



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 6 Ordinance/Resolution# 16-172

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of March 21, 2016
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL

LEGISLATIVE

ADMINISTRATIVE

TITLE: A RESOLUTION TO SUPPORT THE PETITION WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR, INDIAN AFFAIRS FOR THE PIRO/MANSO/TIWA INDIAN TRIBE OF THE PUEBLO OF SAN JUAN DE GUADALUPE.

PURPOSE(S) OF ACTION:

Authorization to support a petition.

| | | |
|---|--|----------------------------------|
| COUNCIL DISTRICT: ALL | | |
| <u>Drafter/Staff Contact:</u> Janice L. Jones | <u>Department/Section:</u> Administration/Office of the City Manager | <u>Phone:</u> 541-2076 |
| <u>City Manager Signature:</u> | | |

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The Piro/Manso/Tiwa Indian Tribe of the Pueblo of San Juan de Guadalupe has been working to be recognized as a tribe for many years. They continue to undertake the necessary application and petition with the United States Department of the Interior, Indian Affairs for that designation.

The Manso Indians were in this area when Spanish came through in 1583 and 1598. After the Pueblo Revolt of 1680, the evacuating Spanish brought Piro and Tiwa tribal members together with the Manso at the Guadalupe Mission in what is now downtown Juarez, as well as at Ysleta del Sur, Senecu del Sur, and Socorro del Sur Missions. Members of the Piro/Manso/Tiwa returned to this area after the Spanish regained sovereignty in New Mexico in 1692 and were here even before the establishment of Las Cruces in 1849.

Tribal members have been an important part of the diverse fabric of this community since before its inception. The local tribe has sought Federal recognition since 1971 and the Mayor and City Council of the City of Las Cruces, by approval of this Resolution, assert that such recognition is well warranted. Upon approval of this request, the City Council will be asked to provide letters to appropriate state and federal officials (particularly the Bureau of Indian Affairs in the Department of Interior) urging their favorable consideration of this petition.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", United States Department of the Interior, Indian Affairs Website
3. Exhibit "B", Letter to be sent to the United States Department of Interior, Indian Affairs

SOURCE OF FUNDING:

| | | |
|--------------------------------------|---|--|
| N/A | Is this action already budgeted? | |
| | Yes | <input checked="checked" type="checkbox"/> See fund summary below |
| | No | <input type="checkbox"/> If No, then check one below: |
| | <i>Budget Adjustment Attached</i> | <input type="checkbox"/> Expense reallocated from: _____ |
| | | <input type="checkbox"/> Proposed funding is from a new revenue source (i.e. grant; see details below) |
| | <input type="checkbox"/> Proposed funding is from fund balance in the _____ Fund. | |
| Does this action create any revenue? | Yes | <input type="checkbox"/> Funds will be deposited into this fund: _____ in the amount of \$ _____ for FY _____. |
| | No | <input checked="checked" type="checkbox"/> There is no new revenue generated by this action. |

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY:

| Fund Name(s) | Account Number(s) | Expenditure Proposed | Available Budgeted Funds FY | Remaining Funds | Purpose for Remaining Funds |
|--------------|-------------------|----------------------|-----------------------------|-----------------|-----------------------------|
| N/A | N/A | N/A | N/A | N/A | N/A |

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the Resolution to support a petition for the Piro/Manso/Tiwa Indian Tribe of the Pueblo of San Juan De Guadalupe to be recognized as a tribe through the United States Department of Interior, Indian Affairs.
2. Vote "No"; this will not support a petition for the Piro/Manso/Tiwa Indian Tribe of the Pueblo of San Juan De Guadalupe to be recognized as a tribe through the United States Department of Interior, Indian Affairs.
3. Vote to "Table" the Resolution to a date specific to provide time to gather more information.

REFERENCE INFORMATION:

N/A

RESOLUTION NO. 16-172**A RESOLUTION TO SUPPORT THE PETITION WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR, INDIAN AFFAIRS FOR THE PIRO/MANSO/TIWA INDIAN TRIBE OF THE PUEBLO OF SAN JUAN DE GUADALUPE.**

The City Council is informed that:

WHEREAS, Las Cruces is a diverse community with a history of friendliness toward newcomers and visitors, the City of Las Cruces (CLC) wishes to honor with respect all who live here now and all who have lived here in the past, and such wishes start with respecting those whose ancestors first walked in this place; and

WHEREAS; historically, the Piro/Manso/Tiwa Indian Tribe, Pueblo of San Juan de Guadalupe, Petitioner #5, Las Cruces, New Mexico (Tribe), was living on land that would become the CLC when the Town of Las Cruces was established in 1849, and a significant percentage of tribal members still live within a few blocks of the old Tribal community and Cacique's Plaza near downtown Las Cruces; and

WHEREAS, the Tribe's current Cacique, Ed Roybal, Sr., was born on that historic property, which originally belonged to his grandfather, Felipe Roybal, who was the Tribe's Cacique at the turn of the 20th century; and

WHEREAS, the Tribe first submitted a letter to the Department of the Interior in 1971 requesting federal recognition as an Indian tribe; their "number" as a petitioner before the Department – Petitioner #5 – is evidence that they were one of the first in the acknowledgement process; and substantial documentation of their history, genealogy, political and religious leaders, and other kinds of evidence are now ready for Active Consideration review by the Office of Federal Acknowledgment; and

WHEREAS, the Tribe is also an active partner in the local community and with the CLC, working with such organizations as Las Esperanzas on many projects, such as the planning of a "Tribal Gateway" park, on one of the Tribe's original settlement sites; and

WHEREAS, we honor and value the many contributions of members of the Piro/Manso/Tiwa Indian Tribe and of the rich culture of the Tribe to our community; and we believe recognition of their status as an Indian tribe, a traditional Indian pueblo – with the accompanying federal services and benefits – is wholly appropriate and due; and we believe such recognition will benefit all who currently live in Las Cruces in numerous ways; and

WHEREAS, we are confident that if the Tribe's petition is successfully marshaled through the 25 Code of Federal Regulation 83 process in a timely and just manner, it will provide federal acknowledgment to the Tribe and its people.

NOW, THEREFORE, Be it resolved by the governing body of the City of Las Cruces:

(I)

THAT full support is established for the petition of the Piro/Manso/Tiwa Indian Tribe of the Pueblo of San Juan de Guadalupe, Petitioner #5, to achieve their long sought federal recognition and be officially known as what we know the Piro/Manso/Tiwa to be: an extant Indian tribe.

(II)

THAT letters of support will be sent on or before Thursday, March 24, 2016, to appropriate state and federal officials, including the Bureau of Indian Affairs at the

following address:

- Department of the Interior
Office of the Assistant Secretary - Indian Affairs
Attn: Office of Federal Acknowledgment
1951 Constitution Avenue, NW
Washington, DC 20240

(III)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____, 20____.

APPROVED:

Mayor

ATTEST:

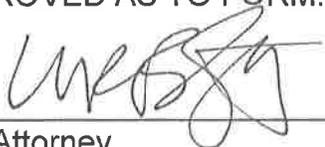
City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

VOTE:

- Mayor Miyagishima: _____
- Councillor Gandara: _____
- Councillor Smith: _____
- Councillor Pedroza: _____
- Councillor Eakman: _____
- Councillor Sorg: _____
- Councillor Levatino: _____

Wednesday March 16, 2016

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Petition #5: Piro/Manso/Tiwa Indian Tribe of the Pueblo of San Juan de Guadalupe, NM

Updated February 25, 2016

| | |
|---|---|
| Petitioner Number: | 005 |
| Petitioner Name: | Piro/Manso/Tiwa Indian Tribe of the Pueblo of San Juan Guadalupe |
| Petitioner State: | NM |
| Current Status: | Awaiting comments (Comment period closes 2016-03-27) |
| Date Decision Effective: | n/a |
| Acknowledgment Regulation Revision Chosen by Petitioner: | 2015 |
| Petition Narrative Document(s): | 1979 Narrative 1992 Narrative 1996 TA Response Narrative 2010 Narrative |
| Petitioner Contact Information: | Piro/Manso/Tiwa Indian Tribe of the Pueblo of San Juan Guadalupe c/o Mr. Edward R. Roybal II |

4048 Calle de Estrellas
Las Cruces, NM 88012

Date of Receipt of Documented Petition: 2015-09-29

Opportunity to Submit Comments: **Notice 2015-11-28:** In accordance with 25 CFR 83.22(b)(1)(iv), the Department is publishing this "opportunity for individuals and entities to submit comments and evidence supporting or opposing the petitioner's request for acknowledgment within 120 days of the date of the web site posting."

Any individual or entity wishing to submit comments on this specific petition must deliver them to:

Department of the Interior
Office of the Assistant Secretary - Indian Affairs
Attn: Office of Federal Acknowledgment
1951 Constitution Avenue, NW
Washington, DC 20240

Comments must be postmarked no later than 2016-03-28.

Opportunity to Request to be Kept Informed of General Actions: In accordance with 25 CFR 83.22(b)(1)(v), the Department is publishing this "opportunity for individuals and entities to request to be kept informed of general actions regarding a specific petitioner."

Those wishing to be kept informed of general actions regarding this specific petitioner must mail a written request to:

Department of the Interior
Office of the Assistant Secretary - Indian Affairs
Attn: Office of Federal Acknowledgment
1951 Constitution Avenue, NW
Washington, DC 20240

An individual or entity may mail a written request at any point during the acknowledgment process.

Other Portions of the Documented Petition: [Click here for other portions of the documented petition.](#)

Comments or Materials Submitted by Third Parties: To be posted after reviewed for privacy considerations.

Substantive Documents Issued by the Department: [FR Notice: Receipt of Documented Petition](#)

OFA's Contact List for Petitioner: Attorney of Record:
Catherine Munson
Kilpatrick Townsend and Stockton, LLP
607 14th Street N.W., Suite 900
Washington, DC 20005
Phone: (202)-508-5844
Fax: (202)-585-0043

Contact Information for other individuals or entities that requested to be kept informed: Governor:
The Honorable Susana Martinez
Governor of New Mexico
Office of the Governor
490 Old Santa Fe Trail, Room 400
Santa Fe, New Mexico 87501

Phone: (505) 476-2200
 Fax: (505) 476-2226

Attorney General:

The Honorable Hector Balderas
 Attorney General of New Mexico
 408 Galisteo Street
 Villagra Building
 Santa Fe, New Mexico 87501
 Phone: (505) 827-6000
 Fax: (505) 827-5826

County Government:

Mr. Jess C. Williams
 Community Liaison to the
 Doña County Board of Commissioners
 Department of Community Liaison Public Information
 and Special Projects
 845 N. Motel Boulevard
 Las Cruces, New Mexico 88007
 Phone: (575) 525-5801
 Fax: (575) 525-5948

Federally Recognized Indian Tribes:

Honorable Carlos Hisa
 Governor
 Ysleta Del Sur Pueblo
 P.O. Box 17579, Ysleta Station
 El Paso, Texas 79907
 Phone: (915) 859-8053
 Fax: (915) 859-4252

Individuals:

Ms. Natalia Melon
 Piro/Manso/Tiwa Tribe of Guadalupe Pueblo
 P.O. Box 16181
 La Cruces, New Mexico 88004
 (Former Petitioner #263)

Mr. Felipe Chavez
 Corporacion de Los Indigenes
 De Nuestra Señora de Guadalupe
 PO Box 164
 Mesilla Park, New Mexico 88047-0164
 Attn: Ceci
 (church's phone/Fax#)
 Phone: (575) 526-8171
 Fax: (575) 523-1175

Congressional:

Senator Tom Udall
 531 Hart Senate Office Building
 Washington, DC 20510
 Phone: (202) 224-6621
 Fax: (202) 228-3261

Senator Martin Heinrich
 303 Hart Senate Office Building
 Washington, D.C. 20510
 Phone: (202) 224-5521
 Fax: (202) 228-2841

Congressman Steve Pearce
 2432 Rayburn House Office Building
 Washington, DC 20515
 Phone: (202)-225-2365

**Acknowledgment
Regulations:****Notes:**

This petitioner began its petitioning process under the acknowledgment regulations as revised in 1994. When the Department published revised acknowledgment regulations on July 1, 2015, this petitioner elected to proceed under the 2015 revision of the acknowledgment regulations.

Choose A Category

-- Click To Change Category --



Regions

Click the map to view our regions and their office contact information and the tribes served by that region

Mailing Address:

Office of Federal Acknowledgment
MS-34B-SIB
1951 Constitution Avenue, NW
Washington, D.C. 20240

Telephone: (202) 513-7650

Telefax: (202) 219-3008 Hours of operation: Monday through Friday, 8:00 a.m. to 5:00 p.m., Eastern Time; holidays excluded.

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This is an Official Web Site.
Last Updated 3/15/16 5:11 PM

[City Letterhead and Date]

Department of the Interior
Office of the Assistant Secretary - Indian Affairs
Attn: Office of Federal Acknowledgment
1951 Constitution Avenue, NW
Washington, DC 20240

This is a letter of support for the petition of the Piro/Manso/Tiwa Indian Tribe of the Pueblo of San Juan de Guadalupe, Petitioner #5, to achieve their long sought federal recognition as an Indian tribe.

Las Cruces is a diverse community with a history of friendliness toward newcomers and visitors. We, the City Council of Las Cruces, wish to honor with respect all who live here now and all who have lived here in the past. Such wishes start with respecting those whose ancestors first walked in this place.

Historically, the Piro/Manso/Tiwa Indian Tribe, Pueblo of San Juan de Guadalupe, Petitioner #5, Las Cruces, New Mexico (henceforth "Tribe"), was living on land that would become the City of Las Cruces when the Town of Las Cruces was established in 1849, and a significant percentage of tribal members still live within a few blocks of the old Tribal community and cacique's plaza near downtown Las Cruces.

The Tribe's current Cacique, Ed Roybal, Sr., was born on that historic property which originally belonged to his grandfather, Felipe Roybal, the Tribe's Cacique at the turn of the 20th century.

The Tribe first submitted a letter to the Department of the Interior in 1971 requesting federal recognition as an Indian tribe; their "number" as a petitioner before the Department – Petitioner #5 – is evidence that they were one of the first in the acknowledgement process; and substantial documentation of their history, genealogy, political and religious leaders, and other kinds of evidence are now ready for Active Consideration review by your office. We are confident that if the Tribe's petition is successfully marshaled through the 25 CFR 83 process in a timely and just manner, it will provide federal acknowledgment to the Tribe and its people, which will be a benefit to our whole community.

We honor and value the many contributions of members of the Piro/Manso/Tiwa Indian Tribe and of the rich culture of the Tribe to our community. The Tribe has been an active partner in the local community and with the City of Las Cruces, working with such organizations as Las Esperanzas on many projects, such as the planning of a "Tribal Gateway" park, on one of the Tribe's original settlement sites. Recognition of their status as an Indian tribe, a traditional Indian pueblo – with the accompanying federal services and benefits – is wholly appropriate and due.

[Date]

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Thus, the City Council of Las Cruces offers its full support for the petition of the Piro/Manso/Tiwa Indian Tribe of the Pueblo of San Juan de Guadalupe, Petitioner #5, to achieve their long sought federal recognition and be officially known as what we know the Piro/Manso/Tiwa to be: an extant Indian tribe.

Sincerely,

Ken D. Miyagishima
Mayor



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of March 21, 2016
(Adoption Date)

TITLE:

A RESOLUTION TO SUPPORT THE PETITION WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR, INDIAN AFFAIRS FOR THE PIRO/MANSO/TIWA INDIAN TRIBE OF THE PUEBLO OF SAN JUAN DE GUADALUPE.

Purchasing Manager's Request to Contract (PMRC) {Required?} Yes No

| DEPARTMENT | SIGNATURE | PHONE NO. | DATE |
|--|---------------------|----------------------|----------------------|
| Drafter/Staff Contact | <i>Janice Gomez</i> | * 2076 | 3-9-16 |
| Department Director | | | |
| Other | | | |
| Assistant City Manager /CAO Management & Budget Manager | <i>David Walker</i> | 541-2078 541-2107 | 3-9-2016 3-9-2016 |
| Assistant City Manager/COO | <i>Daryl De</i> | | 3/11/16 |
| City Attorney | <i>WFB</i> | EST 2128 | 11 MAR 2016 |
| City Clerk | <i>Tina Davis</i> | 12115 | 3-11-16 |