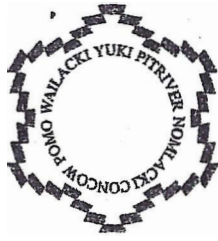


ROUND VALLEY INDIAN TRIBES
A Sovereign Nation of Confederated Tribes

TRIBAL COUNCIL OFFICE
POST OFFICE BOX 448
COVELO, CALIFORNIA 95428
PHONE: 707-983-6126
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LOCATION: ON STATE HWY 162
ONE MILE NORTH OF COVELO
IN ROUND VALLEY
TRIBAL TERRITORY SINCE TIME BEGAN

ROUND VALLEY RESERVATION ESTABLISHED 1856

ORDINANCE RV-2005-01

OF THE

ROUND VALLEY INDIAN HOUSING AUTHORITY

Adopted by:

Round Valley Tribal Council
May 21, 2005

ROUND VALLEY INDIAN RESERVATION

ORDINANCE NO. RV- 2005-1

AMENDMENT TO TRIBAL ORDINANCE NO. RV-76-1 ESTABLISHMENT OF THE ROUND VALLEY INDIAN HOUSING AUTHORITY

SECTIONS:

- 1.1 Tribal Authority**
- 1.2 Declaration of Mission**
- 1.3 Purposes**
- 1.4 Definitions**
- 1.5 Board of Commissioners**
- 1.6 Powers of the Board of Commissioners**
- 1.7 Miscellaneous**
- 1.8 Cooperation in Connection With Projects**

1.1. Tribal Authority

Pursuant the authority vested in the Tribal Council of the Round Valley Indian Tribe the Tribal Council does hereby amend Tribal Ordinance No.RV-76-1. Tribal Ordinance No.RV-76-1 was enacted on December 16, 1976 and submitted by the Tribe to the Department of Housing and Urban Development (HUD) for the purpose of establishing the Round Valley Indian Housing Authority (RVIHA) Tribal Ordinance No.RV-76-1, as passed, reflects the requirements for establishing and operating Indian Housing Authorities as set forth in the United States Housing Act of 1937. Enactment of the Native American Housing Assistance and Self-Determination Act (NAHASDA) in 1997 effectively repealed the 1937 Housing Act as it applies to Indian Housing Authorities, Thus Tribal Ordinance No. RV-76-1 is amended in accordance with the provisions of NAHASDA and is replaced in its entirety with the provisions set forth below.

Revisions and Additions following May 18, 2005 BOC meeting
Round Valley Indian Housing Authority
May 19, 2005

1.2 Declaration of Mission

Remedy unsafe and unsanitary housing conditions that are injurious to the public health, safety and morals; alleviate the acute shortage of decent, safe, sanitary and affordable dwellings for low income residents; and provide employment opportunities through the construction, maintenance, operation, alteration and rehabilitation of low income dwellings.

1.3 Purpose of this Ordinance and the Round Valley Indian Housing Authority

1. The purpose of this Ordinance is to reaffirm the establishment of the Round Valley Indian Housing Authority (RVIHA) and confirm that the RVIHA is the Tribally Designated Housing Entity (TDHE) for purposes of NAHASDA. The purpose of this Ordinance is to further redefine the role and responsibilities of the RVIHA.

2. The purpose of the RVIHA shall be:

a. Develop, with tribal membership involvement, the Tribes' Indian Housing Plan (IHP) as required under the NAHASDA;

b. Implement the Tribes' IHP;

c. Operate and maintain the Tribes' existing housing stock in accordance with the NAHASDA and tribal policies;

d. Develop and implement any and all necessary housing policies and administrative procedures necessary to carry out the Tribes' IHP and housing programs established by the Tribe;

e. Ensure that the Tribe is in compliance with all NAHASDA and regulatory requirements and any and all tribal housing regulations and policies; and

f. Provide General Council a complete and accurate accounting of all housing

funds and expenditures *on an annual basis*.

g. Support the Tribal Council in developing tribal laws and regulations related to the promotion of housing and community development for the Round Valley Indian Tribes.

h. Develop new housing opportunities for tribal members, including home ownership and related programs.

1.4 Definitions

1. Area of Operation: All areas within the jurisdiction of the Tribe, including the Tribal Service Area of Lake, Mendocino, Sacramento, Sonoma and Trinity Counties.

2. Board: The Board of Commissioners for the RVIHA.

3. Tribal Council: The Round Valley Indian Tribal Council.

4. Federal Government: Includes the United States of America, HUD, Bureau of Indian Affairs, Indian Health Service, United States Department of Agriculture, or any other agency or instrumentality, corporate or otherwise, of the United States of America.

5. Existing Housing Stock: As described under Title I, section 102(4)(D) of NAHASDA or as amended.

6. Indian Housing Plans: See NAHASDA. definition Section 4, (11) or as amended.

7. Low-Income Family: See NAHASDA definition Section 4, (13) or as amended.

8. Housing Recipient: See NAHASDA Title II, section 201(b) and Tribal Admission Policies.

1.5. Board of Commissioners

1. The Tribal Council shall appoint 7 members to the RVIHA Board of Commissioners.

Two members shall be from the Tribal Council. The term of office shall be 4 years. The Board shall consist of 7 members. The Commissioners shall have the following staggered terms: 4 members shall serve a 4 year term, 3 members shall serve a 2 year term. The members appointed for two year terms will be eligible to reappointment to 4 year terms. In appointing Commissioners, the Tribal Council shall follow the eligibility criteria under Section 3 of the Bylaws of the Board of Commissioners.

Seating Process

1. Tribal Council appoints Commissioners and determines the term(s) of office pursuant to Section 1.5.1 of this Ordinance and the Bylaws of the BOC.
2. Tribal Secretary sends a Certificate of Appointment with the term(s) to the RVIHA.
3. The RVIHA provides the Oath of Commissioners to new Commissioners to be notarized and returned to the RVIHA.
4. At the next scheduled RVIHA meeting the Commissioners shall be sworn in by the existing BOC and seated.

The Tribal Council shall appoint the Chairperson of the Board for the first 1 year term commencing with the date of adoption of the Housing Ordinance. The Board of Commissioners shall elect all other officers. Thereafter on the (one) 1 year anniversary of the adoption of the By-laws the Board of Commissioners shall elect from the seated Commissioners a Chairperson, Vice-Chairperson, Secretary and Treasurer. The Board's current By-Laws are hereby referenced and incorporated in this Ordinance and will govern the Board in conducting their meetings and other internal affairs. This Ordinance shall supersede any and all Bylaw provisions that are inconsistent with any provision of this Ordinance.

2. Unless s/he is in violation of a housing policy, no person shall be barred from serving on the Board, because s/he is a recipient of housing administered or controlled by the RVIHA; and such Commissioner shall be entitled to fully participate in all meetings concerning matters that affect all housing recipients even though such matters affect him/her as well. However, no such Commissioner shall be entitled or permitted to participate in or be present at any meeting (except in his/her capacity as a housing recipient), or to be counted or treated as a member of the Board, concerning any matter involving his/her individual rights, obligations or status as a housing recipient.

3. A Commissioner may be removed by the Tribal Council for serious inefficiency, neglect of duty, for misconduct in office and/or being in violation of a housing policy, BOC Bylaws, or other tribal law. Any Commissioner subject to removal shall have the right to request a hearing before Tribal Council before being removed. If such a hearing is requested, the Commissioner shall be given a written notice of the specific basis for his/her removal at least 10 days prior to the hearing. At any such hearing, the Board member shall have the opportunity to be heard in person or by legal counsel and to present witnesses on his/her behalf. A majority of Tribal Council members, eligible to vote, and in attendance at the hearing is needed in order to remove a Board member for the RVIHA Board of Commissioners. The decision of the Tribal Council shall be final.

Probationary Period for Newly Appointed Commissioners: All newly appointed Commissioners shall be subject to a six (6)-month probationary period and a review at the end of such period by Tribal Council evaluating whether or not certain minimum duties and requirements have been met. In complying with the probationary period requirement, newly appointed Commissioners shall be required to attend all duly convened BOC meeting during the

Round Valley Indian Housing Authority
May 19,2005

first ninety (90)-days of their appointments, and shall attend all training conferences as assigned by the BOC. Formal excuse from attending a training required under this section may be obtained with the approval of a majority of the BOC and an alternate date and time for training shall be assigned.

If within the first six (6) months of their appointment, the Tribal Council determines that a newly appointed Commissioner is not qualified or suitable to continue serving on the BOC, the Tribal Council, as the appointing power, shall retain authority to remove such Commissioner from their post. If the Tribal Council removes a Commissioner during his/her probationary period, such removal shall not be subject to the removal procedures for a non-probationary Commissioner. Such removal can be effected by a simple majority of the Tribal Council meeting in regular session.

4. The Commissioners shall receive a stipend for attendance at regularly scheduled business, tenant and allowable special meetings. The RVIHA Bylaws stipulates allowable stipends and rate of compensation.

1.6 Attributes and Powers of the RVIHA

1. The RVIHA is an entity of the Tribe and is subject to the jurisdiction, laws and ordinances of the Tribe. The Tribe expressly reserves all of its inherent sovereign rights as a federally recognized Indian Tribe with regard to the activities of the RVIHA and confers the privileges and immunities of such rights to the RVIHA, except as specifically limited by the Tribe's Constitution, this Ordinance, and other laws of the Tribe. Nothing in this Ordinance shall be deemed or constructed to be a waiver of sovereign immunity from suit or to be a consent of the Tribe or the RVIHA to the jurisdiction of the courts or adjudicatory body of the United States or of any state with regard to the business or affairs of the RVIHA or to any cause of

action, case, or controversy involving the RVIHA.

2. The RVIHA may sue in its own name, for eviction purposes and upon any contract, claim or obligation arising out of its activities under this Ordinance. The Tribal Council by Tribal Resolution may give RVIHA limited authorization to waive tribal immunity from suit on a case by case basis. All waivers of Tribal immunity must be expressed in writing and all recovery on contracts in which immunity has been waived will be limited to the amount of the contract and enforcement shall be limited to the proceeds of the contract.

3. RVIHA shall have the following powers which it may exercise consistent with the purposes for which this Ordinance is enacted:

(a) Enter into agreements, contracts and memorandums of understanding with any federal, state or local governmental agency, or with any person, partnership, corporation or Indian Tribe, as necessary to carry out RVIHA duties and responsibilities set forth in this Ordinance.

(b) Notwithstanding anything to the contrary contained in this Ordinance or in any other provision of law, agree to any conditions required for governmental housing assistance relating to the determination of prevailing salaries or wages or compliance with labor standards, in the development or operation of housing projects, and RVIHA may include in any contract in connection with a project stipulations requiring that the contractor and any subcontractors comply with requirements as to minimum salaries or wages and maximum hours of labor, and comply with any conditions which the federal government may require as a condition to receiving financial housing assistance.

(c) RVIHA may purchase, rent, lease, enter into lease-purchase agreements, or leases with an option to purchase and sub-lease any dwelling, accommodation, land, building or facility controlled or administered by RVIHA or needed by RVIHA to carry out its duties and

responsibilities under this Ordinance or other controlling law.

(d). Establish policies necessary to implement tribal housing programs. Including, but not limited to policies regarding the selection of housing recipients, including the establishment of priorities, care and management of housing units and all rents or required monthly payments. RVIHA, pursuant to NAHASDA, shall implement income limits for admission that insures that dwelling accommodations shall be made available to low income Native Americans and other eligible tribal members.

(e) RVIHA, pursuant to the Tribe's eviction laws and policies, may terminate any lease, rental agreement or lease-purchase agreement when any housing recipient has violated the terms of such agreement, or failed to meet any of his/her obligations thereunder, or when such termination is otherwise authorized under the provisions of such agreement; and to bring action for eviction against such housing recipient.

(f) Purchase insurance from any stock or mutual fund company for any tribal property for any risk or hazards.

(g) RVIHA shall establish and maintain such bank accounts as may be necessary or convenient for the Tribe's NAHASDA monies and other RVIHA housing funds.

(h) Employ an Executive Director, technical and maintenance personnel and such other employees, permanent or temporary, as RVIHA may require; and to delegate to such officers and employees such powers or duties as the Board shall deem proper.

(i) Adopt such By-Laws as the Board deems are necessary and appropriate.

(j) It is the intent of this Ordinance to authorize RVIHA to do any and all things necessary or desirable to implement the Tribe's IHP and to maintain its existing housing stock in accordance with policies, the NAHASDA and implementing regulations and to explore and

implement additional housing and community development funding opportunities and programs meeting the goals of the RVIHA and the Tribe.

1.7 Miscellaneous

1. RVIHA shall submit annual reports, signed by the Chairman of the Board, to the Tribal Council showing (a) a summary of that quarters activities, (b) a financial accounting of all Tribal NAHASDA block grant expenditures and other monies (c) the number of units, (d) any significant problems and accomplishments, (e) the next IHP area of implementation, and (f) such other information as RVIHA or the Tribal Council shall deem pertinent.

2. Each RVIHA project developed or operated under a contract providing for federal financial assistance shall be developed and operated in compliance with all requirements of such contract and applicable federal legislation, and with all regulations and requirements prescribed from time to time by the federal government in connection with such assistance.

3. RVIHA may obtain or provide for the obtaining of adequate fidelity bond coverage of its officers, agents, or employee handling cash or authorized to sign checks or certify vouchers.

4. The property of RVIHA is declared to be tribal property used for essential public and governmental purposes and such property of RVIHA shall be exempt for all taxes and special assessments of the Tribe.

a charge or lien upon such property, unless otherwise waived by the Tribe.

1.8 Cooperation In Connection With Projects

1. For the purpose of aiding RVIHA in implementing the Tribe's IHP and other activities provided for under this Ordinance, the Tribe hereby agrees that:

(a) It will furnish or cause to be furnished to RVIHA and the occupants of projects all services and facilities of the same character and to the same extent as the Tribe furnishes from time to time to other dwellings and inhabitants.

(b) The Tribe may grant such deviations from any present or future building or housing codes of the Tribe as are reasonable and necessary to promote economy and efficiency in the development and operation 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.

(c) The Tribe hereby declares that the powers of the Tribe shall be vigorously utilized to enforce eviction of housing recipients for non-payment rents or other contract violations including action through the appropriate courts, including any judicial forum established by the Tribe for the purpose of hearing housing disputes.

1.9 Severability

If a court of competent jurisdiction holds any provision of this Ordinance to be illegal, unenforceable, or invalid in whole or in part for any reason, the validity and enforceability of the remaining provisions, or portions of them, will not be affected.

The provisions of this Ordinance shall be made effectively upon approval of the Tribal Council.

ROUND VALLEY INDIAN HOUSING AUTHORITY

BYLAWS OF BOARD OF COMMISSIONERS

Article I. AUTHORIZATION

Pursuant to the authority vested in the Round Valley Indian Housing Authority (RVIHA) by Round Valley Tribes' Ordinance No. RV-76-1, the *Ordinance Amending Ordinance Establishing the Housing Authority* ("Housing Authority Ordinance"), the Board of Commissioners (BOC) of the RVIHA approves these revised Bylaws, which shall establish the purposes, roles, and duties of the BOC and its Commissioners as well as procedures for conducting business.

Article II. PURPOSE

The Board of Commissioners was established to:

1. Help accomplish the mission of the Round Valley Indian Tribes ("Tribe") and its Housing Authority to alleviate the acute shortage of housing for tribal members and their families, remedy unsafe or unsanitary housing conditions, and provide employment and economic development opportunities through the construction and rehabilitation of tribal dwellings;
2. Make recommendations and guide the Tribe in decision-making on issues of Indian housing and related development;
3. Work closely with the Executive Director of the RVIHA in developing and implementing tribal housing policies and laws as well as in monitoring the management and operations of the RVIHA by attending scheduled meetings.
4. Comply with any applicable federal, tribal, and state law and regulatory requirements; and
5. Build capacity and leadership within the RVIHA so that tribal government housing and community development programs will continue to grow and expand as desired and needed.

Article III. HOUSING COMMISSIONERS

1. Commission Size. The Board of Commissioners will be composed of seven (7) persons. Two (2) Commissioners shall be current members of the Tribal Council.
2. Selection of Commissioners. Commissioners shall be appointed and may be reappointed, by the Tribal Council of the Round Valley Indian Tribes.
3. Eligibility Criteria
 - a. The candidate for Commissioner shall demonstrate a positive commitment to promoting tribal housing and the mission of the RVIHA in

accomplishing the Tribe's goals in housing and development on the Round Valley Indian Reservation and its service areas.

- b. The candidate for Commissioner shall demonstrate leadership experience, the ability to work in a team, a willingness to serve fellow tribal members, good conduct and the desire to improve the quality of life within the Round Valley IHA service area.
 - c. No person shall be barred from serving on the BOC because she/he is a tenant, homebuyer, or mortgagee in the Tribe's housing project, any BOC shall be entitled to fully participate in all meetings concerning matters that affect all tenants or homebuyers, even though such matters affect him/her as well. No BOC shall be entitled or permitted to participate in or be present at any meeting (except in his/her capacity as a tenant or homebuyer), or to be counted or treated as a member of the BOC, concerning any decisions or action of the BOC involving his/her individual rights, obligations or status as a tenant or homebuyer. The BOC member will be expected to excuse themselves in the event of such situations and remove themselves from the board table.
 - d. The candidate must be an enrolled member of the RVIT and at least twenty-one (21) years of age.
 - e. The candidate has been a resident of the reservation for at least one (1) year or has resided in the Round Valley area for at least one (1) year.
 - f. The candidate has not had felony convictions within the last (8) years.
 - g. The candidate has a high school degree or its equivalent, or has had sufficient real life and/ or employment experience for a position on the BOC.
 - h. The requirement of sufficient real life and/or employment experience shall be demonstrated to the satisfaction of the Tribal Council. The decision of the Tribal Council shall be based upon the experience of the prospective candidate relevant to the duties and responsibilities of a BOC member.
 - i. The candidate will be willing to sign a confidentiality agreement prior to gaining access to privileged information. A determination by the BOC or the Tribal Council of a violation of the confidentiality agreement could lead to disciplinary action and removal from office.
4. Term of Office. The terms of office shall be four (4) years and staggered. Four (4) members shall initially be appointed for four (4) years and three (3) members shall be appointed for two (2) years. The members appointed for two (2) year terms will be eligible to be reappointed to four (4) year terms.

5. Seating Process

- 1. Tribal Council appoints Commissioners and determines the term(s) of office Pursuant to Section 1.5.1 of the Housing Ordinance and the Bylaws of the BOC.

BOC.

2. Tribal Secretary sends a Certificate of Appointment with the term(s) to the RVIHA.
3. The RVIHA provides the Oath of Commissioners to new Commissioners to be notarized and returned to the RVIHA.
4. At the next scheduled RVIHA meeting the Commissioners shall be sworn in by the existing BOC and seated.

6. Officers Positions and Selection.

The Tribal Council shall appoint the Chairperson of the BOC for the first one-year term commencing with the date of approval of these by laws. In turn, the BOC shall then elect from among its members a Vice-Chairperson, Secretary and Treasurer. In the absence of the Chairperson, the Vice-Chairperson shall preside, and in the absence of both the Chairperson and the Vice-Chairperson, the Secretary shall preside. In the absence of the Chairperson, Vice-Chairperson and the Secretary, the Treasurer shall preside. Thereafter the BOC on the anniversary of the by law approval shall have the authority to select all of its officers from among the most qualified members.

7. Duties of Officers

a. Chairperson. The Chairperson shall preside at all meetings of the BOC, where the Chairperson shall facilitate discussion, gather information, vote on all BOC business, and help make recommendations related to BOC business, affairs, and policies. The Chairperson may also sign all BOC resolutions or decisions that are submitted to the Tribal Council. Except as stated otherwise by resolution of the BOC, the Chairperson shall sign all contracts, deeds, and other legal instruments made by the RVIHA.

b. Vice-Chairperson. The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In case of the resignation or death of the Chairperson, the Vice Chairperson shall perform the Chairperson's duties until a new Chairperson is appointed.

c. Secretary. The Secretary shall keep the records of the Housing Commission, act as secretary of the meetings of the Housing Commission and record all votes taken at meetings, keep minutes of Commission meetings, and perform all other related duties as required or needed. The Secretary shall also in the absence of both the Chairperson and Vice Chairperson; the Secretary shall preside over Housing Commission meetings.

d. Treasurer. The Treasurer shall maintain copies of RVIHA operating budgets, balance sheets, reports of Indian Housing Block Grant Budgets, other grant budgets and audit reports. The Treasurer shall meet

periodically with the Finance Manager and perform all other related duties as required or needed. The Treasure shall also, in the absence of the Chairperson, Vice Chairperson and the Secretary, preside over Housing Commission meetings.

8. Probationary Period for Newly Appointed Commissioners.

All newly appointed Commissioners will be subject to a six (6)-month probationary period and a review at the end of such period by Tribal Council evaluating whether or not certain minimum duties and requirements have been met, as listed under Article IV, Section 1. of these Bylaws, and as otherwise determined by the Tribe. In complying with the probationary period requirement, newly appointed Commissioners shall be required to attend all duly convened BOC meetings during the first ninety (90) days of their appointments, and shall attend all training conferences as assigned by the BOC. Excuse from attending a training required under this section and under Section 1.5.3 of the amended Housing Ordinance may be obtained with the approval of a majority of the BOC and an alternate date and time for training shall be assigned.

If within the first six (6) months of their appointment, the Tribal Council determines that a newly appointed Commissioner is not qualified or suitable to continue serving on the BOC, the Tribal Council, as the appointing power, shall retain authority to remove such Commissioner from their post. If a Commissioner is removed by the Tribal Council during his/her probationary period, such removal shall not be subject to Sections 8 or 9 of this Article.

9. Removal for Cause - General Provision.

Pursuant to Section 1.5.3 of the amended Housing Authority Ordinance, a Commissioner may be removed by the Tribal Council for serious inefficiency, unprofessional conduct, failure to attend meetings on a regular basis, any other violation or breach of duty, including the BOC Code of Ethics and Performance under Section 15 of these Bylaws. A BOC may also be removed for any other misconduct in office resulting in damage to the reputation, financial, legal, or cultural integrity of the RVIHA and/or the Tribe. Additionally, three (3) absences from regularly scheduled monthly BOC meetings will give rise to removal for cause under this Section.

10. Removal Procedure and Due Process.

Pursuant to Section 1.5 of the amended Housing Authority Ordinance any Commissioner facing removal is entitled to a written notice of the specific charges against him/her. Such individual may within ten (10) days of receipt of the written notice request an administrative hearing before the Tribal Council. The Tribal Council shall conduct the hearing within thirty (30) days of the receipt of a request. In the event of removal of a Commissioner, a record of the proceedings, together with the charges and findings therein, shall be filed with the Tribal Council. The decision of the Tribal Council, shall be final.

11. Vacancies.

Should a vacancy occur, the BOC Chairperson shall notify the Tribal Council of the vacancy. The Tribal Council will then fill the vacancy by appointing a new Commissioner pursuant to Sections 2 and 3 of these Bylaws and Section 1.5 of the Amended Housing Authority Ordinance, who will serve the unexpired term remaining in the vacant position.

If the offices of Vice-Chairperson or Secretary become vacant, the BOC shall elect a successor from the remaining members of the Commission at the next regular meeting. Elected successors shall serve for the unexpired term of said office.

12. Compensation or Stipend; Travel and Related Expenses

The Tribal Council reserves the authority, pursuant to the Housing Authority Ordinance or by Tribal Resolution, to allow or disallow Commissioners to receive compensation for their services. In the case that Tribal Council approves compensation, then Commissioners will be entitled to a reasonable stipend. Commissioners shall be entitled to compensation for expenses, including travel expenses, incurred in the discharge of their duties.

Meeting stipends will be paid as follows:

Regular Business Meeting	\$150.00
Tenant Meeting	\$100.00
Special Meeting *	\$100.00

- No more than one paid special meeting shall be held within the month.
- Meetings lasting less than one hour will be compensated at ½ of the stipend amount (\$75.00 for regular meetings and \$50.00 for special meetings).

The RVIHA will issue payment to Commissioners for reimbursements and/or reasonable stipends on a monthly basis. The Executive Director may approve an advance in an unusual situation.

13. Restriction Regarding Interested Commissioners

Notwithstanding any other provision of these Bylaws, not more than forty-nine percent (49%) of the persons serving on the BOC may be interested persons. For purposes of this Section, "interested persons" means either:

- a. Any person currently being compensated by the Tribe or the RVIHA for services rendered it within the previous twelve (12) months, whether as a full-time or part-time officer or other employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director or board member as a director or board member.
- b. Any brother, sister, parent, spouse, child, of any such person.

14. Conflict of Interests. No Commissioner, officer, attorney, agency or employee of the Housing Authority shall in any manner, directly or indirectly, participate in the deliberation upon or the determination of any RVIHA matter affecting his or her monetary interest or monetary interests of any corporation, partnership, immediate family members or individuals in which he or she is directly or indirectly interested.

15. BOC Code of Ethics and Performance.

Every Commissioner shall commit to acting in the best interest of the RVIHA and the Tribe by following federal and tribal laws, any applicable state laws, these Bylaws, and any other policies of the RVIHA. Commissioners shall pledge through an oath of office to maintain competency, professionalism, and a positive attitude.

Article IV. POWERS AND DUTIES

1. Enumerated Powers and Duties

The BOC shall have the following powers and duties which it may exercise consistent with the purposes for which it was established by the Tribal Council:

- a. Make periodic reports and recommendations to Tribal Council on tribal housing needs and issues such as the maintenance, construction and renovation of new and existing housing, acquisition of lands for purposes of developing affordable housing and related community projects to benefit the Tribe's membership, with service priority being given to the Round Valley Reservation.
- b. Make recommendations and guide Tribal Council on overseeing and expanding all aspects of RVIHA and tribal housing programs, including its administrative and management organization.
- c. Oversee work of the Executive Director of the RVIHA and ensure accountability by all employees and staff of the RVIHA, including RVIHA's financial officer/accountant, through regular reports and updates by key personnel.
- d. Delegate day-to-day management responsibilities including staffing and hiring-related duties to the Executive Director to carry out the mission and objectives of the RVIHA. The Executive Director shall be required to make timely reports to the BOC on issues related to staffing and hiring.
- e. Oversee the construction, reconstruction, improvement, extension, alteration, or repair of projects under the auspices of the RVIHA.
- f. Terminate any lease, mortgage, lease-purchase agreement when the tenant, mortgagee, or homebuyer has violated the terms of the contract agreement, or failed to meet his/her obligations, or when termination is otherwise authorized under the agreement or tribal law; and to bring action for eviction against such tenant, mortgagee, or homebuyer.

g. Establish income limits for admission to federal or state assisted housing under control of the Tribe's housing program, and as required under the particular federal or state affordable housing programs in question.

h. Ensure compliance with all applicable federal, tribal, or state requirements, including adherence to the BOC Code of Ethics under Article III, Section 14.

i. Regularly attend meetings at such times and places as required by these Bylaws. Members shall be noticed at least twenty four (24) hours in advance about meeting times and locations.

j. Approve routine agreements or contracts with third parties, including contractors, architects, and engineers, as needed in order to efficiently achieve the housing and development goals of the Tribe, but within the limits established by the Tribe under Section 2 of this Article.

k. Establish and maintain bank accounts as may be necessary or convenient.

l. It is desired that an adequate number of members at any time shall attend mandatory BOC trainings and workshops on tribal compliance with Department of Housing and Urban Development (HUD) rules and regulations, including funding requirements under the Native American Housing and Self Determination Act (NAHASDA) and any applicable laws.

The goal of the required training shall be for all BOC to develop a solid working knowledge of the Housing business.

2. Powers Reserved to Tribal Council

Under these Bylaws, the Tribal Council reserves the following powers, unless otherwise stated or delegated by the Housing Ordinance, Tribal Law or Resolution:

- a. To approve memorandum of understandings (MOU) with outside parties.
- b. To borrow or lend money, to issue temporary or long term evidence of indebtedness, and to repay the same.
- c. To purchase land or interests in land; to lease land or interests in land to the extent provided by tribal or federal law.
- d. To finance the purchase of a home by an eligible tribal member homebuyer.
- e. To waive the Tribe's sovereign immunity.

3. Executive Director

The BOC shall hire the Executive Director of the RVIHA. Subject to the direction of the BOC, the Executive Director shall have general supervision over the day-to-day management and administration of the business and affairs of the RVIHA. The

Executive Director is charged by the BOC with the duty to manage all RVIHA housing and related projects.

Article V. MEETINGS

1. **Regular Meetings.** Regular monthly meetings shall be held at such time and place as determined by resolution of the BOC. Regular meetings shall be open to the tribal public. Executive Sessions shall be closed to the public.
2. **Special Meetings.** The Chairperson may call a special meeting of the BOC. Notice must be provided to each Commissioner at least 24 hours prior to the time of the special meeting. At such special meeting, no business will be considered other than that for which the call was issued. No action may be taken without the agreement of at least three (3) Commissioners. The twenty four (24) hour notice may be waived by the written consent of all Commissioners.
3. **Quorum.** A majority of the full BOC, notwithstanding the existence of any vacancies, shall constitute a quorum for the transaction of business. The Commissioners present at a duly called and held meeting at which a quorum is initially present may continue to do business notwithstanding the loss of a quorum at the meeting because of a withdrawal of Commissioners from the meeting, provided that any action taken thereafter must be approved by at least a majority of the required quorum for such meeting or such greater percentage as may be required by these Bylaws.
4. **Manner of Voting.** The voting on all questions coming before the BOC shall be an oral "yes", "no", or "abstaining", which shall be entered into the minutes of the meeting. A BOC member may call for a roll call vote. Votes taken in Executive Session will be reported as the number of BOC voting "yes", "no" or "abstaining"
5. **Electronic Conferencing.** Meetings may be conducted through electronic conferencing, including telephone, video, or other such electronic medium available and desired.
6. **Meeting Minutes and Records.** The Secretary shall keep complete and accurate records and minutes of all meetings and actions taken by the BOC.
7. **Order of Business.** Regular meetings of the BOC may be conducted according to the following order of business:
 - a. Roll call
 - b. Approve honorarium
 - c. Summary and approval of minutes of the previous meeting
 - d. Non agenda items (no action taken and time limited)
 - e. Executive Session
 - f. Report of the Executive Director
 - g. Report of the Manager of Finance
 - h. Old Business
 - i. New Business
 - j. Set Meeting Dates
 - k. Adjournment

Article VI. AMENDMENTS

The Bylaws of the RVIHA BOC shall be amended only with the approval of the Tribal Council. The BOC shall make appropriate recommendations as necessary to the Tribal Council.

ROUND VALLEY INDIAN TRIBES

A Sovereign Nation of Confederated Tribes

TRIBAL COUNCIL OFFICE
POST OFFICE BOX 448
COVELO, CALIFORNIA 95428
PHONE: 707-983-6126
FAX: 707-983-6128



LOCATION: ON STATE HWY 162
ONE MILE NORTH OF COVELO
IN ROUND VALLEY
TRIBAL TERRITORY SINCE TIME BEGAN

ROUND VALLEY RESERVATION ESTABLISHED 1856

RESOLUTION NO. RV-2005-044

A RESOLUTION AUTHORIZING THE AMENDEDMENT OF THE ROUND VALLEY INDIAN HOUSING AUTHORITY, ORDINANCE NO. RV-76-1 (ORIGINAL ORDINANCE)

WHEREAS, the Round Valley Indian Tribes are the sovereign Tribal Nation of the Indian Tribes of the Round Valley Indian Reservation, and

WHEREAS, the Round Valley Tribal Council is recognized by the Federal Government of the United States of America as the governing body for the Indians of the Reservation, and

WHEREAS, Article V, Section 1 of the Constitution of the Round Valley Indian Tribes authorizes the Round Valley Tribal Council to administer all Tribal Business, and

WHEREAS, pursuant to the authority invested to the Round Valley Tribal Council (Covelo Indian Community Council at that time) did approve the Ordinance which established the Round Valley Indian Housing Authority as passed reflected the requirements for establishing and operating Indian Housing Authorities as set forth in the United States Housing Act of 1937, , and

WHEREAS, with the enactment of the Native American Housing Assistance and Self-Determination Act (NAHASDA) in 1997 it repealed the 1937 Housing Act as it applied to Indian Housing Authorities, and

WHEREAS, Ordinance No. RV-76-1 had to be amended in be in accordance with the provisions of NAHASDA, and

WHEREAS, the Round Valley Tribal Council acting under its authority feels that the adoption of an amended Ordinance to be in compliance with the Native American Housing Assistance and Self-Determination Act (NAHASDA) of 1997 would be in the best interest of the Round Valley Indian Tribes.

NOW THEREFORE BE IT RESOLVED, that the Round Valley Tribal Council hereby amends Tribal Ordinance No. RV-76-1.

RESOLUTION NO. RV-2005-044

Page 2

BE IT FURTHER RESOLVED, that the Round Valley Tribal Council under the provisions of the Native American Housing Assistance and Self-Determination Act of 1997 does hereby approved the attached Ordinance and to state that it replaces Ordinance No. RV-76-1 in its entirety.

BE IT FURTHER RESOLVED, that the Round Valley Tribal Council reaffirms the establishment of the Round Valley Indian Housing Authority and confirm that the Round Valley Indian Housing Authority is the tribal designated housing entity for purposes of the Native American Housing Assistance and Self-Determination Act (NAHASDA).


BE IT FINALLY RESOLVED, that the President of the Round Valley Tribal Council, and/or the Vice-President in the absence of the President is hereby authorized by the governing body to execute said resolution and any other documents approving the amended Tribal Ordinance which established the Round Valley Indian Housing Authority.

CERTIFICATION

I, the undersigned as President of the Round Valley Indian Tribes do hereby certify that this resolution was adopted at a duly called and duly noticed regular meeting of the Round Valley Tribal Council at which five (5) members were present, constituting a quorum held on the 21st day of May 2005, and that this resolution was adopted by a vote of:

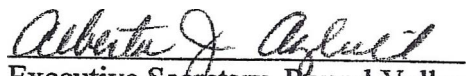
For	<u>Five (5)</u>
Against	<u>None (0)</u>
Abstentions	<u>None (0)</u>

and that said resolution has not been rescinded or amended in any way.



President, Round Valley Tribal Council

ATTEST:



Executive Secretary, Round Valley
Tribal Council