

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting the Proposed Pima County Wireless Integrated Network ("PCWIN")
Tumamoc Hill Multi-Tenant Consolidation Plan)

RESOLUTION NO. 10-271

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the authority to "preserve and**
2 **cultivate native arts, crafts and traditions" and to "consult, negotiate and conclude**
3 **agreements and contracts on behalf of the Tohono O'odham Nation with Federal, State**
4 **and local governments . . ." (Constitution, Article VI, Section I(c)(8) and (f)); and**

5 **WHEREAS, the Tohono O'odham and our ancestors have inhabited Tumamoc Hill area since time**
6 **immemorial; and**

7 **WHEREAS, our ancestors, the Archaic and Hohokam, made extensive use of the Tumamoc Hill**
8 **area for living and farming which today is estimated to contain thousands of cultural**
9 **features such as houses, trails, petroglyphs, fields, rock piles, contour terraces, check**
10 **dams, field houses, bordered gardens, burials and artifact concentrations; and**

11 **WHEREAS, Tumamoc Hill which means "horned toad mountain" in O'odham, is a place of**
12 **spiritual, cultural, and ancestral significance and represents a significant traditional**
13 **cultural place; and**

14 **WHEREAS, the Tohono O'odham Nation enacted the Archaeological Resources Protection**
15 **Ordinance (Ordinance No. 06-84) for "the protection and preservation of**
16 **archaeological resources historically associated with traditional or sacred values and**
17 **beliefs important to the O'odham, and of the physical site, location or context in which**
18 **archaeological resources are found"; and**

19 **WHEREAS, the Tohono O'odham Nation recognizes the importance and need to protect, preserve**
20 **and manage cultural and natural resources on the Nation's lands and on traditional-**
21 **use lands located in Pima County; and**

22 **WHEREAS, the Pima County Information Technology Department, the Pima County Sheriff's**
23 **Department, and the Tohono O'odham Police Department have joined with other**
24 **public safety entities to develop a regional public safety radio system known as the**
25 **Pima County Wireless Integrated Network ("PCWIN") in order to improve public safety**
26 **services; and**

27 **WHEREAS, in 2007 the Legislative Council approved a memorandum of understanding between**
28 **the Nation and the Pima County Sheriff's Department to implement the PCWIN**
29 **(Resolution No. 07-683); and**

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1 **WHEREAS, in order to implement the PCWIN, Pima County plans to construct one new**
2 **communications tower on Tumamoc Hill, remove two older towers and two buildings,**
3 **and consolidate infrastructure in the existing KUAT building; and**

4 **WHEREAS, the plan for Tumamoc Hill is known as the PCWIN Tumamoc Hill Multi-Tenant**
5 **Consolidation Plan and is shown and generally described on the "PCWIN Tumamoc**
6 **Hill Consolidation Plan" aerial map dated July 6, 2010 ("PCWIN Tumamoc Hill**
7 **Consolidation Plan Map"), which is incorporated by this reference; and**

8 **WHEREAS, the University of Arizona's Management Plan for Tumamoc Hill stresses that any**
9 **activities there must avoid impacting on cultural sites and Pima County has made**
10 **efforts to avoid impacting cultural sites when implementing the PCWIN Tumamoc Hill**
11 **Multi-Tenant Consolidation Plan; and**

12 **WHEREAS, the Tohono O'odham Tribal Historic Preservation Office has reviewed and**
13 **recommends that the Nation support the PCWIN Tumamoc Hill Multi-Tenant**
14 **Consolidation Plan; and**

15 **WHEREAS, the Legislative Cultural Preservation and Domestic Affairs Committees have reviewed**
16 **the PCWIN Tumamoc Hill Consolidation Plan Map.**

17 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council supports the**
18 **PCWIN Tumamoc Hill Multi-Tenant Consolidation Plan as shown and generally**
19 **described on the PCWIN Tumamoc Hill Consolidation Plan Map provided that the Plan**
20 **will have no adverse effect on Tumamoc Hill cultural sites.**

21 **BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that this resolution does**
22 **not relieve any federal agency of its duty to consult as required by Section 106 of the**
23 **National Historic Preservation Act (16 U.S.C. 470 *et seq.*).**

24 **BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that if the Nation's Tribal**
25 **Historic Preservation Office determines that the PCWIN Tumamoc Hill Multi-Tenant**
26 **Consolidation Plan will have no adverse effect to historic properties on Tumamoc Hill,**
27 **the Tribal Historic Preservation Office is authorized to issue a certification to that**
28 **effect.**

29 **BE IT FINALLY RESOLVED that the Tribal Historic Preservation Office will report the results of the**
30 **completed PCWIN Tumamoc Hill Multi-Tenant Consolidation Plan project to the Office**
31 **of the Chairman and the Legislative Cultural Preservation Committee.**

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1 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15TH Day**
2 **of [JULY, 2010 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0- AGAINST;**
3 **-03- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI,**
4 **Section 1 (c)(8) and (f) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono**
5 **O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
6 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
7 **Stat. 984).**

8
9 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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

14 30 day of July, 2010

17 **ATTEST:**

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19 _____
20 **Evonne Wilson, Legislative Secretary**

21 29 day of July, 2010.

24 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**
25 **Nation on the 30 day of July, 2010 at 5:16 o'clock, P..M.,**
26 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
27 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
28 **submittal.**

31 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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

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40 **APPROVED**

on the 03 day of August, 2010

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42 **DISAPPROVED**

at 4:12 o'clock, P..M.

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44 _____
45 **NED NORRIS, JR., CHAIRMAN**
46 **TOHONO O'ODHAM NATION**

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Returned to the Legislative Secretary on the 3 day of

August, 2010, at 4:34 o'clock, P.M.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: SUPPORTING THE PROPOSED PIMA COUNTY WIRELESS INTEGRATED NETWORK ("PCWIN") TUMAMOC HILL MULTI-TENANT CONSOLIDATION PLAN

Moved: COUNCILMAN TIMOTHY JOAQUIN

SECOND: COUNCILWOMAN FRANCES CONDE

DATE: JULY 15, 2010

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			
SELLS 449.6	1. KIMBERLY LISTO ()	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 (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X		X	
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X		X	
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			
	2. SANDRA ORTEGA ()	87.25	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 ()	115.05	X		X	
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			
BABOQIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	162.0	X			X
TOTAL		2,595.50	2,595.50	-0-	-03-	[02]