

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approval of Subsurface Archaeological Testing)

RES. NO. 428-86

1 WHEREAS, The Tohono O'odham Nation entered into an Agreement with the United
2 States Department of Interior, dated October 11, 1983, to accomplish
3 the requirements of P.L. 97-293, Southern Arizona Water Rights Settle-
4 ment Act ("the Act"), and entered into a further contract with the
5 Bureau of Reclamation dated April 30, 1984, pursuant to P.L. 93-638,
6 to provide the services and facilities necessary to accomplish the
7 requirements of the Act; and
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9 WHEREAS, It is therefore the responsibility of the Tohono O'odham Nation under
10 the terms of the foregoing 638 contract to provide, by means of sub-
11 contracts, all services covering studies, planning, design and con-
12 struction of the facilities needed for the delivery and distribution
13 of water to the Schuk Toak District as provided by the Act; and
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15 WHEREAS, The Tohono O'odham Nation has entered into an Agreement with Franzoy.
16 Corey Engineering Company, dated October 3, 1984, to provide such
17 services; and

18 WHEREAS, Franzoy. Corey Engineering Company has selected the Institute for
19 American Research (the Institute) to perform on their behalf further
20 archaeological studies, including excavations, testing and date
21 recovery, as required by Federal Law (National Historic Perservation
22 Act of 1966); and
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24 WHEREAS, The Tohono O'odham Council and Schuk Toak District have approved, in
25 concept, Development Alternative Number 7B as presented by Franzoy.
26 Corey Engineers and Architects.

27 NOW, THEREFORE, BE IT RESOLVED that the Schuk Toak District Council pursuant
28 to Section 3 of Ordinance No. 32-82 and further described in Section
29 9 of the same Ordinance and to Section 5(B) of the Archaeological
30 Resources Protection Ordinance of the Tohono O'odham Nation, hereby
31 grants to the Institute for American Research for a period of 12
32

1 months permission to conduct subsurface archaeological testing within
2 the boundaries of the Garcia Strip portion of the Schuk Toak District
3 and other field work in relation to the facilities for the delivery
4 and distribution of water as provided by the Act, provided, however
5 that all such archaeological work shall be in compliance with the
6 Archaeological Resources Ordinance of the Tohono O'odham Nation.

7 BE IT FURTHER RESOLVED that the Legislative Council has reviewed and approved
8 the request for subsurface archaeological testing on the Garcia Strip
9 area of the Schuk Toak District.


10 BE IT FURTHER RESOLVED that this authorization shall not be deemed as election
11 or a decision by this Council of the final alignment or location of
12 the water delivery and distribution system or of the farming facili-
13 ties referred to in or contemplated by the Act.

14 BE IT FURTHER RESOLVED that before any contracts are executed all subcontractors
15 of the Tohono O'odham Nation be advised of the requirements of the
16 Tohono O'odham Nation's Employment Rights Ordinance, Ordinance No.
17 01-85 requiring covered employers to give preference to Indians in
18 all aspects of employment on the Tohono O'odham Nation.

19 BE IT FURTHER RESOLVED that the Tohono O'odham Nation members from the Schuk
20 Toak District be given the opportunity to secure employment in rela-
21 tionship to the archaeological studies that are mentioned above.

22 The foregoing resolution was passed by the Tohono O'odham Council on the 18th
23 day of September, 1986, at a meeting at which a quorum was present with a vote
24 of 1360.0 for; 237.5 against; 42.5 not voting; and 04 absent, pursuant to the
25 powers vested in the Council by Section 1(i)(2) of Article VI of the Consti-
26 tution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on
27 January 18, 1986, and approved by the Acting Deputy Assistant Secretary -
28 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act
29 of June 18, 1934 (48 Stat. 984).

30 TOHONO O'ODHAM LEGISLATIVE COUNCIL

31 
32 Harriet Toro, Legislative Chairperson
30th day of October, 1986.

1 ATTEST:

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3 Ophelia F. Campillo
4 Ophelia F. Campillo, Legislative
5 Secretary
31st day of October, 1986.

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7 Said Resolution was submitted for approval to the office of the Chairman of the
8 Tohono O'odham Nation on the 3rd day of November, 1986, at 5:05
9 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the
10 Constitution and will become effective upon his approval or upon his failure to
11 either approve or disapprove it within 48 hours of submittal.

12 TOHONO O'ODHAM LEGISLATIVE COUNCIL

13 Harriet Toro
14 Harriet Toro, Legislative Chairperson

15 APPROVED) on the 4 day of November, 1986, at
16 DISAPPROVED) 4:38 o'clock, P.M.

17 Josiah Moore
18 JOSIAH MOORE, Chairman
19 TOHONO O'ODHAM NATION

20 Returned to Legislative Secretary on the 5th day of November,
21 1986, at 9:25 o'clock, A.M.

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23 Ophelia F. Campillo
24 Ophelia F. Campillo, Legislative
25 Secretary
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MOVED: ROSEMARY LOPEZ

SUBJECT: APPROVAL OF SUBSURFACE ARCHAEO-

SECOND: JULIA CARRILLO

LOGICAL TESTING

DATE: SEPTEMBER 18, 1986

RESOLUTION OR ORDINANCE # 428-86

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSEN
SIF OIDAK 138	1. Elliott Lewis (Eugene F. Jose)	69.0	X			X
	2. Nicklos Jose (Letitia Garcia)	69.0	X			
SELLS 257	1. Andrew M. Patricio (Nora Alvarez)	128.5	X			
	2. Fred Stevens (Dennis E. Jose)	128.5	X			
SCHUK TOAK 105	1. Joseph Juan ()	52.5	X			
	2. Julie Carrillo (Jo Ann Francisco)	52.5	X			X
SAN XAVIER 126	1. XXXXXXXXXXXX (Yvonne Corella)	63.0	X			
	2. Tony Felix (Carmelita Mattias)	63.0	X			
BABOQUIVARI 241	1. XXXXXXXXXXXX (Edward N. Kisto)	120.5		X		
	2. Kenneth Chico, Sr. (Frances Miguel)	120.5	X			
GU ACHI 158	1. Angelo J. Joaquin, Sr. (Jonas R. Robles)	79.0	X			
	2. Fernando Joaquin (Fred Adams, Jr.)	79.0	X			X
PISINEMO 116	1. Jerome Antone (Eonnie Mendoza)	58.0	X			
	2. Johnson Jose (Edward D. Manuel)	58.0	X			
SAN LUCY 85	1. John Reno ()	42.5			X	
	2. Max P. Jose (Dewey I. Ortega)	42.5	X			
GU VO 117	1. Cross Antone (Fern E. Salcido)	58.5		X		X
	2. Virgil Lewis (Roy Montana)	58.5		X		
HICKIWAN 128	1. Henry A. Ramon (Pablo Baptisto)	64.0	X			
	2. Lloyd Francisco (Eleanor Santos)	64.0	X			
CHUKUT KUK 169	1. Rosemary Lopez (Anita C. Clark)	84.5	X			
	2. Harriet Toro (Marvin J. Thomas)	84.5	X			
TOTALS		1640.0	1360.0	237.5	42.5	04