

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving a Programmatic Agreement Between the Rural Utilities Service and the
Tohono O'odham Nation Regarding the American Recovery and Reinvestment Act
Broadband Initiatives Program Project #1767 and #7075 in the Arizona Counties
of Maricopa, Pima, and Pinal)

RESOLUTION NO. 11-085

- 1 **WHEREAS, the Tohono O'odham and their ancestors, the Archaic Period peoples and the**
2 **Hohokam have inhabited Southern Arizona since time immemorial; and**
- 3 **WHEREAS, the Tohono O'odham Nation (Nation) recognizes the need to protect, preserve and**
4 **manage cultural resources on the Nation's lands and on its traditional-use lands; and**
- 5 **WHEREAS, the Tohono O'odham Legislative Council passed the Archaeological Resource**
6 **Protection Ordinance (06-84) in 1984 for "the protection and preservation of**
7 **archaeological resources historically associated with traditional or sacred values and**
8 **beliefs important to the O'odham, and of the physical site, location or context in which**
9 **archaeological resources are found"; and**
- 10 **WHEREAS, the National Historic Preservation Act of 1966 permits Indian Tribes to assume State**
11 **Historic Preservation Office functions (16 U.S.C. 470a (d)); and**
- 12 **WHEREAS, the Tohono O'odham Legislative Council passed Resolution 08-249 Approving the**
13 **Application for the Nation to establish a Tribal Historic Preservation Office (THPO) as**
14 **part of the Cultural Affairs Program to provide Section 106 Compliance under the**
15 **National Historic Preservation Act of 1966 (NHPA) (16 U.S.C. 470) for the protection and**
16 **preservation of archaeological resources historically associated with traditional or**
17 **sacred values and beliefs important to the O'odham and of the physical site, location**
18 **or context in which the archaeological resources are found; and**
- 19 **WHEREAS, the Chairman of the Nation signed a Memorandum of Agreement with the United**
20 **States National Park Service (NPS) on August 7, 2009 for the assumption by the Nation's**
21 **THPO of certain responsibilities pursuant to the NHPA; and**
- 22 **WHEREAS, the Nation received notification from the NPS on September 4, 2009, that the Nation's**
23 **THPO application was approved; and**
- 24 **WHEREAS, the THPO has reviewed and approves the Programmatic Agreement (PA) between the**
25 **Rural Utilities Service and the Nation regarding the American Recovery and**
26 **Reinvestment Act Broadband Initiatives Program Project #1767 and #7075 in the**
27 **Arizona Counties of Maricopa, Pima, and Pinal which will enable the Tohono O'odham**
28 **Utility Authority to install miles of fiber optic lines to improve the communication**
29 **abilities of many communities on the Nation; and**

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1 **WHEREAS, the Cultural Preservation Committee has reviewed and approves the PA for Legislative**
2 **Council approval; and**

3 **WHEREAS, the Office of Attorney General as reviewed and approves the PA as to form.**

4 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
5 **approve the Programmatic Agreement for the ARRA Broadband Initiatives Program**
6 **Project #1767 and #7075 in the Arizona Counties of Maricopa, Pima, and Pinal in**
7 **substantially the form attached hereto and hereby authorizes the Chairman of the**
8 **Tohono O'odham Nation to sign the Programmatic Agreement on behalf of the Nation.**

9 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH Day**
10 **of MARCH, 2011 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0-**
11 **AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article**
12 **VI, Section 1 (d)(2)(3) and (f) of the Constitution of the Tohono O'odham Nation, adopted by the**
13 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
14 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
15 **18, 1934 (48 Stat. 984).**

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17 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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21 **Verlon M. Jose, Legislative Chairman**

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23 16 day of March, 2011

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26 **ATTEST:**

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29 **Evonne Wilson, Legislative Secretary**

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31 11 day of March, 2011.

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33 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**
34 **Nation on the 16 day of March, 2011 at 2:09 o'clock, P.M.,**
35 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
36 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
37 **submittal.**

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39 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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43 **Verlon M. Jose, Legislative Chairman**

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(Approving a Programmatic Agreement Between the Rural Utilities Service and the Tohono O'odham Nation Regarding the American Recovery and Reinvestment Act Broadband Initiatives Program Project #1767 and #7075 in the Arizona Counties of Maricopa, Pima, and Pinal)

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APPROVED

on the 16 day of March, 2011

DISAPPROVED

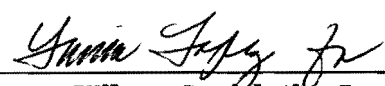
at 4:30 o'clock, P.M.



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

Returned to the Legislative Secretary on the 17 day of

March, 2011, at 9:07 o'clock, A.M.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING A PROGRAMMATIC AGREEMENT BETWEEN THE RURAL UTILITIES SERVICE AND THE TOHONO O'ODHAM NATION REGARDING THE AMERICAN RECOVERY AND REINVESTMENT ACT BROADBAND INITIATIVES PROGRAM PROJECT #1767 AND #7075 IN THE ARIZONA COUNTIES OF MARICOPA, PIMA, AND PINAL

MOVED: COUNCILWOMAN FRANCES G. ANTONE

SECOND: COUNCILWOMAN FRANCES CONDE

DATE: MARCH 08, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			
	2. MARY LOPEZ ()	99.35	X			X
SELLS 449.6	1. KIMBERLY MULL ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			X
	2. OLIVIA VILLEGAS-LISTON (<i>Absent</i>) (Eugene Enis) (<i>Present</i>)	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			
	2. SANDRA ORTEGA ()	87.25	X			X
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL (<i>Absent</i>) (Louis L. Johnson) (<i>Present</i>)	115.05	X			
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			
BABOQUIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	162.0	X			
TOTAL		2,595.50	2,595.50	-0-	-0-	[03]