

Committee: Special Community Services
Date: 03-06-09 Committee Date: 03-16-09

Author: Marvin Jones
Sponsor: Councilor Harley Buzzard

RESOLUTION NO. 23-09

COUNCIL OF THE CHEROKEE NATION

**A RESOLUTION APPROVING AND AUTHORIZING THE SUBMISSION OF THE
AMENDED 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 has an approved amended Year 2008 Indian Housing Plan;

WHEREAS, the American Recovery and Reinvestment Act of 2009 included an additional appropriation (known commonly as "stimulus money") for the Indian Housing Block Grant Program (known commonly as "NAHASDA");

WHEREAS, the department of Housing and Urban Development has instructed that this money be included by tribes in their existing 2008 Indian Housing Plans;

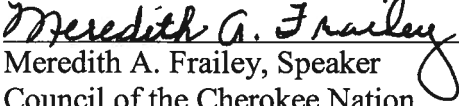
WHEREAS, the inclusion of the referenced funds allocated to the Cherokee Nation, proposed uses, and related changes needed are attached as revised 2008 IHP pages 2,7,13,14,34,36, and 41.

BE IT RESOLVED BY THE CHEROKEE NATION, that the changes specified on the attached seven pages shall be made in the last approved 2008 Indian Housing Plan and submitted to the U.S. Department of Housing and Urban Development;


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, those changes are to be submitted to the Community Services/Tribal Services Committee of the Cherokee Nation Tribal Council for determination of whether those changes or modifications are substantial or material. If said changes are determined not to be substantial or material by the Committee then the changes and modifications may be made and returned for further consideration by HUD without further action.

CERTIFICATION

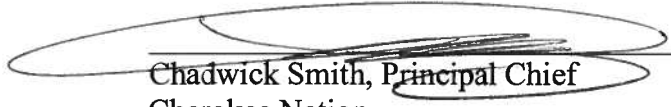
The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting thereof on the 16th day of March, 2009, having 17 members present, constituting a quorum, by a vote of 17 yeas; 0 nays; 0 abstaining.


Meredith A. Frailey, Speaker
Council of the Cherokee Nation

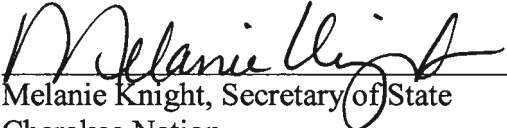
ATTEST


Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 23rd day of March, 2009.


Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:


Melanie Knight, Secretary of State
Cherokee Nation

Cherokee Nation
Outline for Act/Resolution Justification Form

I. PURPOSE: To approve and authorize the submission of the amended FY 2008 Indian Housing Plan to include "stimulus funding" to the U.S. Department of Housing and Urban Development

II. FUNDING REQUIRED / SOURCE OF FUNDS:

Funding Contract Amount: Increase of \$11,878,385 of "stimulus money" + \$21,615 (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: April 1, 2009 (estimated)

General fund: N/A

Motor fuels: N/A

Other (*Specify*): N/A

Attach Budget Justification Forms: Budgets will be submitted to E&F
(*If the Request Requires Revisions of the Current Budget*)

III. CAPABILITY TO PERFORM IF APPROVED:

A. Organizational Responsibility: Division: Cherokee Nation (Various)
Department: Housing Services

B. Staffing Required: Approximately 75 existing staff

C. Will Any of the Services Be Outsourced or Contracted? Yes, \$10,000,000 (estimated)

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

E. 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

INDIAN HOUSING PLAN

General Information:

Name of Tribe: Cherokee Nation

Tribal Chair: First Name: Chad Last Name: Smith

Telephone Number With Area Code: (918) 453-5000

Tribal Street Address: P.O. Box 948

Tribal City: Tahlequah

Tribal State: OK

Tribal Zip: 74465

Tribal Fax # (if applicable): (918) 458-5580

Tribal e-mail: csmith@cherokee.org

Name of TDHE (if applicable):
(Tribally Designated Housing Entity)

TDHE Contact Person: First Name: Last Name:

TDHE Phone Number With Area Code: () -

TDHE Street Address:

TDHE City:

TDHE State:

TDHE Zip:

TDHE Fax # (if applicable): () -

Other Information:

Federal Fiscal Year: 2008

Recipient Fiscal Year End Date: 09/30/2008 (MM/DD/YYYY)

Grant Number: Estimated Grant Amount: \$29,340,294 Actual Grant Amount:
\$39,484,140.00

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. **With "stimulus funding," modernize 500 individual LR units and 20 LR/MH projects (utilities, roads, etc.)**
- 1B Provide modernization assistance for 18 LR units at an average of \$5800 per unit for HADT. **With "stimulus funds", modernize 24 HADT units.**
- 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). **With "stimulus funds", rehabilitate 183 additional homes at approximately \$30,000 total direct costs per recipient.**

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
Stimulus Funding Attributable to CN	\$11,664,644
Stimulus Funding Attributable to HADT	\$ 213,741
Program Income Attributable to Stimulus Funding	\$ 21,615
Program Income (Title VI Receipts/Pay-Offs)	<u>\$ 2,700,000</u>
Total NAHASDA-related Resources	\$42,561,000



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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
Stimulus Modernization (CN)	\$ 5,959,691
Modernization for HADT	\$ 100,000
Stimulus Modernization (HADT)	\$ 215,000
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
Stimulus Rehabilitation	\$ 5,504,097
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
Stimulus Administration	\$ 221,212
Administration Related to HADT	\$ 100,000
<u>TOTAL RESOURCES</u>	\$42,561,000



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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	
Sources of Funds	Planned Amount
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 -NAHASDA Stimulus Block Grant	\$11,878,385.00
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 -NAHASDA Stimulus Program Income	\$21,615.00
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	\$42,561,000.00

Table 2 Financial Resources Continued

PART II: ALLOCATION OF FUNDS FOR NAHASDA ACTIVITIES				
Activity		Planned		
		Budgeted Amount	Number of Units	Number of Families
column a		column b	column c	column d
7. Indian Housing Assistance				
a. Modernization (1937 Housing Act)		\$7,874,691.00	852	852
b. Operating (1937 Housing Act)		\$1,955,000.00	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	10
	2. Acquisition	\$6,100,000.00	258	258
	3. Rehabilitation	\$10,970,097.00	401	401
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		\$3,221,212.00		
14. Reserves				
15. Other				
16. Total		\$42,561,000.00	2796	11,305

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. For stimulus funding, there will be 1.86% used for Administration/Planning (\$221,212 divided by \$11,900,000)

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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03-06-09P03:31 RCVD

Administrative Clearance

Program/Project Manager

Marvin Jones 3/5/09
Signature/Initial Date

Department Director:

Signature/Initial Date

Executive Director:

Signature/Initial Date

Controller: (If Needed)

Signature/Initial Date

Government Resources Dept:

Hilda M. Nye 3/6/09
Signature/Initial Date

Administration Approval:

Signature/Initial Date

**Cherokee Nation
Act /Resolution Proposal Form**

Act

Resolution

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

DEPARTMENT CONTACT: Government Resources, Housing Policy Office

RESOLUTION PRESENTER: MARVIN JONES

SPONSOR: HARLEY BUZZARD

NARRATIVE:

Submittal of the amended 2008 Indian Housing Plan to the U.S. Department of Housing and Urban Development to include "stimulus funding"

Legislative Clearance

Legislative Aide:

J. Brittain 3/6/09
Signature/Initial Date

Standing Committee:

Sp. Comm. Sen.

3/16/09
Next Meeting Date

Chairperson:

Buzzard
Signature/Initial Date

Returned to Presenter: _____
Date

03-05-09P03:45 RCVD *Jn*