

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Underwriting Rate Schedule for KOHN)

RESOLUTION NO. 09-606

1 **WHEREAS, KOHN 91.9 FM is a non-commercial educational radio station licensed to the Tohono**
2 **O'odham Nation; and**

3 **WHEREAS, under the Federal Communications Commission it is permissible for KOHN to solicit**
4 **sponsorship underwriting to help support operating expenses; and**

5 **WHEREAS, it is also permissible for KOHN to charge for services other than broadcast services;**
6 **and**

7 **WHEREAS, these services and underwriting sponsorships will provide additional program**
8 **revenue for KOHN for which the Tohono O'odham Legislative Council has authorized**
9 **a dedicated revenue account for the management and use of these proceeds; and**

10 **WHEREAS, the underwriting sponsorships are governed by the Federal Communications**
11 **Commission's regulations and other federal statutes which allow only sponsor identity,**
12 **location, contact information, website address, duration of business and a value-**
13 **neutral description of the business or organization; and**

14 **WHEREAS, KOHN has developed and attached the underwriting rate schedule establishing hourly**
15 **rates for underwriting and services; and**

16 **WHEREAS, these rates once adopted will be subject to adjustments due to marketing and**
17 **economic conditions for which KOHN requests that it be granted necessary authority**
18 **to make these adjustments without further legislative concurrence; and**

19 **WHEREAS, the Nation on behalf of KOHN has negotiated and entered into a memorandum of**
20 **Agreement with Gu-Achi District which stipulates that KOHN shall share with the**
21 **district any revenue generated; and**

22 **WHEREAS, the Nation may enter into agreements with other Districts on behalf of KOHN which**
23 **may stipulate similar revenue sharing arrangements.**

24 **NOW, THEREFORE, IT BE RESOLVED the initial rate schedule presented by KOHN and attached**
25 **hereto is hereby adopted.**

26 **BE IT FURTHER RESOLVED KOHN is hereby authorized to charge for services and underwriting**
27 **sponsorships according to the rate schedule attached and KOHN is further authorized**
28 **to adjust these rates as market and economic necessitate.**

29 **BE IT FINALLY RESOLVED KOHN shall be responsible for the processing of any payments that**
30 **maybe necessary and required by any fully executed agreement between the Nation**
31 **and any of the Nation's Districts.**

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18TH Day of NOVEMBER, 2009 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0- AGAINST; 01 NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article IV, Section 1 (d)(2) & (3) 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

Felicia Munez for
Verlon M. Jose, Legislative Chairman

23rd day of November, 2009

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary

18 day of November, 2009.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 23rd day of November, 2009 at 11:05 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

Felicia Munez for
Verlon M. Jose, Legislative Chairman

APPROVED

on the 23 day of November, 2009

DISAPPROVED

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

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 23 day of

November, 2009, at 4:30 o'clock, P.M.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: APPROVING THE UNDERWRITING RATE SCHEDULE FOR KOHN

MOVED: COUNCILMAN TIMOTHY JOAQUIN

SECOND: COUNCILWOMAN FRANCES CONDE

DATE: NOVEMBER 18, 2009

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF ODAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			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			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER (Charlotte Cadavas)	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			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			X
	2. SANDRA ORTEGA ()	87.25	X			
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (<i>Absent</i>) (Angela Ortiz) (<i>Present</i>)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL (Louis J. Johnson)	115.05	X			
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			
BABOQUIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	162.0	X			
TOTAL		2,595.50	2,595.50	-0-	01	[02]