

C E R T I F I C A T E

The undersigned, N. Kathryn Brigham and Sally Kosey hereby certify that they are the Chair and Secretary, respectively, of the Board of Trustees of the Confederated Tribes of the Umatilla Indian Reservation, and at a regular meeting of said Board of Trustees at the Board Chambers of the Nixyáawii Governance Center, Mission, Oregon, on the 27th day of September, 2021, a quorum of said Board was present and the following Resolution was regularly moved, seconded, and adopted by a vote of 6 for, 0 against, and 0 abstaining.

R E S O L U T I O N

- WHEREAS,** the Board of Trustees is the governing body of the Confederated Tribes of the Umatilla Indian Reservation (Confederated Tribes) by the authority of Article VI, Section 1 of the Constitution and Bylaws of the Confederated Tribes, adopted on November 4, 1949 and approved on December 7, 1949, as amended; **AND**
- WHEREAS,** pursuant to Article VI, Section 1(b) of the Constitution and Bylaws, the powers of the Board of Trustees include the authority “to manage all affairs of the Confederated Tribes, including the administration of tribal lands, funds, timber and other resources, under appropriate contracts, leases, permits and loan or sale agreements”; **AND**
- WHEREAS,** the Board of Trustees enacted the Land Leasing Code pursuant to Resolution 19-027 on April 8, 2019 to govern residential leasing of lands owned by the CTUIR; **AND**
- WHEREAS,** the Board of Trustees 2020 policy priorities include removal of barriers to CTUIR member access to housing; **AND**
- WHEREAS,** under the Land Leasing Code, the Board of Trustees approves the land development plans such as the Nixyáawii Neighborhood as accomplished by Resolution 21-038, and now policy level approval of the associated fair market value for the land, development costs and administration costs to address tribal and federal law. Leasing for the Nixyáawii Neighborhood is for housing for public purposes and will be waived from reviews under 25 C.F.R. §§ 162.320(a) and 162.328(a); **AND**
- WHEREAS,** at a Board work session held on September 1, 2021 and at a follow-up work session held on September 23, 2021, the definitions, purposes, and intents of these values and costs were discussed and staff recommendations were made to balance affordability of lands for CTUIR member residential purposes, and accessibility to homeownership on the CTUIR, while also insuring short and long term costs associated with the new neighborhood are met as summarized in Exhibit 1; **AND**

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WHEREAS, staff was directed by the Board to evaluate subsidizing Year One and Year Two Operation & Maintenance and startup costs, and determined the amount was \$224, 467.40, as shown in Exhibit 1; **NOW, THEREFORE, BE IT**

RESOLVED, the Board approves the values as recommended in Exhibit 1 to address the fair market value for the land, development costs and administration costs as required by the Residential Lease of Tribal Trust Land, the Land Leasing Code, and other tribal and federal law; **AND BE IT FURTHER**

RESOLVED, the Board intends to subsidize the administrative cost and fees be the extent funding is available in accordance with the CTUIR Fiscal Management Policies; **AND BE IT FURTHER**

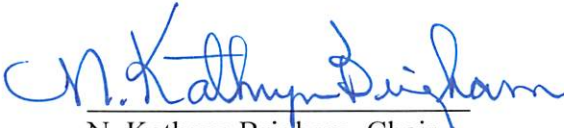
RESOLVED, the Board directs that the Annual Subdevelopment Assessment fee from § 2.04(B) of the Land Leasing Code shall be levied annually starting on the February following the issuance of the occupancy permit for each home; **AND BE IT FURTHER**

RESOLVED, the Board authorizes staff to propose amendments to the Land Leasing Code that address procedures for handling of surplus Annual Subdevelopment Assessment fees, should they occur; **AND BE IT FINALLY;**

RESOLVED, the Board allocates from the Contingency Fund the amount identified in Exhibit 1 for Year One and Year Two Operation & Maintenance and startup costs;


AND, that said Resolution has not been modified amended or repealed and is still in full force and effect.

DATED this 27th day of September, 2021.



N. Kathryn Brigham, Chair
Board of Trustees

A T T E S T:



Sally Kosey, Secretary
Board of Trustees

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Exhibit 1: Nixyáawii Neighborhood Development Costs

NAME	YES	NO	ABSTAIN	LEAVE
N. Kathryn Brigham, BOT Chair				ATNI
Jeremy Wolf, BOT Vice Chair				
Sandra Sampson, BOT Treasurer	X			
Sally Kosey, BOT Secretary	X			
Armand Minthorn, BOT Member	X			
Jill-Marie Gavin, BOT Member				Personal
Corinne Sams, BOT Member	X			
Boots Pond, BOT Member	X			
Lindsey X. Watchman, General Council Chair	X			

Exhibit 1 for Nixyáawii Neighborhood Development Plan

Summary and Recommendation to the BOT for Lease Terms

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Consideration Fee

Neighborhood Residential:	\$2.50/sq.ft
Neighborhood Services	\$3.33/sq.ft.

Rental Payments

Nixyaawii Rents	\$0.00
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Annual Administrative Fee

Nixyaawii Administrative Fees	\$0.00
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Taxes

Nixyaawii Taxes	\$0.00
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Assessment: Annual Subdivision Fee

Neighborhood Residential:	\$0.2320/sq.ft/year
Neighborhood Services	\$0.3088/sq.ft/year
Acceleration Rate	5% every 5 years
Late fee:	\$50 + 5%

Application Fee

Deposit/Applicatin Fee 10% of Consideration fee
 This will be a deposit that can be applied
 toward the Consideration Fee on
 successful application, or return to the
 individyal if it not successful

Board Allocation Request - from Contingency Fund

Resolution Year 1 Operation & Maintenance	\$ 79,620.00
Year 2 Operation & Maintenance	\$ 81,212.40
O&M Start up costs	\$ 63,635.00
Total	\$ 224,467.40