RESOLUTION: A Resolution to support the Community Development Block Grant Program for Indian Tribes and Alaska Native Villages to build an Indian Child Welfare Office Facility on the Concho Reserve.

RESOLUTION NO: 9L-SS-2022-1020-001
DATE INTRODUCED: October 14, 2022
SPONSOR: Travis Ruiz, Arapaho District 3
CO-SPONSOR: Bruce Whiteman Jr., Cheyenne District 1

SUBJECT: A Resolution to support the Community Development Block Grant Program for Indian Tribes and Alaska Native Villages to build an Indian Child Welfare Office Facility on the Concho Reserve.

WHEREAS: The Cheyenne and Arapaho Tribes are federally recognized Indian Tribes, organized under a Constitution approved by the Secretary of the Interior on April 4, 2006, and

WHEREAS: The Legislature has the Constitutional obligation and public responsibility to the Tribes to oversee the Tribes’ operations in order to establish and promote justice, establish guidance and direction for the government and advance the general welfare of the Tribes; and

WHEREAS: Article VII, Section 4(d) of the Constitution requires that the Legislature or Tribal Council give prior authorization for the signing of contracts by the Governor; and

WHEREAS: In Article VI Section 6 Sessions (b) of the Constitution states, “The Governor may call Special Sessions of the Legislature. All Special Sessions shall be held within a voting District. The purpose of the Special Session shall be stated in a notice published not less than five days prior to the Special Session, and the Legislature shall not consider any other subject not within such purposes”; and

WHEREAS: The Ninth Legislature finds that it is necessary and proper to support the application for the Indian Community Development Block Grant to build an Indian Child Welfare Office Facility on the Concho Reserve; and

WHEREAS: The purpose of this grant is to build an Indian Child Welfare Office Facility within ADA requirements, and a FEMA storm safe room; and

WHEREAS: The Cheyenne and Arapaho Tribes are required through Legislative Resolution to consider the views of the community in preparing this application in accordance...
with 24 CFR 1003.604 certifying that citizen participation was undertaken and in accordance with regulations prior to the submission of the application; and

WHEREAS: In accordance with 24 CFR 1003.302(b), the Cheyenne and Arapaho Tribes has a current, in effect, tribal Resolution adopting and identifying construction standards that meets the requirements in Section I.A.3.p. for a Public Facilities and Infrastructure Project; and

WHEREAS: The Cheyenne and Arapaho Tribes has adopted a financial management system that meets Federal standards as described at 2 CFR 200.302; and

WHEREAS: The Cheyenne and Arapaho Tribes have in place, a Procurement and Contract Policy that meets the regulatory requirements of 24 CFR Part 1003; and

WHEREAS: The Cheyenne and Arapaho Tribes follow the regulatory requirements of 2 CFR Part 200, but are in the process of revising and adopting the Procurement and Contract Policy to reflect these updates; and

WHEREAS: The proposed project serves a special population, children under the age of 18 who are under the Indian Child Welfare Program and therefore the Cheyenne and Arapaho Tribes will not include demographic data on the number of low-to-moderate-income (LMI) persons that will benefit from the project; and

WHEREAS: The Cheyenne and Arapaho Tribes certify that there are no outstanding ICDBG audit findings related to ICDBG programs; and

WHEREAS: The proposed square foot construction of the Indian Child Welfare Office Facility requires Architectural Engineering services to comply with the International Building Codes (IBC) adopted by the Cheyenne and Arapaho Tribes, Bill #2L-2009-RS-18-03, and comply with construction alternatives that will build better, safer, and more energy efficient facilities; and

WHEREAS: a) The Cheyenne and Arapaho Tribes are proposing to construct the Indian Child Welfare Office Facility on the Concho Reserve for an estimated total cost of $2,200,000.00; and

b) The Cheyenne and Arapaho Tribes will submit an ICDBG application requesting grant funds of $2,000,000.00; and

c) Leveraging funds will be appropriated from the Department of Transportation tribal revenues in the amount of $450,000.00 for the construction project, which includes the costs to cover the parking lot and sidewalks; and

d) The Cheyenne and Arapaho Tribes commits adequate funds anticipated to be $14,400.00 per year for the operations and maintenance plan; and

e) The Tulsa District U.S. Army Corps of Engineers will be a part of key staff to implement this renovation and improvement project; and

f) The Cheyenne and Arapaho Tribes will train and/or employ Section 3 residents or contract with Section 3 businesses and/or provide other economic opportunities in accordance with Section III.D.1. of the FY 2018
HUD ICDBG NOFA and also comply with Indian Preference requirements in Section III.E.1; and b

NOW THEREFORE BE IT RESOLVED that the Ninth Legislature, pursuant to Article VII, Section 4(d) of the Cheyenne and Arapaho Tribal Constitution, does hereby approve and support the Tribes’ Indian Community Development Block Grant application to the U.S. Department of Housing and Urban Development to construct the Indian Child Welfare Facility on the Concho Reserve; and

BE IT FURTHER RESOLVED that if the grant is awarded, the Ninth Legislature of the Cheyenne and Arapaho Tribes commits $450,000.00 for the leveraging through the construction of a parking lot construction from the Department of Transportation; and

BE IT FINALLY RESOLVED that the Ninth Legislature authorizes Governor Reggie Wassana to sign all contracts and related documents for the FY 2022 HUD ICDBG application.

Travis Ruiz, Speaker
Speaker of the Ninth Legislature
Cheyenne and Arapaho Tribes
ATTEST:

I, Jodi White Buffalo, Legislative Clerk, hereby certify that the foregoing is a True and Accurate Copy of the Original Bill No. 9L-SS-2022-1020-001 which was acted upon by the Legislature of the Cheyenne and Arapaho Tribes in the Ninth Legislature Special Session, by a roll call vote on the 20th day of October 2022, by a vote.

VOTE RECORD:

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**TOTAL:** 10

Passes (✓) Fails (✓) Tabled (✓) Allowed to Die (✓) No Action (✓)

Jodi White Buffalo, Legislative Clerk
Ninth Legislature, Cheyenne and Arapaho Tribes
ATTEST:
Pursuant to Article VI, Section 7, subsection (a)(iv) of the Tribes Constitution reads in part: “All Bills passed by the Legislature shall be presented to the Governor for signature or veto. All laws shall take effect thirty days after signature by the Governor or veto override by the Legislature unless any Member of the Tribes submits to the Coordinator of the Office of Tribal Council a petition signed by at least one hundred fifty Members of the Tribal Council seeking to repeal the law or resolution at the next Tribal Council meeting. If the Tribal Council fails to repeal such law or resolution at the next Tribal Council where the matter has been properly placed on the agenda for the Tribal Council meeting, such law or resolution shall become effective immediately.”

Pursuant to Article VII, Section 4, subsection (g) of the Tribes Constitution reads: “The Governor shall have the power to sign any enactment passed by the Legislature into law or to veto any enactment passed by the Legislature within ten (10) days of passage with a written explanation of any objections; and if the Governor takes no action within ten (10) days, then the enactment shall become law in accordance with this Constitution.”

\[ \checkmark \] APPROVED
\[ \] VETOED: Attachment ____; Governor’s written explanation of any objections.

On the ___ day of ______________, 2022.

Reggie Wassana, Governor
Cheyenne and Arapaho Tribes