



Legislation Text

File #: 24-031, Version: 1

A RESOLUTION RESPONDING TO LEGISLATIVE ACT 01-22; RELATED TO HOMELESSNESS

WHEREAS, the Cherokee Nation (“Nation”) since time immemorial has exercised the sovereign rights of self-government on behalf of the Cherokee people;

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

WHEREAS, The Cherokee Nation received pandemic response funding under the American Rescue Plan Act (ARPA); the uses for which are outlined by the Council in the Cherokee Nation Respond Recover and Rebuild Plan, Resolution 033-23, and in various legislative acts and resolutions and subject to Council appropriation and oversight;

WHEREAS, the Cherokee Nation, the City of Tahlequah and the entire Cherokee Nation Reservation share in the responsibility of homelessness and issues surrounding unsheltered individuals who are both Cherokee and non-Cherokee alike;

WHEREAS, the Council of the Cherokee Nation previously made an historic authorization of funding to improve housing conditions, improve the sustainability of Cherokee communities and create related positive economic impact 2019, referred to as “The Housing, Jobs and Sustainable Communities Act of 2019”, also known as Legislative Act 20-19;

WHEREAS, in 2022, the Council of the Cherokee Nation amended and increased the funding authorization under the Housing, Jobs and Sustainable Communities Act, which included existing housing programs, new housing programs and authorization for the construction of a crisis shelter not to exceed \$10 million, embodied Legislative Act 20-19;

WHEREAS, The Council of the Cherokee Nation finds that additional data and other information is needed to further study to impact of Housing, Jobs and Sustainable Communities Act for possible extension and expansion of the Act beyond its current expiration date fiscal year 2025 and supports the conduct of said study directed by the Principal Chief and reported back to the Council in fiscal year 2025;

WHEREAS, In 2021, the Principal Chief empaneled a task force of subject matter experts employed by the Cherokee Nation, including representation from the Council of the Cherokee Nation, to create a strategy with the goal to reduce the number of Cherokee families living in poverty and issue a report;

WHEREAS, The Cherokee Nation Poverty Reduction Strategy Task Force Report identified areas with the largest concentrations families and individuals believed to be unsheltered or in need of crisis housing for both Cherokee and non-Cherokee citizens (Attachment A);

WHEREAS, The Council of the Cherokee Nation finds that in response to the Poverty Reduction Task Force Report identifying Cherokee County as the largest concentration of unsheltered families, as well as a call for a partnership from the City of Tahlequah and its city officials, a collaborative shelter in Tahlequah should be

considered immediate priority;

WHEREAS, The Council of the Cherokee Nation authorizes the Principal Chief to negotiate a memorandum of understanding allocating up to \$7 million to the City of Tahlequah for the purposes of an outdoor recreation project (Sports Park), in exchange for approximately 25 acres of land (Attachment B) deemed suitable for the purposes of building the tribe's first crisis shelter, which will include no barrier shelter during extreme weather, provided said up to \$7 million allocation to the City of Tahlequah including provisions that provides for

- Appropriate permanent naming rights to Cherokee Nation, for the Sports Park for the life of the Sports Park.
- Prohibition on advertising at or in connection with the Sports Park by competitors of any wholly owned or controlled business or non-profit entity of the Cherokee Nation and prohibition on advertising at or in connection with the park by any other tribe.
- A legal interest in the Sports Park property and all improvements, which could include partial or whole ownership (with long term nominal lease back) and/or right of first refusal on a future purchase, less Cherokee Nation's allocation of funds provided for herein.
- Complimentary usage of the Sports Park for official Cherokee Nation events, specifically including but not limited to Cherokee National Holiday events, for reasonable periods of time annually.
- Complimentary advertising opportunities at or in connection with the Sports Park for Cherokee Nation and any wholly owned or controlled business or non-profit entity of Cherokee Nation
- Any obligations by the City of Tahlequah, other than permanent naming rights by Cherokee Nation, extend no less than 25 years subject to automatic renewal

WHEREAS, The Council of the Cherokee Nation finds further that the operation of the shelter shall be awarded by contract and provides for and recognizes the Principal Chief's authority to negotiate on the tribe's behalf;

WHEREAS, the Principal Chief advises the Council further that extensive need exists for housing across the Cherokee Nation Reservation and calls for a comprehensive Cherokee Nation Housing Needs Study to commence immediately;

WHEREAS, the Council supports, subject to all relevant constitutional and statutory appropriation and oversight authority, the following projects proposed by the Administration under the ARPA-funded Cherokee Nation Respond, Recover Rebuild Plan or dividends received from those governmental entities in which Cherokee Nation is the sole or majority shareholder, loan proceeds, with such available general fund revenue as may be the highest and best use of those various funding sources;

WHEREAS, the Council of the Cherokee Nation agrees to address known needs related to unsheltered Cherokee Nation citizens and identify further needs in a comprehensive housing needs study and allocate respectively as follows;

BE IT RESOLVED BY THE CHEROKEE NATION that the Council of the Cherokee Nation supports the commitment by the Cherokee Nation to collaborate with the City of Tahlequah on a crisis shelter, as prescribed in Legislative Act 01-22, subject to the Principal Chief's negotiation of a memorandum of understanding relating to the allocation of funds for the construction of a Sports Park in Tahlequah by the City of Tahlequah,

and requests information and data from the Principal Chief no later than fiscal year 2025 on housing needs across the Cherokee Nation reservation to better inform the Council on future housing policy.