

Sunnyside Neighborhood Association of Flagstaff, Inc.
Eligibility Exhibit
LPFM Application
Facility #194399

The instant application seeks an authorization for a new LPFM construction permit for Sunnyside Neighborhood Association of Flagstaff, Inc. (the “Applicant”).

The Applicant is eligible for an LPFM station authorization under 47 C.F.R. Section 73.503 of the Commission’s rules, which applies to LPFM stations pursuant to 47 C.F.R. Section 73.801. 47 C.F.R. Section 73.503 provides that a noncommercial educational (“NCE”) FM broadcast station “will be licensed only to a nonprofit educational organization and upon showing that the station will be used for the advancement of an educational program.”

The Commission has previously determined that the three basic NCE eligibility requirements are: (1) nonprofit educational organization; (2) an educational goal or purpose; and (3) use of station programming to further that educational purpose. As more fully described below, the Applicant identified in the instant application and the proposed use of the LPFM station meets each of the NCE eligibility requirements.

The Applicant is a nonprofit educational organization

The Applicant is a recognized IRS Non-Profit 501(c) 3 community driven organization that is dedicated to promoting the sustainable economic success of the residents in Flagstaff’s poorest neighborhood. “Enriching lives by mobilizing residents to create continual improvement” is their mission.

The Applicant possesses an educational goal or purpose

The Applicant works in creating opportunities for families to connect to the community. As an advocate and catalyst for the Sunnyside Neighborhood, their work results in a united community where residents acquire skills and resources necessary to enrich lives and serve in leadership roles that positively influence the Flagstaff community.

The Applicant provides programs, services, and activities; including annual

neighborhood outreach activities and cultural pride events (which include Block Watch, the Sunnyside One-Stop (Employment & Skills Training Center), the Genesis-X Re-Entry Program, the Sunnyside I AM Youth! Leadership Program, the Legacy of Blessing's Home Repair Project, Mexican Mobile Consular Services, Neighborhood clean-ups, the Fiesta de Mayo, the youth Hip-Hop-4-Hunger, and the Toy-4-Tots Holiday Festival).

Additionally the 7,500+ neighborhood residents receive information (through aggressive grass-roots efforts) on over 212 programs and services available a no/low-cost to them (including home repair, consumer fraud reporting, childcare, educational opportunities, food security, social service assistance, etc.). The Applicant currently oversees the neighborhood's U.S. Department of Justice Weed & Seed Program as well as several other neighborhood driven programs/projects and initiatives.

The Applicant will use the station to further the Applicant's educational purpose.

The station and its programming will further the Applicant's educational purpose. Specifically, the Applicant will use the station to educate the members of the community about its programs and other opportunities.

The Applicant is prepared to submit additional information regarding its educational purpose and the proposed use of the station upon request. However, it is respectfully submitted that the foregoing establishes its eligibility pursuant to established precedent to apply for the facility proposed in the instant Application.

STATE OF ARIZONA
ACC/FAX
DATE FILED

AUG 1 0 2000

DATE APPR
TERM 08-14-2008
BY Wendy Robinson

ARTICLES OF INCORPORATION
OF
SUNNYSIDE NEIGHBORHOOD ASSOCIATION OF FLAGSTAFF, INC.
(a non-profit corporation)

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned incorporators, whose mailing addresses appear beneath their respective names, have this day associated themselves for the purpose of forming a nonprofit corporation under the laws of the State of Arizona and do hereby adopt the following Articles of Incorporation.

ARTICLE I

The name of this corporation is and shall be SUNNYSIDE NEIGHBORHOOD ASSOCIATION OF FLAGSTAFF, INC.. ~~aka~~

ARTICLE II

The name and address of the Incorporator of SUNNYSIDE NEIGHBORHOOD ASSOCIATION OF FLAGSTAFF is as follows:

Michael Gallegos
1728 E. Mountain View Avenue
Flagstaff, AZ 86004

Joe C. Ray
2412 N. West Street
Flagstaff, AZ 86004

Abel Estrella
1703 E. Second Ave.
Flagstaff, AZ 86004

ARTICLE III

The known place of business of this corporation shall initially be 2821 N. 4th Street, Flagstaff, Arizona, 86001, Mailing Address: P.O. Box 577, Flagstaff, Arizona, 86002, in Coconino County, Arizona, but it may establish other principal places of business and other offices at such other places, either within or without the State of Arizona, as the Board of Directors may from time to time determine.

ARTICLE IV

This corporation is organized and shall be operated as a nonprofit corporation solely and exclusively for the charitable and educational purpose of the promotion of social welfare and promotion of the common good and general welfare of the people of the Sunnyside neighborhood community located in Flagstaff, Arizona as identified as the Sunnyside neighborhood community by the City of Flagstaff and County of Coconino.

Consistent with the foregoing purposes and subject to all other limitations, restrictions and prohibitions set forth in these Articles, this corporation shall have all the powers specified in Section 10-2305 of the Arizona Revised Statutes, as amended from time to time, and to do all and every thing necessary, suitable and proper for the accomplishment of the purposes or attainment of the objects hereinabove set forth either alone or in association with other individuals, corporations or partnerships, including federal, state, county and municipal bodies and authorities; and, in general, to do and perform such acts and transact such business in connection with the foregoing objects not inconsistent with law; provided, however, that the corporation shall not perform any act or transact any business that will jeopardize the tax exempt status of the corporation under Section 501(c)(4) or Section 501(c)(3) of the Internal Revenue Code and its regulations as such Section and regulations now exist or may hereafter be amended or under corresponding laws and regulations hereafter adopted.

ARTICLE V

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in ARTICLE III. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements,) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these Articles, the corporation shall not carry on any other activities not permitted to be carried on: (a) by a corporation exempt from Federal Income Tax Under the Internal Revenue Code Section 501(c)(4) or 501(c)(3).

ARTICLE VI

The time for the commencement of this corporation shall be the date of the filing of these Articles of Incorporation as required by law, and the term of its corporate existence shall be perpetual.

ARTICLE VII

This corporation shall be a nonprofit corporation and shall have no stock, and no dividends or pecuniary profits shall be declared or paid to the directors hereof or to any other private individual. All the earnings and property of the corporation shall be used to further the purposes and objects of the corporation as set forth in ARTICLE III. Nothing contained herein, however, shall prohibit payments by the corporation to directors or members as reasonable compensation for services rendered to the corporation.

ARTICLE VIII

The directors, officers and members of the corporation shall not be individually liable for the corporation's debts or other liabilities. The private property of these individuals shall be exempt from any corporate debts or liabilities. To the fullest extent permitted by Arizona law and in accordance with and within the limits of Section 10-2342, of the Arizona Revised States, as amended from time to time, no director or person who serves on a board or council of the corporation in a voluntary capacity shall be liable to the corporation or its members for monetary damages for breach of fiduciary duty as a director or as a member of a board or council in an advisory capacity. To the fullest extent permitted by Arizona law and in accordance with Section 10-2317(D) of the Arizona Revised States, as amended from time to time, any director or person who serves on a board or council of the corporation in an advisory capacity shall be immune from civil liability and shall not be subject to suit directly or by way of contribution for any action or omission resulting in damage or injury if the person was acting in good faith and in furtherance of the purpose or purposes for which the corporation is organized, unless the damage or injury was caused by willful and wanton or grossly negligent conduct of the person. If the Arizona Revised Statutes are hereafter amended to authorize corporate action further eliminating or limiting the person liability of directors, then the liability of a director of the corporation shall be eliminated or limited to the fullest extent permitted by the Arizona Revised States, as so amended. Any repeal or modification of this Article VIII shall not adversely affect any right or protection of a director of the corporation existing at the time of the repeal or modification.

ARTICLE IX

The control and management of the affairs of the corporation shall be vested in a Board of Directors of not less than three (3), nor more than five (5) persons. The names of those selected to serve as directors, beginning with the incorporation of this corporation and until the second annual meeting of the corporation or until their successors shall be selected and qualify, are:

Michael Gallegos
P.O. Box 577
1728 E. Mt. View Avenue
Flagstaff, AZ 86002

Joseph Ray
2412 N. West Street
Flagstaff, AZ 86004

Abel Estrella
1703 E. Second Ave.
Flagstaff, AZ 86004

The above directors were elected at a meeting held in Flagstaff, Arizona.

The Bylaws of the corporation shall prescribe the terms of office and manner of election of directors.

ARTICLE X

The Corporation shall have Members. The Board of Directors shall have the power to provide in the Bylaws of the corporation the qualifications of the members, their manner of selection, any classes of membership, and the rights, duties and voting privileges of members shall be established in the Bylaws of the corporation.

ARTICLE XI

No person shall possess any property right in or to the property or assets of the corporation. Upon dissolution of this corporation as provided in the Bylaws, all assets remaining after payment of any outstanding liabilities shall be distributed exclusively for charitable, religious, educational or scientific purpose as shall at the time qualify as an exempt organization or organizations under Section 501 of the Internal Revenue Code and its regulations, or the corresponding provision of any future United States Internal Revenue Law.

ARTICLE XII

These Articles of Incorporation may be amended as provided in the Bylaws of the corporation.


ARTICLE XIII

The power of indemnification under the Arizona Revised Statutes shall not be denied or limited by the Bylaws.

ARTICLE XIV

This corporation hereby appoints Michael Gallegos, 1728 E. Mountain View Avenue, Flagstaff, AZ 86004, as its initial statutory agent. All notices and processes, including service of summons, may be served upon said statutory agent and, when so served, shall be lawful, personal service upon this corporation. The Board of Directors may, at any time, appoint another agent for such purpose, and filing of such other appointment shall revoke this or any other previous appointment of such agent.

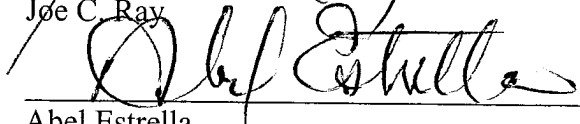
IN WITNESS WHEREOF, we, the undersigned incorporators, have hereunto signed our names this 31st day of JULY, 2000



Michael Gallegos



Joe C. Ray



Abel Estrella

Consent of Statutory Agent

I, Michael Gallegos, having been designated to act as Statutory Agent for SUNNYSIDE NEIGHBORHOOD ASSOCIATION OF FLAGSTAFF, INC., hereby consent to act in that capacity until removal or resignation is submitted in accordance with the Arizona Revised Statutes.



Michael Gallegos

Dated: 7/31/00

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: APR - 8 2005

SUNNYSIDE NEIGHBORHOOD ASSOCIATION
OF FLAGSTAFF INC
2304 N THIRD ST
FLAGSTAFF, AZ 86004

Employer Identification Number:
86-1012315
DLN:
17053078795065
Contact Person:
MICHAEL J HANSON ID# 31127
Contact Telephone Number:
(877) 829-5500
Public Charity Status:
170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated NOVEMBER 2002, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

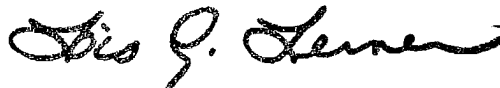
Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

If you have general questions about exempt organizations, please call our toll-free number shown in the heading between 8:30 a.m. - 5:30 p.m. Eastern time.

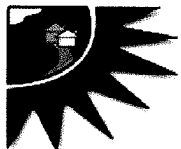
Please keep this letter in your permanent records.

Sincerely yours,



Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Letter 1050 (DO/CG)



The Sunnyside Neighborhood Association of Flagstaff, Inc.

Named "Organization of the Year 2005" by the Arizona Daily Sun!

September 27, 2013

To Whom It May Concern:

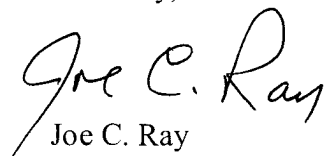
My name is Joe C Ray and I have been a resident of the Sunnyside neighborhood in Flagstaff, AZ since the early 1950s' and have been directly involved in the creation of The Sunnyside Neighborhood Association of Flagstaff, Inc. since the beginning.

The Sunnyside Neighborhood Association of Flagstaff, Inc. (Sunnyside Neighborhood Association) started out as the East Flagstaff Business Alliance in 1956. In approximately 1970 the group's focus shifted from primarily business to include neighborhood concerns.

In 1998 the group began working with Coconino County Supervisor Liz Archuleta and United Way of Northern Arizona on a Department of Justice Weed & Seed Neighborhood Strategy and formally submitted articles of incorporation under the name of The Sunnyside Neighborhood Association of Flagstaff, Inc. (Sunnyside Neighborhood Association or SNA) in 1999. The Sunnyside Neighborhood Association of Flagstaff, Inc. is mentioned several times in the "APS East Flagstaff Strategic Plan for Economic Community Development" document which is dated 2001. The Sunnyside Neighborhood Association of Flagstaff, Inc. received their official 501 c 3 nonprofit designation from the IRS in 2002.

For more information regarding the history of The Sunnyside Neighborhood Association of Flagstaff, Inc. please contact Coral J. Evans, Executive Director, directly at (928) 213-5900 or (928) 600-6104 or if you prefer by email at coral@sunnysideneighborhood.org. Thank you!

Sincerely,


Joe C. Ray
Board President