

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Memorandum of Agreement Among The Bureau of Indian Affairs, West**  
**Regional Office, The Rural Utilities Service, USDA, Tohono O'odham Nation,**  
**Tohono O'odham Utility Authority and Arizona State Historic Preservation**  
**Officer Regarding Fiber Optic Telecommunication Line From BIA**  
**Route 15 to Cockleburr, Arizona)**

**RESOLUTION NO. 09-053**

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 recognizes the need to protect, preserve and manage**  
4 **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 Tohono O'odham Legislative Council by Resolution 07-134, approved the TOUA**  
11 **Exchanges Upgrade Telecommunications Project that included this fiber optic line**  
12 **construction from BIA Route 15 to Cockleburr; and**

13 **WHEREAS, the Sif Oidak District Council by Resolution 01-07-02, approved the TOUA Exchanges**  
14 **Upgrade Telecommunications Project that included this fiber optic line construction**  
15 **from BIA Route 15 to Cockleburr; and**

16 **WHEREAS, the Cultural Preservation Committee and the Natural Resources Committee have**  
17 **reviewed and approved the MOA for the Fiber Optic Line from BIA Route 15 to**  
18 **Cockleburr, Arizona; and**

19 **WHEREAS, the Cultural Affairs Office has reviewed and approves Treatment Plan report; and**

20 **WHEREAS, the MOA has been reviewed and approved by the Attorney General's Office of the**  
21 **Tohono O'odham Nation.**

22 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**  
23 **approves the MOA for the Fiber Optic Telecommunication Line from BIA Route 15 to**  
24 **Cockleburr, Arizona pursuant to Section 106 of the National Historic Preservation Act**  
25 **of 1966 (NHPA, 16 U.S.C. 470f, 36 CFR 800.2 (c)(1)(i), and 800.6(b) and authorizes the**  
26 **Chairman of the Tohono O'odham Nation to sign the MOA for the Fiber Optic**  
27 **Telecommunication Line from BIA Route 15 to Cockleburr, Tohono O'odham Nation,**  
28 **Arizona.**

29 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 27<sup>TH</sup>. Day**  
30 **of JANUARY, 2009 at a meeting at which a quorum was present with a vote of 2,335.3 FOR; -0-**  
31 **AGAINST; -0- NOT VOTING; and 199.2[07]ABSENT, pursuant to the powers vested in the Council by**  
32 **Section 1(d)(2)&(3)and(f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted**  
33 **by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
34 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
35 **18, 1934 (48 Stat. 984).**

RESOLUTION NO. 09-053

(Approving Memorandum of Agreement Among The Bureau of Indian Affairs, West Regional Office, The Rural Utilities Service, USDA, Tohono O'odham Nation, Tohono O'odham Utility Authority and Arizona State Historic Preservation Officer Regarding Fiber Optic Telecommunication Line From BIA Route 15 to Cockleburr, Arizona)

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
Verlon M. Jose, Legislative Chairman

29 day of January, 2009

ATTEST:

  
Lucille Lopez, Acting Legislative Secretary

27 day of January, 2009.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 29 day of January, 2009 at 5:21 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

  
Verlon M. Jose, Legislative Chairman

APPROVED on the 1<sup>st</sup> day of February, 2009

DISAPPROVED at 3:46 o'clock, P..M.

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

Returned to the Legislative Secretary on the 12 day of February, 2009, at 9:23 o'clock, A..M.

  
Lucille Lopez, Acting Legislative Secretary

**ACTION:** APPROVING MEMORANDUM OF AGREEMENT AMONG THE BUREAU OF INDIAN AFFAIRS, WEST REGIONAL OFFICE, THE RURAL UTILITIES SERVICE, USDA, TOHONO O'ODHAM NATION, TOHONO O'ODHAM UTILITY AUTHORITY AND ARIZONA STATE HISTORIC PRESERVATION OFFICER REGARDING FIBER OPTIC TELECOMMUNICATION LINE FROM BIA ROUTE 15 TO COCKLEBURR, ARIZONA

**MOVED:** COUNCILWOMAN MARY LOPEZ

**SECOND:** COUNCILWOMAN FRANCES CONDE

**DATE:** JANUARY 27, 2009

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			X
	2. FRANCES G. ANTONE (Vernon Smith)	158.45	X			
<b>CHUKUT KUK</b> 264.8	1. ETHEL GARCIA ( )	132.40	X			
	2. VERLON M. JOSE ( )	132.40	X			X
<b>GU ACHI</b> 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ( )	113.95	X			X
<b>GU VO</b> 199.2	1. GRACE MANUEL ( )	99.60				X
	2. RAYMOND VICTOR ( )	99.60				X
<b>HICKIWAN</b> 172.0	1. MICHELLE ORTEGA ( )	86.00	X			
	2. SANDRA ORTEGA ( )	86.00	X			X
<b>PISINEMO</b> 182.4	1. CHESTER ANTONE (Tony Murrietta)	91.20	X			
	2. GERALD FAYUANT ( )	91.20	X			
<b>SAN LUCY</b> 181.1	1. LORRAINE EILER ( )	90.55	X			
	2. GLORIA RAMIREZ ( )	90.55	X			
<b>SAN XAVIER</b> 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			
	2. OLIVIA VILLEGAS-LISTON** (Eileen A. Estrada-Lopez)	98.25	X			
<b>SCHUK TOAK</b> 154.6	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
<b>SELLS</b> 444.7	1. KIMBERLY LISTO** ( )	222.35	X			
	2. EVELYN B. JUAN MANUEL ( )	222.35	X			
<b>SIF OIDAK</b> 194.4	1. WAVALENE ROMERO ( )	97.20	X			X
	2. MARY LOPEZ ( )	97.20	X			
<b>TOTAL</b>		<b>2,534.5</b>	<b>2,335.3</b>	<b>-0-</b>	<b>-0-</b>	<b>199.2</b> [07]

\*\*PASSED VOTES