

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Designation of Acreage For The Purpose Of Siting a FM Radio Broadcasting
Facility And Designation of Land Use For A Transmitter Tower)

RESOLUTION NO. 01-509

1 **WHEREAS, by Resolution No. 2000-007, the Tohono O'odham Legislative Council accepted a**
2 **planning grant from the National Telecommunications and Information**
3 **Administration ("NTIA") for planning a FM radio broadcasting station; and**
4 **WHEREAS, through the NTIA planning grant the Nation secured a construction broadcasting**
5 **license for an FM, non-profit, radio frequency of 91.9 FM, Channel 200 at 10.0kW ERP**
6 **with the call letters KOHN-FM; and**
7 **WHEREAS, by Resolution No. 2000-515, the Tohono O'odham Legislative Council accepted**
8 **additional NTIA funds and provided funding from the Nation toward the construction**
9 **of radio broadcasting studios and a transmitter facility; and**
10 **WHEREAS, the Chairman of the Nation did create KOHN-FM as a program of the Nation; and**
11 **WHEREAS, the KOHN-FM Staff has identified that the peak of Jewek Mountain (also known as**
12 **Quijotoa Peak), as managed by the Tohono O'odham Utility Authority for radio and**
13 **cellular equipment of various entities, is the most favorable site for a broadcasting**
14 **transmitter (the "Transmitter Site"), and undertook an engineering study which**
15 **found that any radio transmission at 91.9 FM would not interfere with any current**
16 **transmissions by any of the various entities utilizing the site; and**
17 **WHEREAS, the KOHN-FM staff has identified a two-acre parcel, approximately 200 yards east of**
18 **the Gu Achi District Trading Post and 50 yards south of State Route 86, that stands**
19 **within the Districts Economic Development Zone, as suitable for a site for**
20 **broadcasting studio facilities (the "Studio Site"); and**
21 **WHEREAS, the Studio Site was surveyed and a legal description was made, as attached and**
22 **incorporated by this reference; and**
23 **WHEREAS, the Gu Achi District Council, by Resolution 0901-289, as attached and incorporated by**
24 **this reference, supports the construction and operation of both a FM radio**
25 **broadcasting facility at the Studio Site and a transmitter tower at the Transmitter**
26 **Site.**

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(Designation of Acreage For The Purpose Of Siting a FM Radio Broadcasting Facility and Designation of Land Use for a Transmitter Tower)

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1 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council directs the**
2 **following:**

- 3 **1. The parcel identified by Gu Achi District in its Resolution 0901-289 as the Studio**
4 **Site, as referred to in the attached legal description, is hereby set aside for the use**
5 **and purpose of KOHN-FM.**
- 6 **2. The land identified by Gu Achi District in its Resolution 0901-289 as the**
7 **Transmitter Site on Jewek Mountain peak is hereby designated as the Transmitter**
8 **Site and shall include a transmitter tower built by KOHN-FM according to its**
9 **specifications and that tower shall house or otherwise contain the necessary**
10 **equipment for FM radio broadcasting at the frequency approved under the**
11 **construction license granted by the Federal Communications commission of the**
12 **United States and may include any other transmission or reception equipment**
13 **of other current or future entities.**
- 14 **3. KOHN-FM shall ensure that there is no interference with current or potential**
15 **users of the Transmitter Site that co-locate on to the transmitter tower**
16 **constructed by KOHN-FM as a result of its FM radio broadcasting transmissions.**
- 17 **4. The Chairman of the Nation is hereby directed to join together with the KOHN-FM,**
18 **TOUA, Gu Achi District, Pisinemo District and other interested parties to**
19 **undertake a study to determine a reasonable lease agreement for the Transmitter**
20 **Site for all current and potential users that takes into account maintenance,**
21 **operation, relevant costs and revenues associated with use of the Transmitter Site**
22 **and the transmitter tower constructed by KOHN-FM.**
- 23 **5. The Chairman of the Nation is hereby authorized to execute any and all leases and**
24 **such agreements as are or may be necessary and appropriate in furtherance of**
25 **this Resolution as related to both the Transmitter Site, the transmitter tower and**
26 **the Studio Site, subject to review by the Tohono O'odham Realty Office and the**
27 **Legislative Council Cultural Preservation and Natural Resources Committees,**
28 **and approval by the Legislative Council.**

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APPROVED

on the 18th day of October, 20 01

DISAPPROVED


at 11:30 o'clock, A.M.



**EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 18 day of

October, 20 01, at 11:54 o'clock, A.M.



Julianna Saraficio, Acting Legislative Secretary

ACTION: DESIGNATION OF ACREAGE FOR THE PURPOSE OF SITING A FM RADIO BROADCASTING FACILITY AND DESIGNATION OF LAND USE FOR A TRANSMITTER TOWER

MOVED: COUNCILWOMAN FRANCES ANTONE

SECOND: VICE CHAIRMAN CAMILLUS LOPEZ

DATE: OCTOBER 10, 2001

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35			X	
GU VO 188.3	1. FERN SALCIDO ()	94.15		X		
	2. EMILIO LEWIS (Michael Flores)	94.15		X		
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65			X	
	2. SANDRA ORTEGA ** ()	83.65			X	
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35			X	
	2. GLORIA RAMIREZ ()	80.35		X		
SAN XAVIER 184.7	1. TONY BURRELL ()	92.35	X			
	2. DENNIS RAMON ()	92.35	X			
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25		X		
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25		X		
SELLS 416.1	1. DENNIS E. JOSE ()	208.05		X		
	2. EVELYN JUAN ()	208.05		X		
SIF OIDAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
TOTAL		2,417.5	1,225.25	829.25	363.0	-0-

**PASSED VOTES