

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approval to enter into a Memorandum of Agreement  
with the Arizona State Historic Preservation Office  
to obtain Archaeological clearance)**

**RESOLUTION NO. 94-099**

**WHEREAS, the San Xavier District (a political subdivision of the  
Tohono O'Odham Nation) has had a long-standing need  
to develop, expand and construct additional facilities  
to provide adequate space to accommodate the  
population growth in the provision of educational  
services; and**

**WHEREAS, the Tohono O'Odham Nation (Nation), as a federally  
recognized Indian Tribe, had applied for and been  
awarded a Community Development Block Grant  
(CDBG) for the design and construction on a Multi-  
Purpose Educational Facility for the San Xavier District;  
and**

**WHEREAS, the Research and Planning Office, a Department of the  
Tohono O'Odham Nation, is responsible for the  
administration and implementation of the CDBG Grant  
for the construction of the Multi-Purpose Building; and**

**WHEREAS, as part of the required environmental clearance  
process as identified within the regulations governing  
the CDBG grant, a preliminary cultural resources  
survey was conducted by Statistical Research within the**

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**site identified for the facility; and**

**WHEREAS, an archaeological testing report was issued on May 17,  
1993 which also included a draft Data Recovery Plan  
for the proposed site, and where said report was  
submitted to the Arizona State Historic Preservation  
Office (SHPO); and**

**WHEREAS, it had been determined that the construction of the  
proposed Multi-Purpose Facility within the San Xavier  
District will have an effect upon the Archaeological Site  
AZ AA:16:375 (ASM), and upon properties determined to  
be eligible for inclusion in the National Register of  
Historic Places and therefore constitutes an  
undertaking as defined in 36 C.F.R.s 800.2(o); and**

**WHEREAS, the Nation, as the lead agency for this undertaking, has  
consulted with the Arizona State Historic Preservation  
Office (SHPO) and the Advisory Council on Historic  
Preservation (Council) on its intent to proceed forward  
with a data recovery plan for the site as part of  
clearance toward construction of the Multi-Purpose  
Education Facility.**

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**NOW, THEREFORE, BE IT RESOLVED that the Nation, Arizona State  
Historic Preservation Office, and the San Xavier District  
agree that the undertaking to clear the Multi-Purpose  
Building site shall be implemented in accordance with  
the attached Memorandum of Agreement in order to  
effectively mitigate any effects on historic properties.**

**BE IT FURTHER RESOLVED that the Nation enters into this  
Memorandum of Agreement with the State Historic  
Preservation Office as part of its administration and  
implementation of the CDBG Grant for the Multi-  
Purpose Education Facility for the San Xavier District.**

**The foregoing Resolution was passed by the Tohono O'Odham  
Legislative Council on the 21ST. day of MARCH, 1994 at a meeting  
at which a quorum was present with a vote of 1,714.0 FOR; -0-  
AGAINST; 49.0 NOT VOTING; and 03 ABSENT, pursuant to the  
powers vested in the Council by Section 1(f) of Article VI of the  
Constitution of the Tohono O'Odham Nation, adopted by the  
Tohono O'Odham Nation on January 18, 1986; and approved by the  
Acting Deputy Assistant Secretary - Indian Affairs (Operations) on  
March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48  
Stat. 984).**

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
**Alex J. Ramon, Legislative Chairman**

21<sup>st</sup> day of March, 19 94

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**ATTEST:**

Guacinda Allen for:

**Teresa M. Choyguha, Legislative Secretary**

21<sup>st</sup> day of March, 1994.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 22<sup>nd</sup> day of March, 1994 at 8:14 o'clock, A.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**

Alex J. Ramon

**Alex J. Ramon, Legislative Chairman**

**APPROVED** on the 23 day of March, 1994

**DISAPPROVED** at 11:58 o'clock, A.M.

Sylvester Listo

**SYLVESTER LISTO, Chairman  
TOHONO O'ODHAM NATION**

**Returned to the Legislative Secretary on the 23<sup>RD</sup> day of**

March, 1994, at 12:03 o'clock, P.M.

Teresa M. Choyguha for:  
**Teresa M. Choyguha, Legislative Secretary**

**ACTION:** APPROVAL TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE ARIZONA STATE HISTORIC PRESERVATION OFFICE TO OBTAIN ARCHAEOLOGICAL CLEARANCE

**MOVED:** COUNCILMAN EUGENE ENIS

**SECOND:** COUNCILMAN DENNIS RAMON

**DATE:** MARCH 21, 1994

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF ODAK 151.0	1. WILLARD JUAN, SR. (Delbert Thomas)	75.5	X			
	2. MARY ANN ANTONE (Nellie Miguel)	75.5	X			
SELLS 290.0	1. ANDREW M. PATRICIO (Lucille Encinas)	145.0	X			
	2. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	145.0	X			
SCHUK TOAK 113.0	1. FRANCES FRANCISCO ( )	56.5	X			
	2. KENNETH J. ANTONE ( )	56.5	X			X
SAN XAVIER 135.0	1. EUGENE ENIS, SR. ( )	67.5	X			
	2. DENNIS RAMON ( )	67.5	X			
BABOQUIVARI 230.0	1. FRANCES MIGUEL ( )	115.0	X			
	2. EARL A. FRANCISCO ( )	115.0	X			X
GU ACHI 180.0	1. WILLARD ANITA ( )	90.0	X			
	2. ALEX J. RAMON (Marian Johnson)	90.0	X			
PISINEMO 128.0	1. CHESTER ANTONE (Fernando Valentine)	64.0	X			
	2. JOHNSON M. JOSE (Roseleen Antone)	64.0	X			
SAN LUCY 98.0	1. JOHN RENO ( )	49.0	X			
	2. ALBERT MANUEL, JR. (Ernestine Marquez)	49.0			X	
GU VO 124.0	1. EMILIO LEWIS ( )	62.0	X			X
	2. MICHAEL FLORES (Fern Salcido)	62.0	X			
HICKIWAN 136.0	1. MANUEL OSEQUEDA, JR. ( )	68.0	X			
	2. LLOYD FRANCISCO ( )	68.0	X			
CHUKUT KUK 178.0	1. ALBERTA M. LOPEZ (Berdella Jose)	89.0	X			
	2. KENNETH WILLIAMS ( )	89.0	X			
<b>TOTAL</b>		<b>1,763.0</b>	<b>1,714.0</b>	<b>-0-</b>	<b>49.0-</b>	<b>03</b>

**\*\*PASSED VOTES**