

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Geodesign Research Proposal)**

RESOLUTION NO. 18-056

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council**
2 **with the authority to "promote, protect and provide for public health, peace,**
3 **morals, education and general welfare of the Tohono O'odham Nation and its**
4 **members" (Constitution, Article VI, Section 1(c)(2)); and**

5 **WHEREAS, the "unallotted lands of the Tohono O'odham Nation and all lands hereafter**
6 **acquired by the nation, or held for the use of the nation or its members, are a**
7 **valuable public resource and shall be held as national lands forever. Control**
8 **and management thereof are vested in the Tohono O'odham Council, which may**
9 **enact laws governing the use, assignment, permit, lease or other disposition of**
10 **lands, interests in land and resources of the nation consistent with Federal law."**
11 **(Constitution, Article XVI, Section 1); and**

12 **WHEREAS, on May 23, 2017, geography Ph.D. candidate Jonathan Davis from the Arizona**
13 **State University School of Geographical Sciences and Urban Planning, presented**
14 **a Geodesign Research Proposal to the Sif-Oidak District Council; and**

15 **WHEREAS, Jonathan Davis, with guidance from Professor David Pijawka, the Sif-Oidak**
16 **District, and the Nation's Planning and Economic Development Department,**
17 **proposes to prepare, coordinate, and lead a geodesign and planning workshop**
18 **for the Sif-Oidak District in order to develop and/or update a community-based**
19 **land use plan; and**

20 **WHEREAS, upon completion of the research, a regional land use plan for Sif-Oidak District**
21 **will be created to highlight opportunities for economic development, housing,**
22 **public services, infrastructure development, conservation of natural resources,**
23 **preservation of cultural resources, and other priorities identified by Sif-Oidak**
24 **District residents; and**

25 **WHEREAS, by Resolution No. SODC 17-116, the Sif-Oidak District supported the Geodesign**
26 **Research Proposal; and**

27 **WHEREAS, the Nation's Research Code broadly defines research as the "use of systematic**
28 **methods to gather and analyze information for the purpose of proving or**
29 **disproving a hypothesis, evaluating concepts or practices or otherwise adding to**
30 **knowledge and insight in a particular discipline or field of knowledge. . research**
31 **includes but is not limited to the following: . . . (4) Community based**
32 **participatory research..." and vests the Tohono O'odham Nation Institutional**
33 **Review Board with the power to approve research proposals (17 Tohono**
34 **O'odham Code Chapter 8, Sections 8101 and 8104); and**

1 **WHEREAS, in the absence of a Tohono O'odham Nation Institutional Review Board with**
2 **sufficient members for a quorum, Jonathan Davis presented the Geodesign**
3 **Research Proposal to the Agricultural and Natural Resources and Commerce**
4 **Committees, which recommend approval.**

5 **NOW, THEREFORE, BE IT RESOLVED that notwithstanding 17 Tohono O'odham Code Chapter 8,**
6 **the Tohono O'odham Legislative Council approves the Geodesign Research**
7 **Proposal, provided that any completed regional land use plan resulting from the**
8 **Geodesign Research Proposal will be used for information purposes only, and**
9 **will not be legally binding unless subsequently approved by Tohono O'odham**
10 **Legislative Council resolution.**

11 **BE IT FURTHER RESOLVED that 17 Tohono O'odham Code Chapter 8, Section 8106(7) regarding**
12 **ownership and other provisions of Chapter 8 that can be implemented in the**
13 **absence of an appointed Tohono O'odham Nation Institutional Review Board**
14 **shall remain applicable to the project.**

15 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that ongoing supervision**
16 **of this research be transferred to the Tohono O'odham Nation Institutional**
17 **Review Board once a sufficient number of Board members to constitute a**
18 **quorum have been appointed.**

19 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 14TH**
20 **day of FEBRUARY, 2018 at a meeting at which a quorum was present with a vote of 2,510.85**
21 **FOR; -0- AGAINST; -0- NOT VOTING; and 225.9 [05] ABSENT, pursuant to the powers vested in the**
22 **Council by Article VI, Section 1(c)(2) and Article XVI, Section 1 of the Constitution of the Tohono**
23 **O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved**
24 **by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986,**
25 **pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).**

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28 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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32 **Timothy Joaquin, Legislative Chairman**

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34 15 day of February, 2018

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37 **ATTEST:**

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40 **Evonne Wilson, Legislative Secretary**

41 15 day of February, 2018
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1 Said Resolution was submitted for approval, to the office of the Chairman of the Tohono
2 O'odham Nation on the 15 day of February, 2018 at 10:28 o'clock, a .m.,
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
4 effective upon his approval or upon his failure to either approve or disapprove it within 48
5 hours of submittal.
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7 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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12 Timothy Joaquin, Legislative Chairman
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16 **APPROVED**

on the 16th day of February, 2018

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18 **DISAPPROVED**

at 10:27 o'clock, a .m.

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22 EDWARD D. MANUEL, CHAIRMAN
23 TOHONO O'ODHAM NATION
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28 Returned to the Legislative Secretary on the 16 day of

29 February, 2018, at 10:35 o'clock, a .m.

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34 Evonne Wilson, Legislative Secretary
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ACTION: APPROVING GEODESIGN RESEARCH PROPOSAL

MOVED: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILWOMAN FRANCES MIGUEL

DATE: FEBRUARY 14, 2018

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|----------------------|---|------------|----------|---------|------------|---------------|
| SIF Oidak 235.8 | 1. MARY LOPEZ () | 117.9 | X | | | X |
| | 2. LUCINDA ALLEN (Yolonda Garcia) | 117.9 | X | | | |
| SELLS 527.2 | 1. ARTHUR WILSON (Evelyn Juan Manuel) | 263.6 | X | | | |
| | 2. ADRIANNE TILLER (Idaleen Reyes) | 263.6 | X | | | |
| SCHUK TOAK 185.7 | 1. ANTHONY J. FRANCISCO JR. (<i>Absent</i>) (Teresa F. Donahue) (<i>Present</i>) | 92.85 | X | | | |
| | 2. QUINTIN C. LOPEZ (<i>Absent</i>) (Agnes V. Joaquin) (<i>Present</i>) | 92.85 | X | | | |
| SAN XAVIER 232.3 | 1. DANIEL L.A. PRESTON III (Felicia Nunez) | 116.15 | | X | | X |
| | 2. JANICE FELIX () | 116.15 | | X | | |
| SAN LUCY 231.1 | 1. JANA MONTANA (Diana Manuel) | 115.55 | X | | | |
| | 2. GLORIA RAMIREZ (Lorraine Eiler) | 115.55 | | X | | |
| PISINEMO 225.9 | 1. CHESTER ANTONE (Caroline D. Garcia) | 112.95 | | | | X |
| | 2. MONICA K. MORGAN () | 112.95 | | | | |
| HICKIWAN 209.0 | 1. LOUIS R. LOPEZ (<i>Absent</i>) (Shirley Molina) (<i>Present</i>) | 104.5 | X | | | |
| | 2. SANDRA D. ORTEGA () | 104.5 | X | | | |
| GU VO 256.9 | 1. GRACE MANUEL () | 128.45 | X | | | X |
| | 2. DALLAS LEWIS (Nacho Flores) | 128.45 | X | | | |
| GU ACHI 270.9 | 1. TIMOTHY L. JOAQUIN (Louis L. Johnson) | 135.45 | X | | | |
| | 2. LORETTA LEWIS (Victoria Hobbs) | 135.45 | X | | | |
| CHUKUT KUK 337.7 | 1. BILLMAN LOPEZ (Patricia Vicenti) | 168.85 | X | | | |
| | 2. VIVIAN JUAN-SAUNDERS (<i>Absent</i>) (Juanita Homer) (<i>Present</i>) | 168.85 | X | | | |
| BABOQUIVARI 372.1 | 1. FRANCES MIGUEL (Roberta E. Harvey) | 186.05 | X | | | |
| | 2. LEANDER MASE () | 186.05 | X | | | |
| TOTAL | | 3,084.6 | 2,510.85 | 347.85 | -0- | 225.9 [05] |