

RESOLUTION NO. 96-08

COUNCIL OF THE CHEROKEE NATION

**A RESOLUTION APPROVING AND AUTHORIZING THE SUBMISSION OF AN
AMENDMENT TO THE FISCAL YEAR 2008 INDIAN HOUSING PLAN TO THE U.S.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

WHEREAS, the Cherokee Nation since time immemorial has exercised its sovereign power of self-government on behalf of the Cherokee people;

WHEREAS, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government-to-government relationship with the United States of America;

WHEREAS, the Native American Housing Assistance and Self-Determination Act of 1996 requires a tribe to adopt a one year plan for each fiscal year's funding;

WHEREAS, the Cherokee Nation must submit an Indian Housing Plan in a form prescribed by the United States Department of Housing and Urban Development to receive its Fiscal Year 2008 housing funding allocation;

WHEREAS, the Cherokee Nation submitted an Indian Housing Plan for Fiscal Year 2008 to the United States Department of Housing and Urban Development which was approved;

WHEREAS, the Cherokee Nation now wishes to make changes in its plan;

WHEREAS, the attached sheets reflect the changes to be made to the Indian Housing Plan.

BE IT RESOLVED BY THE CHEROKEE NATION, that the attached changes are approved to be incorporated into the Indian Housing Plan for the Fiscal Year 2008 and submitted to the U.S. Department of Housing and Urban Development as the Nation's amended Indian Housing Plan; and

BE IT FURTHER RESOLVED BY THE CHEROKEE NATION, that should the Department of Housing and Urban Development require changes upon its review of the submitted Plan and the changes do not reflect substantial or material modifications as determined by the Community Development/Tribal Services Committee then the changes, additions, deletions, and/or modifications may be made and returned for further consideration by HUD without further Council action.

CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting thereof on the 15th day of December, 2008, having 16 members present, constituting a quorum, by a vote of 16 yeas; 0 nays; 0 abstaining.

Meredith A. Frailey
Meredith A. Frailey, Speaker
Council of the Cherokee Nation

ATTEST:

Don Garvin
Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 22nd day of December, 2008.

Chadwick Smith
Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:

Melanie Knight
Melanie Knight, Secretary of State
Cherokee Nation

2. GOALS AND OBJECTIVES - A statement of the goals and objectives of the Indian tribe to enable the tribe to serve the needs identified in the mission statement.

Please enter your Goals and Objectives here:

All of the following services shall be for eligible NAHASDA recipients:

Goal 1: To maintain and operate "1937 Act Units" through the provision of "Indian Housing Assistance"

Objective 1A: Provide modernization assistance to maintain Housing Authority of Cherokee Nation Low Rent Units

Objective 1B: Provide modernization assistance to maintain Housing Authority of the Delaware Tribe Mutual Help and Low Rent Units

Objective 1C: Provide operating assistance to the Low Rent program consisting of HACN units in order to maintain its efficiency and effectiveness

Objective 1D: Provide operating assistance to the Low Rent and Mutual Help programs consisting of HADT units, as needed, in order to maintain their efficiency and effectiveness

Objective 1E: Provide modernization assistance to improve infrastructure of Mutual Help units.

Goal 2: To develop adequate living units for residency by eligible recipients

Objective 2A: Provide for the construction of 200 new homeownership units through various means

Objective 2B: Provide for the acquisition of 1,000 homeownership units through various means

Objective 2C: Acquire and develop land for homeownership purposes for 125 eligible recipients

Objective 2D: Provide for the rehabilitation of 1,000 privately-owned units

Goal 3: Provide for housing-related services for people and entities participating or seeking to participate in other assisted NAHASDA housing activities

Objective 3A: Provide rental assistance to at least 1,471 recipients from each year's funding

Objective 3B: Provide counseling and related training in housing and self sufficiency for 2,500 recipients to increase their capacity to obtain and retain affordable housing

Objective 3C: Provide resident services (as allowed by NAHASDA in regard to activities and recipients) to 5,000 recipients in areas including, but not limited to, literacy centers, youth activities, elder protection, case management, drug elimination, family stability, case management, service

1-YEAR INDIAN HOUSING PLAN

The 1-Year Plan section of the Indian Housing Plan must contain information, relating to the upcoming fiscal year for which assistance is to be made available, including the following:

1. **GOALS AND OBJECTIVES** - A statement of the goals and objectives to be accomplished during the period that are measurable as determined by the Tribe/TDHE.

Please enter your Goals and Objectives here:

Goal 1: To maintain and operate "1937 Act Units" through the provision of "Indian Housing Assistance"

Objectives:

- 1A Provide modernization assistance for 300 HACN Low Rent Units at an average of \$3,666 per unit.
- 1B Provide modernization assistance for 18 LR units at an average of \$5800 per unit for HADT.
- 1C Provide \$2.8 million to operate the Low Rent program consisting of HACN units
- 1D Provide \$255,000 to operate the 1937 Act Program(s) of the HADT
- 1E Provide \$500,000 for improvement of infrastructure (roads) within 10 Mutual Help projects

Goal 2: To develop adequate living units for residency by eligible recipients:

Objectives:

- 2A: Provide 10 "building packages" for self-help construction under supervision at an average cost of approximately \$88,000 (plus related environmental review costs).
- 2B 1: Provide mortgage assistance and closing costs to 233 low-income Indian homebuyers at a total maximum cost of \$15,000 (plus related environmental review costs).
- 2B 2: Acquire 25 houses at an average cost of \$88,000 per unit (plus related environmental review costs).
- 2C: Purchase and develop 5 sites for affordable housing at a total cost of \$100,000 (including staff, overhead, and development costs)
- 2D: Rehabilitate or replace 218 houses privately-owned by low-income Indians at an average cost (including direct staff and overhead) of \$25,000 per recipient (plus related environmental review costs).

Goal 3: Provide for housing-related services for people and entities participating or seeking to participate in other assisted NAHASDA housing activities

Objectives:

- 3A: Provide rental assistance to at least 1,471 low-income Indians.
- 3B: Provide self-sufficiency counseling and case management assistance to 400 low-income Indians on the homeownership waiting list to enhance their ability to procure mortgages.
- 3C: Provide resident services to 1,600 resident/eligible families/individuals in the areas of education, resident organization, self-sufficiency activities, drug elimination, case management, literacy, job training/education (through matching funds with the Nation's ROSS program), tax preparation, and cultural activities.
- 3D: Provide transitional and emergency housing assistance to 215 low-income Indian recipients to keep them from becoming homeless.
- 3E: Match funds to 100 eligible residents or participants to enable them to obtain homeownership or housing rehabilitation service and/or participate in self sufficient enhancement such as job training, education, or micro-enterprise development through Individual Development Accounts.
- 3F: Provide \$1,500,000 in Title VI Debt Subsidy funds.
- 3G: Provide \$38,500 to the HADT to provide services for 150 youth through the Boys & Girls Club.

Goal 4: Provide housing management funding to efficiently and effectively operate affordable NAHASDA housing programs

Objectives:

- 4A: Provide \$2,565,000 to operate the Nation's RAP, MAP, and Insurance programs, as well as the management (but not modernization/rehabilitation) of NAHASDA, including Title VI, units
- 4B: Provide \$16,500 to manage HADT's NAHASDA units.

Goal 5: Provide funding to the Cherokee Nation's Marshal Service so that it can annually provide law enforcement services above the base line which is defined as that service which would be provided to eligible units if NAHASDA funding was not available

Objectives:

- 5A: Utilize \$1,195,000 to employ 17 ½ officers, above the baseline of 16 officers to provide law enforcement services to 913 NAHASDA housing sites on a regular basis.
- 5B: None requested by the HADT

Goal 6: Provide adequate administrative and planning funding to effectively implement NAHASDA for provision and coordination of services and compliance with applicable legal, regulatory, and programmatic requirements

Objectives:

6A: Provide necessary funding with cumulative amount not to exceed the allowed 20% level (including \$20,000 to oversee HADT activities)

6B: Provide necessary funding of **\$80,000** for the HADT



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3. FINANCIAL RESOURCES- An operating budget for the recipient, in a form prescribed by the Secretary, including:

- a. an identification and a description of the financial resources reasonably available to the recipient to carry out the purposes of NAHASDA, including an explanation of the manner in which amounts made available will leverage additional resources; and

Please enter your Identification and Description here:

IHBG funding will be utilized in an efficient manner and invested according to approved investment policy and current regulations in order to generate interest income and leverage additional resources - as approved by the Southern Plains Office of Native American Programs (HUD).

IHBG Attributable to Cherokee Nation	\$27,107,668
IHBG Attributable to HADT	\$ 498,087
Anticipated Program Income (Investments)	\$ 355,245
Program Income (Title VI Receipts/Pay-Offs)	<u>\$ 2,700,000</u>
Total NAHASDA-related Resources	\$30,661,000


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b. the uses to which such resources will be committed, including eligible and required affordable housing activities under title II of NAHASDA and administrative expenses.

Please enter the Uses of Such Resources here:

Fiscal Year ending 09/30/08	
1937 Housing Act Assistance	
Modernization	\$ 1,600,000
Modernization for HADT	\$ 100,000
Operating Subsidy	\$ 1,700,000
Operating Subsidy for HADT	\$ 255,000
Development (Homeownership)	
Construction/Self-Help	\$ 1,030,000
Mortgage Assistance	\$ 3,900,000
Rehabilitation (Privately-Owned)	\$ 5,466,000
Land Acquisition	\$ 100,000
Homeownership Acquisition	\$ 2,200,000
Housing Services	
Rental Assistance	\$ 3,500,000
Self Sufficiency Counseling	\$ 830,000
Resident Services	\$ 1,065,000
Transitional/Emergency Housing	\$ 500,000
Individual Development Accounts	\$ 100,000
Title VI Debt Subsidy	\$ 1,500,000
HADT Resident Services	\$ 38,500
Housing Management Services	
Housing Management	\$ 2,565,000
Housing Management for HADT	\$ 16,500
Crime Prevention & Safety	
Marshal Services	\$ 1,195,000
Planning & Administration	
Administration/Management/Planning	\$ 2,900,000
Administration Related to HADT	\$ 100,000
<u>TOTAL RESOURCES</u>	\$30,661,000



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k. the entity that will carry out the activities under the plan, including the organizational capacity and key personnel of the entity.

Please enter your Organizational capacity & key personnel that will carry out IHP activities here:

The 2008 Cherokee Indian Housing Plan was developed through a coordinated effort between housing staff, the Principal Chief, the Cherokee Nation, and the Nation's Council.

The Cherokee Nation is the recipient of funds and utilizes many different offices to administer and manage them depending on area of expertise. The Nation has been recipient for the last several years and will be responsible for implementing and overseeing the housing activities outlined in the one-year and five-year sections of the plan.

The Cherokee Nation has managed and administered an increasing number of the programs funded under the IHP since it became the recipient in 2000. It now is in the process of absorbing HACN personnel to manage the remaining programs under the tribal administration. The same employees will be operating the programs for the most part.

Cherokee Nation personnel who have various duties and responsibilities as indicated include: Don Vaughn (internal auditing and monitoring), Diane Kelley (job training and self sufficiency activities), Anna Knight (Individual Development Accounts, Mortgage Assistance, and Self Sufficiency Counseling), Norma Merriman (transitional/emergency housing, elder protection, family unification activities, and Rental Assistance), Charlie Soap (self-help housing, housing and infrastructure coordination and community youth development), Sharon Wright (Marshal Service and law enforcement), Wayne Isaacs (LBP identification and environmental reviews), **Jack Farmer** (land acquisition), Callie Catcher (Controller), and David Southerland (Management of units and Rehabilitation of Privately-owned units).

The HADT has been in existence nearly 30 years. Its Executive Director is Mike Ellick who has three years of experience in Indian housing.



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**TABLE 2
FINANCIAL RESOURCES**

Name of Tribe: Cherokee Nation
 Name of TDHE (if applicable):
 Federal Fiscal Year: 2008
 Tribal/TDHE Program Year: 2008



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PART I: SOURCES OF FUNDS FOR NAHASDA ACTIVITIES	
column a	column b
1. HUD Resources	
a. NAHASDA Block Grant	\$27,605,755.00
b. NAHASDA Program Income	\$3,055,245.00
c. NAHASDA Title VI	
d. Section 184 Loan Guarantee	
e. Indian Community Development Block Grant	\$0.00
f. Drug Elimination Grants and Drug Technical Assistance	\$0.00
g. Prior Year Funds	
h. Other	\$0.00
2. Existing Program Resources	
a. 1937 Housing Act Programs	\$0.00
b. Other HUD Programs	\$0.00
3. Other Federal or State Resources	
a. BIA Home Improvement Program	\$0.00
b. Other	\$0.00
4. Private Resources	
a. Tribal Contributions for affordable housing	\$0.00
b. Financial Institution	\$0.00
c. Other	
5. Other	\$0.00
6. Total Resources	\$30,661,000.00

Table 2 Financial Resources Continued

PART II: ALLOCATION OF FUNDS FOR NAHASDA ACTIVITIES			
column a	column b	column c	column d
7. Indian Housing Assistance			
a. Modernization (1937 Housing Act)	\$1,700,000.00	328	328
b. Operating (1937 Housing Act)	\$1,955,500.00	1275	1275
8. Development			
a. Rental	1. Construction of new units	\$0.00	0
	2. Acquisition	\$0.00	
	3. Rehabilitation		
b. Homeownership	1. Construction of new units	\$1,130,000.00	10
	2. Acquisition	\$6,100,000.00	258
	3. Rehabilitation	\$5,466,000.00	218
9. Housing Services	\$7,533,500.00		4112
10. Housing Management Services	\$2,581,500.00		3484
11. Crime Prevention and Safety	\$1,195,000.00		913
12. Model Activities (specify below)			
a.			
13. Planning and Administration	\$3,000,000.00		
14. Reserves			
15. Other			
16. Total	\$30,661,000.00	2089	10598

4. Planning and Administration

In accordance with the Final Rule, state the percentage of annual grant funds which will be used for planning and administrative purposes. If the amount is over 20 percent of the annual grant amount, HUD approval is required.

Please enter your planning and administration here:

During this plan year, the Cherokee Nation will use 10% of the grant amount and projected program income for planning and administrative activities. The percentage based on the principal and program income IHBG amount is \$3,000,000 divided by \$30,661,000.

5. Minimal Funding

As stated in the Final Rule, the first year of NAHASDA participation, a tribe whose allocation is less than \$50,000 under the need component of the formula shall have its need component of the grant adjusted to \$50,000. Certify here that there is a need for funding.

Please enter your minimal funding here:

N/A

6. Method of Payment

In accordance with the Final Rule, state the method of payment the tribe/THDE will use to request its grant funds.

Please enter your method of payment here:

The LOCCS system will be utilized as the method of payment in accordance with the Final Rule and NAHASDA program guidance notices.

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**Cherokee Nation
Act /Resolution Proposal Form**

Act

Resolution

TITLE: A Resolution Approving and Authorizing the Submission of an Amendment to the Fiscal Year 2008 Indian Housing Plan to the U.S. Department of Housing and Urban Development

DEPARTMENT CONTACT: Government Resources, Housing Policy Office

**RESOLUTION PRESENTER:
MARVIN JONES**

SPONSOR:

NARRATIVE:

Submittal of Amendment #2 to the 2008 Indian Housing Plan to HUD.

Administrative Clearance

Program/Project Manager

Signature/Initial Date

Department Director:

Signature/Initial Date

Executive Director:

Signature/Initial Date

Controller: (If Needed)

Signature/Initial Date

Government Resources Dept:

Jita May 10/30/08

Signature/Initial Date

Administration Approval:

M. Kelly 10/31/08

Signature/Initial Date

Legislative Clearance

Legislative Aide:

Shelli Brittain 10/31/08

Signature/Initial Date

Standing Committee:

Community Source

11/10/08

Next Meeting Date

Chairperson:

B. S. 2008

Signature/Initial Date

Returned to Presenter: _____

Date

10-31-08P05:05 RCVD

Cherokee Nation
Outline for Act/Resolution Justification Form

I. PURPOSE: To amend FY 2008 Indian Housing Plan and submit to the U.S. Department of Housing and Urban Development

II. FUNDING REQUIRED / SOURCE OF FUNDS:

Funding Contract Amount: 27,605,755 + 3,055,245 (estimated program income)

Cash Match (If applicable): Amount N/A Source: N/A

In – Kind (If applicable): Amount N/A Source: N/A

Date Available: When IHP is amended

General fund: N/A

Motor fuels: N/A

Other (Specify): N/A

Attach Budget Justification Forms: _____
(If the Request Requires Revisions of the Current Budget)

III. CAPABILITY TO PERFORM IF APPROVED:

A. Organizational Responsibility: Division: Cherokee Nation

B. _____; Department: Various

C. Staffing Required: Approximately 300 existing staff

D. Will Any of the Services Be Outsourced or Contracted? Yes, \$5,000,000 (estimated)

E. Space Required: Existing Location: Various, including HACN

F. Service Area (counties etc.): 14 counties

IV. IDENTIFY EXTERNAL –GOVERNMENT AGENCIES:

(Any Contact or Involvement such as BIA, IHS, etc. and the staff contact)

A. Agency: Housing and Urban Development

B. Staff Person: Office of Native American Programs, Wayne Sims