

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Pima County Sheriff's Department and the Tohono O'odham Nation
Memorandum of Understanding to work cooperatively to implement the Pima
County Wireless Integrated Network (PCWIN))

RESOLUTION NO. 07-683

1 **WHEREAS, the Tohono O'odham Nation (the "Nation") has the need to provide radio**
2 **communications for the Tohono O'odham Police Department (TOPD) and the Tohono**
3 **O'odham Fire Department (TOFD) in furtherance of public safety, and desires to**
4 **improve public safety radio communications coverage, reliability, and**
5 **interoperability; and**

6 **WHEREAS, a countywide regional public safety communications system, Pima County Wireless**
7 **Integrated Network (PCWIN), will provide voice and data communications services for**
8 **twenty fire districts, eleven police agencies, Pima County Office of Emergency**
9 **Management and Homeland Security, including TOPD and TOFD; and**

10 **WHEREAS, the Tohono O'odham Nations participation in PCWIN will enhance radio**
11 **communications for the TOFD and TOPD including other Nation emergency response**
12 **agencies; and**

13 **WHEREAS, Pima County has considered the Nation's assets and radio communications needs in**
14 **creating the conceptual design for the PCWIN, including participation from the**
15 **Nation's representatives; and**

16 **WHEREAS, the Nation received funding from the United States Department of Homeland Security**
17 **to make antenna and other site improvements at Kitt Peak (Ioligam Doag) useful in**
18 **the PCWIN project, and to install a microwave link between Kitt Peak and Jewek**
19 **mountain; and**

20 **WHEREAS, the Nation agrees to make these improvements available for inclusion in the PCWIN**
21 **radio System design to support future public safety communications, with the**
22 **understanding that a future Intergovernmental Agreement will define the terms and**
23 **conditions for use of these assets; and**

24 **WHEREAS, the antenna and other site improvements proposed for Kitt Peak will occur in an area**
25 **that has been previously disturbed and will not increase the impacts on Kitt Peak; and**

26 **WHEREAS, because of the significance of Ioligam Doag as I'toi's Garden, the Nation has**
27 **previously adopted Resolution Nos. 06-808, 05-102, and 05-130 to oppose further**
28 **construction of the VERITAS project of the Smithsonian Institution to prevent further**
29 **harm to the cultural and spiritual significance of Ioligam Doag; and**

RESOLUTION NO. 07-683

(Approving Pima County Sheriff's Department and the Tohono O'odham Nation Memorandum of Understanding to work cooperatively to implement the Pima County Wireless Integrated Network (PCWIN))

Page 2 of 3

1 **WHEREAS, the Nation recognizes a difference between new construction of astronomy facilities,**
2 **which it opposes, and upgrading of a communications facility in furtherance of public**
3 **safety such as is needed for the PCWIN project, which it supports, and does not view**
4 **its approval of the PCWIN project as inconsistent with its efforts to preserve the**
5 **cultural and spiritual significance of Ioligam Doag; and**

6 **WHEREAS, the attached Memorandum of Understanding has been reviewed by the Domestic**
7 **Affairs, Natural Resources and Cultural Preservation Committees which recommend**
8 **approval by the Legislative Council; and**

9 **WHEREAS, the Tohono O'odham Nation agrees that it is necessary to negotiate an**
10 **intergovernmental agreement in good faith between the Nation and Pima County**
11 **governing construction, occupancy and use of facilities at Kitt Peak and Jewek**
12 **Mountain in which the terms and conditions of the agreement will additionally define**
13 **services to be rendered and received by the Nation and County and their associated**
14 **costs.**

15 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:**

- 16 **1. Finds that the communications facility upgrade required for the PCWIN project is**
17 **necessary to provide for public safety and welfare by enhancing the**
18 **interoperability of the Nation's communications system.**
- 19 **2. Finds that the communications facility upgrade required for the PCWIN project**
20 **does not harm the cultural and spiritual values of Ioligam Doag.**
- 21 **3. Approves the Memorandum of Understanding between the Pima County Sheriff's**
22 **Department and the Tohono O'odham Nation to implement the PCWIN project**
23 **substantially in the form attached hereto, and authorizes the Chairman of the**
24 **Tohono O'odham Nation to execute it.**

25 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15TH Day**
26 **of OCTOBER, 2007 at a meeting at which a quorum was present with a vote of 966.5 FOR; 595.2**
27 **AGAINST; 972.8 NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by**
28 **Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**
29 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
30 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
31 **Stat. 984).**

32
33
34
35
36

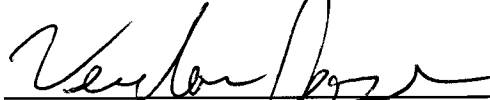
RESOLUTION NO. 07-683

(Approving Pima County Sheriff's Department and the Tohono O'odham Nation Memorandum of Understanding to work cooperatively to implement the Pima County Wireless Integrated Network (PCWIN))

Page 3 of 3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Verlon M. Jose, Legislative Chairman

16 day of October, 2007

ATTEST:


Lucille Lopez, Acting Legislative Secretary

15 day of October, 2007.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 16 day of October, 2007 at 4:49 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



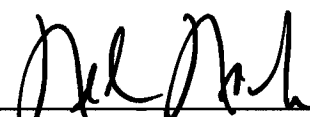
Verlon M. Jose, Legislative Chairman

APPROVED

on the 17 day of October, 2007

DISAPPROVED

at 2:10 o'clock, P.M.



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

Returned to the Legislative Secretary on the 17 day of

October, 2007, at 2:52 o'clock, P.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING PIMA COUNTY SHERIFF'S DEPARTMENT AND THE TOHONO O'ODHAM NATION MEMORANDUM OF UNDERSTANDING TO WORK COOPERATIVELY TO IMPLEMENT THE PIMA COUNTY WIRELESS INTEGRATED NETWORK (PCWIN)

MOVED: COUNCILMAN TIMOTHY JOAQUIN

SECOND: COUNCILWOMAN CYNTHIA MANUEL

DATE: OCTOBER 15, 2007

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL** (Roberta Harvey)	158.45		X		
	2. FRANCES G. ANTONE ()	158.45		X		
CHUKUT KUK 264.8	1. ETHEL GARCIA ()	132.40	X			
	2. VERLON M. JOSE ()	132.40			X	
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ()	113.95	X			
GU VO 199.2	1. GRACE MANUEL ()	99.60			X	X
	2. MICHAEL FLORES ()	99.60			X	
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			X
	2. SANDRA ORTEGA ()	86.00	X			
PISINEMO 182.4	1. CHESTER ANTONE ()	91.20	X			X
	2. GERALD FAYUANT ()	91.20	X			
SAN LUCY 181.1	1. LORRAINE EILER ()	90.55		X		X
	2. GLORIA RAMIREZ ()	90.55		X		
SAN XAVIER 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25			X	
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25			X	X
SCHUK TOAK 154.6	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
SELLS 444.7	1. KIMBERLY LISTO ()	222.35			X	
	2. EVELYN B. JUAN MANUEL ()	222.35			X	
SIF OIDAK 194.4	1. WAVALENE ROMERO ()	97.20		X		
	2. MARY LOPEZ ()	97.20	X			
TOTAL		2,534.5	966.5	595.2	972.8	[05]

**PASSED VOTES