

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving a Memorandum of Agreement Between Tohono O'odham Nation and
Tohono O'odham Ki:Ki Association and FY 2017-2018 Census Challenge Budget
for a Comprehensive Housing Unit Assessment and Household Survey)

RESOLUTION NO. 17-226

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with
2 the authority to "promote, protect and provide for public health, peace, morals,
3 education and general welfare of the Tohono O'odham Nation and its members"
4 and to "consult, negotiate and conclude agreements and contracts on behalf of
5 the Tohono O'odham Nation with . . . private persons or organizations on all
6 matters within the authority of the Tohono O'odham Council." (Constitution,
7 Article VI, Section 1(c)(2) and Section 1(f)); and

8 **WHEREAS,** the Constitution of the Tohono O'odham Nation also vests the Legislative Council
9 with the authority "to manage any funds within the exclusive control of the
10 Tohono O'odham Nation. . .and to appropriate these funds for the benefit of the
11 nation and its members." (Constitution, Article VI, Section 1(d)(2)); and

12 **WHEREAS,** the Tohono O'odham Ki:Ki Association ("TOKA") is the Nation's tribally
13 designated housing entity in accordance with the Native American Housing
14 Assistance and Self-Determination Act of 1996, 25 U.S.C. § 4101, *et seq.*, P.L. 104-
15 330, 110 Stat. 4106 ("NAHASDA") and is authorized to receive and administer the
16 Indian Housing Block Grant and to seek other funds to operate and expand
17 affordable housing; and

18 **WHEREAS,** distribution of the Indian Housing Block Grant is pursuant to an allocation
19 formula that uses as one factor, the data collected from a survey conducted by the
20 Census Bureau, called the American Community Survey; and

21 **WHEREAS,** the data collected by external entities, including federal agencies such as the
22 Census Bureau, often inaccurately or incompletely represent the needs of the
23 Nation and its members and this data is often only made available to tribal
24 governments in aggregate form that restricts the Nation's ability to manage
25 issues at community, district, or reservation levels or to explore relationships
26 within the data sets to address the needs of the community; and

27 **WHEREAS,** the data collected by external federal entities such as the Census Bureau has a
28 direct effect on the amount of federal and state funding provided to the Nation
29 and its members for housing, law enforcement, health and human services, and
30 other essential needs; and

31 **WHEREAS,** the TOKA, in an effort to gather statistically relevant information in order to
32 challenge the data collected by the American Community Survey, has worked
33 with Big Water Consulting, a private data consulting firm, through the U.S.

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1 Housing and Urban Development's Southwest Office of Native American
2 Programs ("HUD SWONAP"); and

3 **WHEREAS,** Big Water Consulting has proposed a housing needs and household survey
4 project to obtain and provide accurate and comprehensive demographic and
5 statistical data concerning the Nation's communities, districts, and the Nation as
6 a whole to adequately address future policy and management decisions and
7 planning efforts, including a challenge to the data collected by American
8 Community Survey; and

9 **WHEREAS,** in accordance with the Nation's Contracting and Procurement Authority law, the
10 Chairman of the Nation intends to enter into a Professional Services Agreement
11 with Big Water Consulting to perform the comprehensive housing unit
12 assessment and household survey, provided that Legislative Council approves
13 the FY 2017-2018 Census Challenge Budget, which includes a transfer of funds to
14 the TOKA for direct costs; and

15 **WHEREAS,** the Memorandum of Agreement sets out the rights and responsibilities of the
16 Nation and TOKA with regard to the transfer of funds for direct costs; and

17 **WHEREAS,** the Housing and Budget and Finance Committees recommend approval of the FY
18 2017-2018 Census Challenge Budget, which includes a transfer of funds to TOKA
19 to be expended exclusively for direct costs related to the comprehensive housing
20 unit assessment and household survey.

21 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'odham Legislative Council that it approves
22 the Memorandum of Agreement Between the Tohono O'odham Nation and the
23 Tohono O'odham Ki:Ki Association and authorizes the Chairperson of the Nation
24 to execute it and any other document authorized by this resolution.

25 **BE IT FURTHER RESOLVED** that the Tohono O'odham Legislative Council approves the FY 2017-
26 2018 Census Challenge Budget in the amount of \$215,335.45 for the period of
27 06/01/2017 to 09/30/2018 to be funded from the Nation's General Fund Surplus;
28 provided that the Nation's Chairman is authorized to expend the FY 2017-2018
29 Census Challenge Budget in accordance with an executed professional services
30 agreement with Big Water Consulting.

31 **BE IT FINALLY RESOLVED** that the Tohono O'odham Legislative Council as part of the FY 2017-
32 2018 Census Challenge Budget, approves a transfer of \$74,496.45 from the
33 Nation's General Fund Surplus to the Tohono O'odham Ki:Ki Association for
34 direct costs related to the Memorandum of Agreement, provided that:

35

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(Approving a Memorandum of Agreement Between Tohono O'odham Nation and Tohono O'odham Ki:Ki Association and FY 2017-2018 Census Challenge Budget for a Comprehensive Housing Unit Assessment and Household Survey)

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APPROVED

on the 8 day of June, 2017

DISAPPROVED


at 3:40 o'clock, P.m.



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

Returned to the Legislative Secretary on the 08 day of

June, 2017, at 3:47 o'clock, P.m.


Evonne Wilson, Legislative Secretary

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ACTION: APPROVING A MEMORANDUM OF AGREEMENT BETWEEN TOHONO O'ODHAM NATION AND TOHONO O'ODHAM KI:KI ASSOCIATION AND FY 2017-2018 CENSUS CHALLENGE BUDGET FOR A COMPREHENSIVE HOUSING UNIT ASSESSMENT AND HOUSEHOLD SURVEY

Moved: COUNCILWOMAN BARBARA HAVIER

SECOND: COUNCILWOMAN MONICA K. MORGAN

DATE: JUNE 01, 2017

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60				X
	2. VERNON J. SMITH (Gloria Zazueta)	183.60				X
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marla Kay Henry)	166.05		X		X
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05		X		
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ()	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30		X		
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30		X		X
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90		X		
	2. SANDRA ORTEGA ()	102.90		X		X
PISINEMO 219.9	1. CHESTER ANTONE (Caroline D. Garcia)	109.95	X			
	2. MONICA K. MORGAN ()	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL (Lorraine Eiler)	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25		X		
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III (Felicia Nunez)	114.30	X			
	2. RACHEAL VILSON-STONER (<i>Absent</i>) (Olivia Villegas-Liston) (<i>Present</i>)	114.30	X			X
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	90.30		X		
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.30	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER (Idaleen Reyes)	256.75	X			
SIF OIDAK 231.6	1. LUCINDA ALLEN ()	115.80	X			
	2. MARY LOPEZ ()	115.80	X			X
TOTAL		3,021.4	1,662.15	992.05	-0-	367.2 [07]