

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Appropriating \$10 Million from Desert Diamond Savings Account to the Tohono O'odham
Ki:Ki Association for Unrestricted Income Homeownership and Loan Program)

RESOLUTION NO. 16-006

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

5 **WHEREAS, the Tohono O'odham Ki:Ki Association ("TOKA") is designated as the Nation's**
6 **Tribally Designated Housing Entity that is responsible for implementing the**
7 **Nation's Indian Housing Plan under the Native American Housing Assistance**
8 **and Self-Determination Act of 1996, 25 U.S.C. §4101, et seq., P.L. 104-330, 110 Stat.**
9 **4016 ("NAHASDA"); 18 T.O.C. Chapter 1, Article I.1.; and**

10 **WHEREAS, between FY 2010 and FY 2015, federal funding for the TOKA was reduced by**
11 **\$1,282,116 or more than 20%, and according to HUD's proposed Indian Housing**
12 **Block Grant formula, TOKA is facing an additional 20% cut as early as FY 2018;**
13 **and**

14 **WHEREAS, the need for additional housing and new construction has always been a priority**
15 **for the Nation's leadership, but finding sources of revenue to support housing**
16 **efforts has also been difficult; and**

17 **WHEREAS, the Legislative Council adopted a Gaming Revenue Distribution Formula that**
18 **allocates a portion of the Nation's gaming revenues to a long-term investment**
19 **account, commonly known as the Desert Diamond Savings Account, which may**
20 **be expended following consultation with the Nation's districts (26 T.O.C. Chapter**
21 **1, Article 3, Section 1301); and**

22 **WHEREAS, the Desert Diamond Savings Account currently funds annual appropriations to**
23 **the Nation's Nursing Care Authority, Tohono O'odham Community College,**
24 **utility assistance to Nation's members, and funds gaming per capita payments**
25 **to Nation's members in accordance with IN-01-97, the O'odham Voice on the Use**
26 **of Gaming Revenues Initiative (16 T.O.C. Chapter 3); and**

27 **WHEREAS, the TOKA has requested an appropriation of \$10 million from the Nation's**
28 **Desert Diamond Savings Account to be disbursed over a four-year period in**
29 **increments of \$2.5 million annually beginning in October 2016 to establish an**

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1 **Unrestricted Income Homeownership and Loan Program enabling the**
2 **Association to serve all tribal members with \$9.5 million exclusively for**
3 **construction and \$500,000 for down payment assistance and closing costs for**
4 **Nation's members; provided that the funds will not be expended for TOKA's**
5 **personnel or other operational costs; and**

6 **WHEREAS,** **the appropriation would be expended in accordance with the TOKA Board**
7 **approved Unrestricted Income Homeownership and Loan Program Policies and**
8 **Procedures, which provides the framework for eligible applicants to realize**
9 **homeownership by offering newly built or remodeled homes for purchase, while**
10 **providing monetary incentives to assist with down payment and closing costs;**
11 **and**

12 **WHEREAS,** **the Nation recognizes the great need for safe and affordable housing on the**
13 **Nation and TOKA's program revenues from developer fees would generate**
14 **revolving revenues to fund and supplement future much-needed housing**
15 **projects; and**

16 **WHEREAS,** **TOKA has consulted with and presented its proposal to the Nation's districts;**
17 **and**

18 **WHEREAS,** **the Housing and Budget and Finance Committees have reviewed and**
19 **recommend approval of the TOKA appropriation request.**

20 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'odham Legislative Council that it
21 **appropriates \$10 million in four annual payments of \$2.5 million from the**
22 **Desert Diamond Savings Account to TOKA exclusively for the Unrestricted**
23 **Income Homeownership and Loan Program; provided that**

24 **(1) The Nation's treasurer certifies in writing that sufficient funds are**
25 **available in the Desert Diamond Savings Account to meet all other**
26 **pending obligations before an annual payment is disbursed to TOKA.**

27 **(2) If the requirements of this resolution have been satisfied, a \$2.5 million**
28 **payment shall be made to TOKA on October 1, 2016, 2017, 2018, and 2019.**

29 **(3) All appropriated funds shall be used exclusively for direct construction**
30 **or down payment assistance in accordance with TOKA-Board approved**

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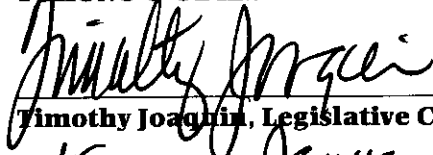
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Unrestricted Income Homeownership and Loan Program Policies and Procedures and shall not be used for TOKA personnel or other operating costs.


The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11TH day of JANUARY, 2016 at a meeting at which a quorum was present with a vote of 2,154.3 FOR; 867.1 AGAINST; [01] NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(c)(2) and (d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman
15 day of January, 2016

ATTEST:



Evonne Wilson, Legislative Secretary
15 day of January, 2016

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 15 day of January, 2016 at 9:59 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

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APPROVED on the _____ day of _____, 2016
 DISAPPROVED at _____ o'clock, _____.m.

RECEIVED

Jan. 20, 2016

EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

UNSIGNED

Returned to the Legislative Secretary on the 20 day of
January, 2016, at 12:21 o'clock, P.m.

Evonne Wilson

Evonne Wilson, Legislative Secretary

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ACTION: APPROPRIATING \$10 MILLION FROM DESERT DIAMOND SAVINGS ACCOUNT TO THE TOHONO O'ODHAM KI:KI ASSOCIATION FOR UNRESTRICTED INCOME HOMEOWNERSHIP AND LOAN PROGRAM

Moved: COUNCILWOMAN BARBARA HAVIER

SECOND: COUNCILMAN BILLMAN LOPEZ

DATE: JANUARY 11, 2016

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			X
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			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		
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 ()	109.95	X			
	2. MONICA K. MORGAN ()	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ()	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ()	114.30		X		
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.30	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	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 ()	256.75	X			
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80		X		
	2. MARY LOPEZ ()	115.80	X			
TOTAL		3,021.4	2,154.3	867.1	[01]	[03]