

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Tohono O'odham Ki:Ki Association to Submit FY 2013 Application to
the U.S. Department of Housing and Urban Development Indian Community
Development Block Grant Program)

RESOLUTION NO. 13-098

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with the**
2 **power to enact laws "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 **(Constitution, Article VI, Section 1(c)(2)); and**

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

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

15 **WHEREAS, the HUD Indian Community Development Block Grant Program ("ICDBG") has funds**
16 **available to build new housing to serve and improve the quality of life for tribal**
17 **communities; and**

18 **WHEREAS, the Tohono O'odham Nation and the TOKA recognize the dire need for affordable**
19 **housing on the Nation's lands; and**

20 **WHEREAS, the TOKA has prepared a FY 2013 ICDBG application in the amount of \$2,750,000.00,**
21 **which it will leverage with \$850,000 of Indian Housing Block Grant funds to build 24**
22 **new single-family housing units; and**

23 **WHEREAS, the 2013 Notice of Funding Availability ("NOFA") that prescribes application**
24 **requirements states there must be a current tribal resolution in effect adopting and**
25 **identifying construction standards, i.e., building codes, and citizen participation in**
26 **accordance with 24 CFR 1003.604(a); and**

27 **WHEREAS, the Nation recognizes the importance of adopting construction standards that ensure**
28 **units constructed with IHBG and ICDBG funds comply with International Building**
29 **Code standards; and**

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1 WHEREAS, the Nation and TOKA met the requirements of 24 CFR 1003.604 by advertising and
2 seeking comment at meetings to obtain the views of residents on community
3 development and housing needs, including a March 13, 2013 public meeting on the FY
4 2013 ICDBG application to discuss and make any modifications as necessary to the
5 application, and a March 15, 2013 open session of the Legislative Council to review and
6 consider the FY 2013 ICDBG application; and

7 WHEREAS, the Legislative Council Housing Committee has reviewed and recommends approval
8 of TOKA's FY 2013 ICDBG application.

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

- 10 (1) authorizes the TOKA to submit a FY 2013 application for HUD ICDBG funding in
11 the amount of \$2,750,000 to construct 24 new housing units;
12 (2) adopts the 2006 International Residential Code as the housing construction
13 standards solely for the purpose of constructing the 24 housing units as outlined
14 in the FY 2013 HUD ICDBG application; and
15 (3) confirms the Nation and TOKA have complied with the citizen participation
16 requirements of 24 CFR 1003.604.

17 BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council it authorizes and directs the
18 Nation's Chairperson to execute all documents necessary to submit TOKA's FY 2013
19 application for HUD ICDBG funds.
20

21 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15TH Day
22 of MARCH, 2013 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-
23 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article
24 VI, Section 1 (c)(2) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono
25 O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -
26 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
27 Stat. 984).
28

29 TOHONO O'ODHAM LEGISLATIVE COUNCIL

30 
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32 Timothy Joaquin, Legislative Chairman

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34 15 day of March, 2013
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ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary

15 day of March, 2013.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 15 day of March, 2013 at 4:36 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
Timothy Joaquin, Legislative Chairman

APPROVED

on the 15 day of March, 2013

DISAPPROVED

at 4:40 o'clock, P.M.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 15 day of March, 2013, at 4:44 o'clock, P.M.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: AUTHORIZING THE TOHONO O'ODHAM KI:KI ASSOCIATION TO SUBMIT FY 2013 APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT INDIAN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

MOVED: COUNCILWOMAN ETHEL GARCIA

SECOND: COUNCILWOMAN PAMELA ANGHILL

DATE: MARCH 15, 2013

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (Absent) (Vernon Smith)(Present)	171.0	X			
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ()	151.10	X			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN ()	122.45	X			X
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL ()	113.35	X			
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			
PISINEMO 200.7	1. CHESTER ANTONE (Tony Murrietta)	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
SAN LUCY 204.6	1. LORRAINE EILER (Diana Manuel)	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
SAN XAVIER 215.8	1. HILARION CAMPUS (Racheal Vilson-Stoner)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			X
SCHUK TOAK 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
SELLS 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. MARIA ACKERMAN ()	237.85	X			
SIF OIDAK 211.9	1. NICHOLAS JOSE ()	105.95	X			
	2. MARY LOPEZ ()	105.95	X			
TOTAL		2,780.60	2,780.60	-0-	-0-	[02]