAK</b> 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
<b>SELLS</b> 475.7	1. ARTHUR WILSON <i>(Absent)</i> (Kimberly Mull) <i>(Present)</i>	237.85	X			
	2. EVELYN B. JUAN MANUEL ( )	237.85	X			
<b>SIF OIDAK</b> 211.9	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,780.60</b>	<b>-0-</b>	<b>-0-</b>	<b>[01]</b>