

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Tohono O'odham Ki:Ki Association to Submit 2015 Indian Community Development Block Grant Program for Mold Remediation & Prevention and New Construction Housing Applications to the United States Department of Housing and Urban Development)

RESOLUTION NO. 15-214

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council
2 with the power to enact laws "to promote, protect and provide for public health,
3 peace, morals, education and general welfare of the Tohono O'odham Nation
4 and its members" (Constitution, Article VI, Section 1(c)(2)); and

5 **WHEREAS,** the Tohono O'odham Ki:Ki Association ("TOKA") is the Nation's tribally
6 designated housing entity in accordance with the Native American Housing
7 Assistance and Self-Determination Act of 1996, 25 U.S.C. § 4101, et seq., P.L. 104-
8 330, 110 Stat. 4106 ("NAHASDA") and is authorized to receive and administer the
9 Indian Housing Block Grant and to seek other funds to operate, maintain, and
10 expand affordable housing; and

11 **WHEREAS,** TOKA is a "tribal organization," which has been determined eligible to apply
12 directly for Indian Community Development Block Grant ("ICDBG") funds by the
13 HUD Southwest Office of Native American Programs, provided that the Tohono
14 O'odham Nation authorizes TOKA to do so on its behalf (25 U.S.C. §450b; 24 C.F.R.
15 §1003.5); and

16 **WHEREAS,** as confirmed in studies conducted in 2006 by a HUD financed assessment and by
17 the Indian Health Services, the Legislative Council and the TOKA recognize the
18 dire need for mold remediation and prevention in many of the previously HUD
19 financed low-income housing units and a concurrent need for new low-income
20 single-family housing units, and

21 **WHEREAS,** the TOKA wishes to address the unhealthy conditions of existing units by
22 submitting a 2015 Mold Remediation and Prevention ICDBG application for
23 \$800,000, which commits to leverage \$650,000 of Indian Housing Block Grant
24 funds to rehabilitate single-family low-income HUD financed housing units; and

25 **WHEREAS,** the TOKA wishes to continue providing new affordable housing to meet the
26 needs of the community members by submitting a 2015 ICDBG application for
27 new construction housing in the amount of \$2,750,000, which commits to
28 leverage \$850,000 with Indian Housing Block Grant funds for construction of 15
29 low-income single-family housing units; and

30 **WHEREAS,** the ICDBG regulations at 24 CFR 1003.5 and the ICDBG Mold Notice of Funding
31 Availability require that when a tribal organization submits an application on

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1 **behalf of an eligible tribe, the organization must first obtain authorization by**
2 **resolution from the tribe; and**

3 **WHEREAS, the Nation held public meetings to discuss the ICDBG programs for Mold**
4 **Remediation and New Construction housing eligible activities, including a**
5 **discussion of the proposed projects, allowed public comments, and made**
6 **modifications to the applications as necessary in compliance with 24 CFR**
7 **1003.604(a); and**

8 **WHEREAS, the Nation confirms compliance with Citizen Participation requirements**
9 **pursuant to 24 CFR 1003.604.**

10 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it:**

- 11 **1. authorizes the TOKA to submit a FY 2015 application for HUD ICDBG**
12 **MOLD REMEDIATION & PREVENTION funding in the amount of \$800,000**
13 **to rehabilitate low-income HUD financed housing units and agrees to**
14 **commit leveraging funds in the amount of \$650,000 from the IHBG funds**
15 **through the FY 2015 Indian Housing Plan; and**
- 16 **2. authorizes the TOKA to submit a FY 2015 application for HUD ICDBG NEW**
17 **CONSTRUCTION funding in the amount of \$2,750,000 and agrees to**
18 **commit leveraging funds in the amount of \$850,000 from the IHBG funds**
19 **through the FY 2015 Indian Housing Plan; and**
- 20 **3. Confirms the Nation has met and complied with the Citizen Participation**
21 **requirements of 24 CFR 1003.604.**

22 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes and directs**
23 **the Nation's Chairperson to execute all documents necessary to submit TOKA's**
24 **FY 2015 applications for HUD ICDBG funds.**

25 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 27TH**
26 **day of MAY, 2015 at a meeting at which a quorum was present with a vote of 2,752.7 FOR; -0-**
27 **AGAINST; -0- NOT VOTING; and 174.2[02] ABSENT, pursuant to the powers vested in the Council**
28 **by Article VI, Section 1(c)(2) of the Constitution of the Tohono O'odham Nation, adopted by the**
29 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
30 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of**
31 **June 18, 1934 (48 Stat.984).**

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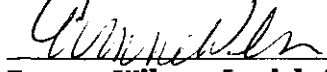
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman
3 day of June, 2015


ATTEST:



Evonne Wilson, Legislative Secretary
2 day of June, 2015

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 3 day of June, 2015 at 12:08 o'clock, P.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



Timothy Joaquin, Legislative Chairman

APPROVED

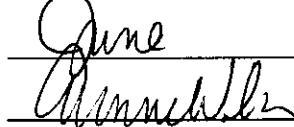
on the 03 day of June, 2015

DISAPPROVED

at 12:45 o'clock, P.m.



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

Returned to the Legislative Secretary on the 3 day of June, 2015, at 1:49 o'clock, P.m.


Evonne Wilson, Legislative Secretary

ACTION: AUTHORIZING THE TOHONO O'ODHAM KI:KI ASSOCIATION TO SUBMIT 2015 INDIAN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR MOLD REMEDIATION & PREVENTION AND NEW CONSTRUCTION HOUSING APPLICATIONS TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Moved: COUNCILMAN BILLMAN LOPEZ

Second: COUNCILWOMAN BARBARA HAVIER

DATE: MAY 27, 2015

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ()	112.1	X			
SELLS 502.0	1. ARTHUR WILSON (Ophelia Patten)	251.0	X			
	2. BARBARA HAVIER (Beverly Rivas)	251.0	X			
SCHUK TOAK 174.2	1. ANTHONY J. RIOS ()	87.1				X
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1				X
SAN XAVIER 224.2	1. HILARION CAMPUS (Daniel L.A. Preston, III)	112.1	X			
	2. RACHEAL VILSON-STONER (Absent) (Olivia Villegas-Liston) (Present)	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			
	2. JANA MONTANA ()	109.8	X			
PISINEMO 210.6	1. CHESTER ANTONE (Tony Murrietta)	105.3	X			
	2. EDWARD MANUEL, SR. ()	105.3	X			
HICKIWAN 196.9	1. LOUIS R. LOPEZ ()	98.45	X			
	2. SANDRA ORTEGA (Manuel Osequeda, Jr.)	98.45	X			
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ()	128.65	X			
	2. LORETTA LEWIS (Louis Johnson)	128.65	X			
CHUKUT KUK 319.2	1. ETHEL GARCIA (Marlakay C. Henry)	159.6	X			
	2. BILLMAN LOPEZ ()	159.6	X			
BABOQUIVARI 357.7	1. FRANCES MIGUEL (Roberta Harvey)	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
TOTAL		2,926.9	2,752.7	-0-	-0-	174.2 [02]