



# SQUAXIN ISLAND TRIBE

RESOLUTION NO. <sup>15-02</sup>~~14~~\_\_\_\_\_

of the

## SQUAXIN ISLAND TRIBAL COUNCIL

**WHEREAS**, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965;

**WHEREAS**, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources and rights of the Tribe;

**WHEREAS**, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government;

**WHEREAS**, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe;

**WHEREAS**, the Final Rule implementing NAHASDA at 24 C.F.R. § 1000.204 permits an Indian Tribe to designate itself as a recipient of HUD funds for housing on Indian reservations and within Indian areas;

**WHEREAS**, the Squaxin Island Tribal Council, by resolution No. 98-99, elected to begin operating its own housing program independent of the Southern Puget Sound Inter-Tribal Housing Authority, effective October 1, 1998 in accordance with 24 C.F.R. 1000, the Final Rule implementing NAHASDA;

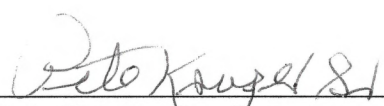
**WHEREAS**, it has come to the attention of the Squaxin Island Tribal Council that the Squaxin Island Tribal Code contains provision relating to Southern Puget Sound Inter-Tribal Housing Authority that are no longer relevant or needed, and that it would be in the best interest of the Tribe to repeal such provisions;

**NOW THEREFORE BE IT RESOLVED**, the Tribal Council hereby repeals section 2.08.010 through 2.08.090 of the Squaxin Island Tribal Code.

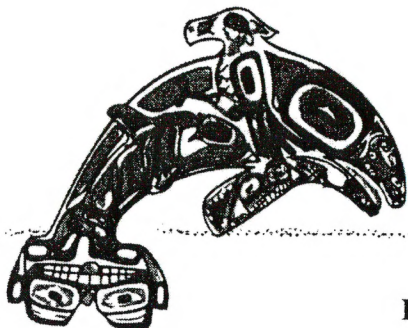
**CERTIFICATION**

The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this ~~11<sup>th</sup>~~ day of ~~December~~, 2014, <sup>1/7/15</sup> at which time a quorum was present and was passed by a vote of 10 for and 0 against, with 0 abstentions.

  
\_\_\_\_\_  
David Lopeman, Chairman

Attested by:   
\_\_\_\_\_  
Pete Kruger Sr., Secretary

  
\_\_\_\_\_  
Arnold Cooper, Vice Chairman



## SQUAXIN ISLAND TRIBE

RESOLUTION NO. 98-99  
of the  
SQUAXIN ISLAND TRIBAL COUNCIL

**WHEREAS**, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and,

**WHEREAS**, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and with protecting and managing the lands and treaty resources and rights of the Tribe; and,

**WHEREAS**, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and,

**WHEREAS**, the Final Rule implementing NAHASDA at 24 C.F.R. § 1000.204 permits an Indian tribe to designate itself as a recipient of HUD funds for housing on Indian reservations and within Indian areas; and,

**WHEREAS**, the Squaxin Island Tribal Council voted Thursday, July 9, 1998 to designate the Squaxin Island Tribe as recipient of FY98 and FY99 Indian Housing Block Grant funds; and

**WHEREAS**, the Squaxin Island Tribal Council voted Friday, September 25, 1998 to begin operating its own housing program independent of the Southern Puget Sound Inter-Tribal Housing Authority, effective October 1, 1998 in accordance with 24 C.F.R. 1000, the Final Rule implementing NAHASDA; and

**WHEREAS**, the Tribal Council finds it necessary to create a Housing Commission to operate the Tribe's housing program, and that such Commission's duties are logically related to the already existing Squaxin Island Tribal Utility Commission,

**NOW THEREFORE BE IT RESOLVED**, that the Squaxin Island Tribal Council does hereby approve and adopt the attached Ordinance Establishing the Squaxin Island Tribal Housing and Utilities Commission, as Tribal Law effective this date.




**NOW THEREFORE BE IT FURTHER RESOLVED**, that Resolution number 91-68, as amended by Resolution number 93-02, the Squaxin Island Tribal Utility Ordinance, is repealed and replaced by the attached Squaxin Island Utilities Ordinance, adopted as Tribal Law effective this date.

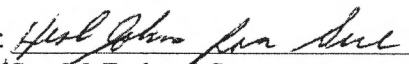
**NOW THEREFORE BE IT FINALLY RESOLVED**, that the attached Interim Housing Code is adopted as Tribal Law effective this date.


*Ordinance*  
*10/7*

### CERTIFICATION

The Squaxin Island Tribal Council does hereby certify that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 8<sup>th</sup> day of October, 1998, at which time a quorum was present and was passed by a vote of 4 for and 0 against with 0 abstentions.

  
Dave Whitener, Sr., Chairman

Attested by:   
Sue McFarlane, Secretary

  
Cal Peters, Vice Chairman



## **Chapter 2.08 SOUTHERN PUGET SOUND INTER-TRIBAL HOUSING AUTHORITY**

### **Sections:**

[2.08.010 Declaration of need.](#)

[2.08.020 Purposes.](#)

[2.08.030 Definitions.](#)

[2.08.040 Organization.](#)

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[2.08.080 Cooperation in connection with project.](#)

[2.08.090 Approval by Secretary of the Interior.](#)

### **2.08.010 Declaration of need.**

It is declared:

- A. That there exists on the Squaxin Island Reservation unsanitary, unsafe and overcrowded dwelling accommodations; that there is a shortage of safe or sanitary dwelling accommodations available at rents or prices which persons of low income can afford; and that such shortage forces such persons to occupy unsanitary, unsafe and overcrowded dwelling accommodations;
- B. That these conditions cause an increase in and spread of disease and crime and constitute a menace to the health, safety, morals and welfare of the residents of the reservations; that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health and safety protection, fire and accident prevention, and other public services and facilities;
- C. That these slum areas cannot be cleared, nor can the shortage of safe and sanitary dwellings for persons of low income be relieved through the operation of private enterprises;
- D. That the clearance, replanning and preparation for rebuilding of these areas and the providing of safe and sanitary dwelling accommodations for persons of low income are public uses and purposes for which public money may be spent and private property acquired and are governmental functions of tribal concern;
- E. That residential construction activity is an important factor in general economic activity, and that the undertakings authorized by this chapter to aid the production of better housing and more desirable neighborhood and community development at lower costs will make possible a more stable and larger volume of residential construction activity which will assist materially in maintaining full employment; and
- F. That the necessity in the public interest for the provisions hereinafter enacted is declared as a matter of legislative determination.

(Res. 75-30 § 1)

## **2.08.020 Purposes.**

The Authority shall be organized and operate for the purposes of:

- A. Remedying on the reservations of this and other participating Indian Tribes, Bands or Groups unsafe and unsanitary housing conditions that are injurious to the public health, safety and morals;
- B. Alleviating the acute shortage of decent, safe and sanitary dwellings for families of low income; and
- C. Providing employment opportunities on the reservation of this and other participating Indian Tribes, Bands or Groups through the construction, reconstruction, improvement, extension, alteration or repair and operation of low-rent dwellings.

(Res. 75-30 § 2)

## **2.08.030 Definitions.**

The following terms, wherever used or referred to in this chapter shall have the following respective meanings, unless a different meaning clearly appears from context:

"Board" means the board of commissioners of the Authority.

"Bonds" means any bonds, notes, interim certificates, debentures, or other obligations issued by the Authority pursuant to this chapter.

"Council" means the Tribal Council of the Squaxin Island Indian Tribe.

"Federal government" includes the United States of America, the Department of Housing and Urban Development, and any other agency or instrumentality, corporate or otherwise, of the United States of America.

"Housing project" or "project" means any work or undertaking: (1) to demolish, clear, or remove buildings from any slum areas; or (2) to provide, or assist in providing decent, safe and sanitary dwellings, apartments, or other living accommodations for persons of low income by any suitable method, including but not limited to rentals, sale or individual units in single or multifamily structures under conventional, condominium, or cooperative sales contracts; lease-purchase agreement; loans; or subsidizing of rentals or charges; or (3) to accomplish a combination of the foregoing. Such work or undertaking may include buildings, land, lease holds, equipment, facilities, and other real or personal property for necessary, convenient, or desirable appurtenances, for street, sewers, water services, utilities, parks, site preparation or landscaping, and for administrative, community, health, recreational, welfare, or other purposes. The term "housing project" or "project" also may be applied to the planning of the building and improvements, the acquisition of property or any interest therein, the demolition of existing structures, the construction, reconstruction, rehabilitation, alteration or repair of the improvements or other property and all other work in connection therewith; and the term shall include all other real and personal property and all tangible or intangible assets held or used in connection with the housing project.

"Obligee" includes any bondholder, agent or trustee for any bondholder, or any lessor transferring to the Authority property used in connection with a project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with the Authority in respect to a housing project.

"Persons of low income" means persons or families who lack the amount of income which is necessary (as determined by the Authority) to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

"Slum" means any area where dwellings predominate which by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitary facilities, or any combination of these factors are detrimental to safety, health and morals.



(Res. 75-30 § 3)

### **2.08.040 Organization.**

- A. The affairs of the Authority shall be managed by a board of commissioners composed of two persons from each participating Indian Tribe or Band.
1. Two commissioners shall be appointed, and may be reappointed by the Tribal Council. A certificate of the secretary of the Council as to the appointment or reappointment of any commissioner shall be conclusive evidence of the due and proper appointment of the commissioner. An alternate shall also be appointed for each commissioner and shall have all the rights, duties and responsibilities of the principal in his absence. It shall be the responsibility of the board to insure alternate commissioners are kept informed of Authority operations and development plans.
  2. The commissioners' term of office shall be four years and staggered. When the board is first established the term of one of the Tribe's two commissioners shall by drawing lots be designated to expire in two years and the other in four years. Thereafter all appointments shall be for four years, except that in the case of prior vacancy, an appointment shall be only for the length of the unexpired term. Each member of the board shall hold office until his successor has been appointed.
  3. The board shall elect one of the commissioners as chairperson of the board. The board shall also elect from among its members a vice-chairperson, a secretary, and a treasurer. In the absence of the chairperson, the vice-chairperson shall preside; and in the absence of both the chairperson and vice-chairperson, the secretary shall preside.
  4. The board of commissioners may remove a commissioner from the board for good cause. In deciding whether to remove a commissioner, the board shall consider the desires and recommendations of that commissioner's Tribal Council.
  5. The commissioners shall not receive compensation for their services but shall be entitled to compensation from the Authority for expenses, including traveling expenses, incurred in the discharge of their duties.
  6. A majority of the total membership of the board as constituted by this chapter shall be a quorum (for transaction of business), whether or not any board positions are vacant.
  7. The secretary shall keep complete and accurate records of all meetings and actions taken by the board.
  8. The treasurer shall keep full and accurate financial records, make periodic reports to the board and submit a complete annual report, in written form to the elected officials of each tribe or band as required by Section 2.08.070A. The treasurer shall be bonded as provided by the Department of Housing and Urban Development.
- B. The board shall have authority to exercise, by majority vote of those present and voting, any and all powers delegated to the Authority by this chapter, or any amendments thereto, except as provided in Section 2.08.060(E)(1), for the adoption of bond resolutions.
- C. Meetings of the board shall be held at regular intervals as provided in the bylaws. Emergency meetings may be held upon twenty-four (24) hours' actual notice, and business may be transacted at such meetings; provided, that a majority of all members present concur in the proposed action.

(Res. 80-57; Res. 75-30 § 4)

### **2.08.050 Powers.**

- A. The Authority shall have perpetual succession in its corporate name. The Authority shall also be authorized to admit other Indian Tribes or Bands or Groups to the Southern Puget Sound Inter-Tribal



Housing Authority upon the adoption of an ordinance by said Indian Tribe, Band or Group. No tribe, band or group shall withdraw from the Authority without the consent of the Authority. All additions and withdrawals of tribes, bands or groups from the Authority shall also be submitted and receive the approval of the Department of Housing and Urban Development before taking effect. The Authority shall be authorized to accept the transfer of any existing housing project covered by an annual contributions contract and to accept assignment of all obligations under said contract with the approval of the Department of Housing and Urban Development. Upon the transfer of all projects and contract obligations to the Southern Puget Sound Inter-Tribal Housing Authority, any existing tribes', bands', or groups' housing authority shall be terminated and go out of existence.

B. The Authority shall have the following powers which it may exercise consistent with the purposes for which it is established:

1. The council gives its irrevocable consent to allowing the Authority to sue and be sued in its corporate name, upon any contract, claim or obligation arising out of its activities under this chapter and authorized the Authority to agree by contract to waive any immunity from suit which it might otherwise have; but the Squaxin Island Tribe shall not be liable for the debts or obligations of the Authority, except insofar as expressly authorized by this chapter.
2. To adopt and use a corporate seal.
3. To enter into agreements, contracts, and understandings with any governmental agency, federal, state, or local (including the council) or with any person, partnership, corporation or Indian Tribe; and to agree to any conditions attached to federal financial subsistence. It is the purpose and intent of this chapter to authorize the Authority to do any and all things necessary or desirable to secure the financial aid or cooperation of the federal government in the undertaking, construction, maintenance or operation of any project by the Authority.
4. To lease property from the tribe, band, or group and others for such periods as are authorized by law, and to hold and manage or to sublease the same.
5. To borrow money, to issue temporary or long-term evidence of indebtedness; and to repay the same. Corporate bonds shall be issued and repaid in accordance with the provisions of Section 2.08.060.
6. To pledge the assets and receipts of the Authority as security for debts; and to acquire, sell, lease, exchange, transfer or assign personal property or interest therein.
7. To purchase land or interests in land or take the same by gifts; to lease land or interest in land to the extent provided by law.
8. To undertake and carry out studies and analysis of the housing needs on the reservation, to prepare housing plans, to execute the same, to operate projects and to provide for the construction, reconstruction, improvement, extension, alteration or repair of any project or any part thereof.
9. To lease, rent, sell, or lease with option of purchase any dwellings, accommodations, lands, buildings or facilities embraced within any project; to establish and revise rents; and to make rules and regulations concerning the occupancy, rental, care and management of its low-rent housing units. Such rules and regulations may establish priorities for the admission of tenants, and provide for the eviction of tenants for failure to pay rent, for failure to comply with rules and regulations, or for failure to maintain the premises in satisfactory condition.

The board shall insure that dwelling accommodations in a housing project shall be made available only to families of low income at rentals within their financial reach by (a) establishing lower than average rentals for especially needy families, and (b) by establishing income limits for admissions and continued occupancy by low income families. In making these determinations, the board may take into consideration family size, composition, age, physical handicaps or other factors which might affect the financial ability of the family to pay rental and shall consider as well such economic factors as may affect the financial stability and solvency of the project.

10. To purchase insurance in any stock or mutual company for any property or against any risks or hazards.
11. To invest such funds as are not required for immediate disbursement.
12. To establish and maintain such bank accounts as may be necessary or convenient.
13. To employ an executive director, technical and maintenance personnel and such other officers and employees, permanent or temporary, as it may require; and to delegate to such officers and employees such powers or duties as the board shall deem proper.
14. To take such further actions as are commonly engaged in by corporate bodies of this character as the board may deem necessary and desirable to effectuate the purposes of the Authority.
15. To adopt such bylaws as the board deems necessary and appropriate.
16. To join or cooperate with any other public housing agency or agencies operating under the laws or ordinances of a state or other bands or tribes or groups in the exercise, either jointly or otherwise, of any or all of the powers of the Authority and such other public housing agency or agencies for the purpose of financing (including but not limited to the issuance of bonds, notes or other obligations and giving security therefor), planning, undertaking, owning, constructing, operating or contracting with respect to a housing project or projects of the Authority or such other public housing agency or agencies. For such purpose the Authority may by resolution prescribe and authorize any other public housing agency or agencies so joining or cooperating with the Authority to act on the Authority's behalf with respect to any or all powers, as the Authority's agent or otherwise, in the name of the Authority or in the name of such agency or agencies.

(Res. 75-30 § 5)

#### **2.08.060 Bonds.**

- A. The Authority may issue bonds from time to time in its discretion for any of its corporate purposes and may also issue refunding bonds for the purpose of paying or retiring bonds previously issued by it. The Authority may issue such types of bonds as it may determine, including bonds on which the principal and interest are payable:
  1. Exclusively from the income and revenues of the project financed with the proceeds of such bonds, or with such income and revenues together with a grant from the federal government in aid of such project;
  2. Exclusively from the income and revenues of certain designated projects whether or not they were financed in whole or in part with the proceeds of such bonds; or
  3. From its revenues generally. Any of such bonds may be additionally secured by a pledge of any revenues of any project, projects or other property of the Authority.
- B. Neither the commissioner of the Authority nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof.
- C. The bonds and other obligations of the Authority shall not be a debt of Squaxin Island Tribe and the bonds and obligations shall so state on their face.
- D. Bonds of the Authority are declared to be issued for an essential public and governmental purpose and to be public instrumentalities and, together with interest thereon and income therefrom, shall be exempt from taxes. The tax exemption provisions of this chapter shall be considered part of the security for the repayment of bonds and shall constitute, by virtue of this chapter and without necessity of being restated in the bonds, a contract between (1) the Authority and Squaxin Island Tribe, and (2) the bondholders and each of them including all transferees of the bonds from time to time.
- E. Bonds shall be issued and sold in the following manner:



1. Bonds of the Authority shall be authorized by a resolution adopted by the vote of an absolute majority of the board and may be issued in one or more series.
  2. The bonds shall bear such dates, mature at such times, bear interest at such rates, be in such denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payments, at such places and be subject to such terms of redemption, with or without premium, as such resolution may provide.
  3. The bonds may be sold at public or private sale at not less than par.
  4. In case any of the commissioners of the Authority whose signatures appear on any bonds or coupons cease to be commissioners, before the delivery of such bonds, the signature shall, nevertheless, be valid and sufficient for all purposes, the same as if the commissioners had remained in office until delivery.
- F. Bonds of the Authority shall be fully negotiable. In any suit, action, or proceedings involving the validity or enforcement of any bond of the Authority or the security therefor, any such bond reciting in substance that it has been issued by the Authority pursuant to this chapter shall be conclusively deemed to have been issued for such purpose and the project for which such bond was issued shall be conclusively deemed to have been planned, located, and carried out in accordance with the purposes and provisions of this chapter.
- G. In connection with the issuance of bonds or incurring of obligations under leases and in order to secure the payment of such bonds or obligations, the Authority, subject to the limitations in this chapter may:
1. Pledge all or any part of its gross or net rents, fees, or revenues to which its right then exists or may thereafter come into existence.
  2. Provide for the powers and duties of obligees and limit their liabilities; and provide the terms and conditions on which such obligees may enforce any covenant or rights securing or relating to the bonds.
  3. Covenant against pledging all or any part of its rents, fees, and revenues or against mortgaging any or all of its real or personal property to which its title or right then exists or may thereafter come into existence or permitting or suffering any lien on such revenues or property.
  4. Covenant with respect to limitations on its right to sell, lease, or otherwise dispose of any project or any part thereof.
  5. Covenant as to what other or additional debts or obligations may be incurred by it.
  6. Covenant as to the bonds to be issued and as to the issuance of such bonds in escrow or otherwise, and as to the use and disposition of the proceeds thereof.
  7. Provide for the replacement of lost, destroyed, or mutilated bonds.
  8. Covenant against extending the time for the payment of its bonds or interest thereon.
  9. Redeem the bonds and covenant for their redemption and provide the terms and conditions thereof.
  10. Covenant concerning the rents and fees to be charged in the operation of a project or projects, the amount to be raised each year or other period of time by rents, fees, and other revenues, and as to the use and disposition to be made thereof.
  11. Create or authorize the creation of special funds for moneys held for construction or operating costs, debt service, reserves or other purposes, and covenant as to the use and disposition of the moneys held in such funds.
  12. Prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the proportion of outstanding bonds the holders of which must consent thereto, and the number in which such consent may be given.



13. Covenant as to the use, maintenance and replacement of its real or personal property, the insurance to be carried thereon and the use and disposition of insurance moneys.
14. Covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenant, condition or obligation.
15. Covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds or obligations become or may be declared due before maturity and as to the terms and conditions upon which such declaration and its consequences may be waived.
16. Vest in any obligees or any proportion of them the right to enforce the payment of the bonds or any covenants securing or relating to the bonds.
17. Exercise all or any part or combination of the powers granted in this section.
18. Make covenants other than and in addition to the covenants expressly authorized in this section, of like or different character.
19. Make any covenants and do any acts and things necessary or convenient or desirable in order to secure its bonds, or, in the absolute discretion of the Authority, tending to make the bonds more marketable although the covenants, acts or things are not enumerated in this section.

(Res. 75-30 § 6)

#### **2.08.070 Miscellaneous.**

- A. The Authority shall submit a detailed annual report, signed by the chairperson of the board, to elected officials of each participating reservation showing:
  1. The names of occupants of all the housing units on the reservation of said tribes, bands or groups;
  2. The number of vacancies, if any;
  3. The status of construction, maintenance and repair of all housing units; and
  4. Such other information as the Authority or the council shall deem pertinent.
- B. During his tenure and for one year thereafter, no officer or employee of the Authority shall voluntarily acquire any interest, direct or indirect, in any project or in any property included or planned to be included in any project, or in any contract or proposed contract relating to any project. If any such officer or employee involuntarily acquires any such interest, or voluntarily or involuntarily acquires any such interest prior to appointment or employment as an officer or employee, the officer or employee, in such event, shall immediately disclose his interest in writing to the Authority and such disclosure shall be entered upon the minutes of the Authority and the officer or employee shall not participate in any action by the Authority relating to the property or contract in which he has any such interest. Any violation of the foregoing provisions of this section shall constitute misconduct in office. This section shall not be applicable to the acquisition of any interest in notes or bonds of the Authority issued in connection with any project, or to the execution of agreements by banking institutions for the deposit or handling of funds in connection with a project or to acts as trustee under any trust indenture, or to utility services the rates for which are fixed or controlled by governmental agencies.
- C. All projects of the Authority located on an Indian reservation shall be subject to the planning, zoning, sanitary, and building ordinances and regulations of that reservation's governing body. All other projects shall observe the ordinances and regulations of the locality in which they are situated.
- D. The Authority shall not construct or operate any project for profit.
- E. The property of the Authority is declared to be public property used for essential public and governmental purposes and such property and the Authority are exempt from all taxes and special assessments of the Squaxin Island Indian Tribe.
- F. All property including funds acquired or held by the Authority pursuant to the ordinance establishing the Authority shall be exempt from levy and sales by virtue of an execution, and no execution or other

judicial process shall issue against the same nor shall any judgment against the Authority be a charge or lien upon such property; provided, however, that the provisions of this section shall not apply to or limit the right of obligees to pursue any remedies for the enforcement of any pledge or lien given by the Authority on its rents, fees or revenues or the right of the federal government to pursue any remedies conferred upon it pursuant to the provisions of this chapter.

(Res. 75-30 § 7)

#### **2.08.080 Cooperation in connection with project.**

- A. For the purposes of aiding and cooperating in the planning, undertaking, construction or operation of project, the Tribal Council agrees that:
1. It will not levy or impose any real or personal property taxes or special assessments upon the Authority or any project.
  2. It will furnish or cause to be furnished to the Authority and the tenants of projects all services and facilities of the same character and to the same extent as the Tribal Council furnishes from time to time without cost or charge to other dwellings and inhabitants on the reservation.
  3. Insofar as it may lawfully do so, it will grant such deviations from any present or future building code of the tribe or band as are reasonable and necessary to promote economy and efficiency in the development and administration of any project, and at the same time safeguard health and safety, and make such changes in any zoning of the site and surrounding territory of any project as are reasonable and necessary for the development and protection of such project and the surrounding territory.
  4. It will do any and all things, within its lawful powers, necessary or convenient to aid and cooperate in the planning, undertaking, construction or operation of projects.
  5. It will join in any disposition of project property or interest therein by the Authority and make assignment or other appropriate disposition of the underlying land as permitted by law, where such action is required in order to grant the maximum interest therein permitted by law.
  6. This chapter will not be abrogated, changed, or modified without the consent of the Department of Housing and Urban Development.
- B. The Tribal Council declares its intention to use its lawful powers, to the extent feasible, to eliminate unsafe or unsanitary dwelling units on the reservations, as additional dwellings are provided by the projects of the Authority.
- C. The provisions of subsection A of this section shall remain in effect with respect to any project so long as the project is either (1) owned by a public body or governmental agency and is used for low-rent housing purposes, (2) any contract between the Authority and the Department of Housing and Urban Development for loans or annual contributions, or both, in connection with such project remain unpaid, whichever period is the longest. If at any time title to, or possession of, any project is held by any public body or governmental agency authorized by law to engage in the development or administration of low-rent housing or slum clearance projects, including the federal government, the provisions of this section shall inure to the benefit of and be enforced by such public body or governmental agency.

(Res. 75-30 § 8)

#### **2.08.090 Approval by Secretary of the Interior.**

With respect to any financial assistance contract between the authority and the federal government, the Authority shall obtain the approval of the Secretary of the Interior or his designee.

(Res. 75-30 § 9)