

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Accepting and Approving the FY 2020 Hewel Ñi'okĩ Auditor's Report and  
Authorizing its Distribution)**

**RESOLUTION NO. 21-109**

- 1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with  
2 the authority "to manage any funds within the exclusive control of the Tohono  
3 O'odham Nation . . . and to appropriate these funds for the benefit of the nation  
4 and its members" provided that "[a]ll expenditures of these funds shall be  
5 pursuant to appropriations or budgets" authorized by resolution or ordinance  
6 (Constitution, Article VI, Section 1(d)(2)); and
- 7 **WHEREAS,** the Legislative Council is further vested with the authority "to promote, protect  
8 and provide for public health, peace, morals, education and general welfare of  
9 the Tohono O'odham Nation and its members" (Constitution, Article VI, Section  
10 1(c)(2)); and
- 11 **WHEREAS,** the Tohono O'odham Nation ("Nation") obtained a license from the Federal  
12 Communications Commission ("FCC") to operate KOHN FM, a non-commercial  
13 educational radio station, and after a year of broadcasting became eligible for  
14 funding from the Corporation for Public Broadcasting ("CPB"), an independent  
15 federal agency; and
- 16 **WHEREAS,** the Nation operates the KOHN FM radio station as a program under the Executive  
17 Branch as Hewel Ñi'okĩ (Management); and
- 18 **WHEREAS,** the Nation, on behalf of KOHN FM radio station, applied for and was awarded a  
19 Community Service Grant from CPB for fiscal years 2019 and 2020; and
- 20 **WHEREAS,** such funding requires that the Nation conduct a stand-alone 2020 audit for Hewel  
21 Ñi'okĩ, operators and managers of KOHN FM radio, for which the Nation engaged  
22 REDW, LLC ("Auditors"); and
- 23 **WHEREAS,** CPB has adopted new eligibility requirements which state that a grant recipient  
24 of Community Service Grant funding must make its annual financial report  
25 publically available on-line on its website; and
- 26 **WHEREAS,** the Auditors have completed the FY 2020 Hewel Ñi'okĩ audit in accordance with  
27 the CPB's Principles of Accounting and have submitted the accompanying  
28 Financial Statements for the Fiscal Year Ended September 30, 2020 (collectively,  
29 the "Auditor's Report"); and
- 30 **WHEREAS,** the Nation's Chairperson and Vice Chairperson, and the Cultural Preservation  
31 and Budget and Finance Committees have reviewed and recommend approval of  
32 the Nation's FY 2020 Hewel Ñi'okĩ Auditor's Report.
- 33 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council accepts and  
34 approves the FY 2020 Hewel Ñi'okĩ Auditor's Report.  
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(Accepting and Approving the FY 2020 Hewel Ñi'okĩ Auditor's Report and Authorizing its Distribution)

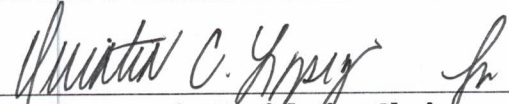
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1 BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that the Tohono  
2 O'odham Nation chairperson or any designated official is authorized to release  
3 the FY 2020 Hewel Ñi'okĩ Auditor's Report to the Corporation for Public  
4 Broadcasting, the federal clearinghouse, and respective agencies.

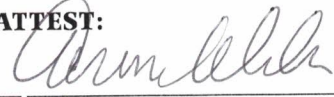
5 BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham  
6 Nation chairperson or any designated official is authorized to provide public  
7 access to the FY 2020 Hewel Ñi'okĩ Auditor's Report by posting it on the Hewel  
8 Ni'okĩ page of the Nation's website.

9 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07<sup>TH</sup>  
10 day of APRIL, 2021 at a meeting at which a quorum was present with a vote of 3,175.7 FOR; -0-  
11 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by  
12 Article VI, Section 1(c)(2) and Section 1(d)(2) and (3) of the Constitution of the Tohono O'odham  
13 Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting  
14 Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section  
15 16 of the Act of June 18, 1934 (48 Stat.984).

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18 TOHONO O'ODHAM LEGISLATIVE COUNCIL

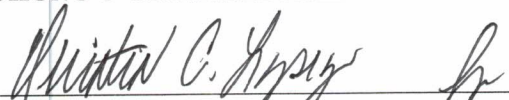
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22 Timothy Joaquin, Legislative Chairman  
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24 12 day of April, 2021

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27 ATTEST:

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30 Evonne Wilson, Legislative Secretary  
31  
32 7 day of April, 2021

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34 Said Resolution was submitted for approval to the office of the Chairman of the Tohono  
35 O'odham Nation on the 13 day of April, 2021 at 12:55 o'clock, P .m.,  
36 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
37 effective upon his approval or upon his failure to either approve or disapprove it within 48  
38 hours of submittal.

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40 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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43 Timothy Joaquin, Legislative Chairman  
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**(Accepting and Approving the FY 2020 Hewel Ni'oki Auditor's Report and Authorizing its Distribution)**

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APPROVED

on the 13 day of April, 2021

DISAPPROVED

at 2:33 o'clock, P.m.

  
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NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 13 day of

April, 2021, at 3:30 o'clock, P.m.

  
\_\_\_\_\_  
Evonne Wilson, Legislative Secretary

**ACTION: ACCEPTING AND APPROVING THE FY 2020 HEWEL Ñ'OKĪ AUDITOR'S REPORT AND AUTHORIZING ITS DISTRIBUTION**

**Moved: COUNCILMAN ARTHUR WILSON**

**SECOND: COUNCILWOMAN MARLAKAY HENRY**

**DATE: APRIL 07, 2021**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling)	192.40	X			
	2. ALBERTA J. RAY (Frances G. Antone)	192.40	X			
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer)	173.75	X			
	2. MARLAKAY HENRY (Billman Lopez)	173.75	X			
GU ACHI 279.3	1. VICTORIA HOBBS ( )	139.65	X			
	2. TIMOTHY L. JOAQUIN ( <i>Absent</i> ) (Louis L. Johnson) ( <i>Present</i> )	139.65	X			X
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			
	2. GRACE MANUEL ( )	132.25	X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA ( )	106.90	X			
	2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90	X			
PISINEMO 230.7	1. MONICA K. MORGAN ( )	115.35	X			
	2. MARIETTA MARTIN ( )	115.35	X			
SAN LUCY 235.6	1. GLORIA RAMIREZ ( )	117.80	X			
	2. JANA MONTANA (Lorraine M. Eiler)	117.80	X			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	119.45	X			X
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ( )	273.55	X			
	2. ARTHUR WILSON ( )	273.55	X			
SIF OIDAK 244.5	1. LUCINDA ALLEN (Yolonda Garcia)	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
<b>TOTAL</b>		<b>3,175.7</b>	<b>3,175.7</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>