

**TITLE 2 – GOVERNMENT ADMINISTRATION
PART II – DEPARTMENTS; DIVISIONS
CHAPTER 2-6 HOUSING DIVISION**

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CHAPTER 2-6 HOUSING DIVISION**

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 Amended on July 25, 2018 by Resolution No. C07-152-18 and Ordinance No. 17-18.*

SUBCHAPTER A GENERAL PROVISIONS

Section 10 Purpose (2 PYTC § 2-6-10)

The purpose of this chapter is to establish the Housing Division of the Pascua Yaqui Tribe and to provide authorization and guidance for its operation.

Section 20 Short Title; Codification (2 PYTC § 2-6-20)

This ordinance shall be known as the “Pascua Yaqui Housing Ordinance of 2009.”

Section 30 Establishment (2 PYTC §2-6-30)

- (A) The organizational division to be known as Pascua Yaqui Housing Division is hereby created as a department in the Executive Branch of the Pascua Yaqui Government.
- (B) If any section or part of this Chapter is later determined to be void or unenforceable, the remainder of this Chapter shall nevertheless remain in full force and effect, unless this Chapter, without said void or unenforceable section or part, fails in its purpose.

Section 40 Purpose of Division (2 PYTC §2-6-40)

The purpose of the Housing Division is to:

- (A) Create an Organization with the financial capacity, facilities, structure, information base and vision to develop and deliver a variety of housing programs designed to meet the needs of the Tribe in the most efficient manner possible.
- (B) Continue to expand low-income rental units for low income families within the Pascua Yaqui Tribal service areas.
- (C) Renovating existing homes including residences in the entire Service Area when suitable and replacing homes through new construction or acquisition in those instances where renovation is not economically feasible.
- (D) Develop programs designed to increase the housing stock.
- (E) Encourage homeownership through conventional financing with or without Tribal assistance with maximum financial participation by the homebuyer. This will include educational requirements in homeownership so homeowners will take greater responsibility for maintenance of the home, finances and buying and selling the residence.
- (F) Explore activities to focus specifically on preventions of drug abuse, deterrence and effective punishment.
- (G) Specifically address the housing needs of our elders.
- (H) Foster resident involvement including making every effort to encourage active resident organizations in all traditional communities of the Pascua Yaqui Tribe of Arizona.

Section 50 Mission (2 PYTC § 2-6-50)

Subject to tribal, state and federal funding, the mission of the Housing Division is to endeavor to provide every enrolled member of the Pascua Yaqui Tribe the opportunity of an affordable, decent, healthy, and safe home and surrounding neighborhood in order to enhance the economic stability of the Tribe and its members. The Housing Division's main priority is providing service to Yaqui members in the traditional communities of the Pascua Yaqui Tribe of Arizona including, but not limited to, Guadalupe, Old Pascua, Barrio Libre, Yoem Pueblo, Hightown, Coolidge, and the Reservation at New Pascua. The involvement of those communities and all tribal members is seen as key to the success of the Housing Division's mission.

SUBCHAPTER B DIRECTOR

Section 60 Creation and Appointment (2 PYTC § 2-6-60)

- (A) The position of the Director of the Housing Division is hereby created.
- (B) The Director shall not be deemed to be a "tribal officer" as defined in Article VII of the Constitution of the Pascua Yaqui Tribe; and
- (C) The Director shall be nominated by the Chairperson and must be approved by the Tribal Council by majority vote of the entire Council. Approval by the Tribal Council will constitute appointment to the position of Director.
- (D) The Director will be a full-time employee of the Tribe and will be paid compensation commensurate with his or her skills, education, experience, and responsibilities within the standards of compensation, if any, established by the Tribe.
- (E) The Director must report to, and will be directly supervised by, the Chairperson.
- (F) The Director serves at the pleasure of the Tribal Council, and may be removed from that position only by a majority vote of the entire Tribal Council.

Section 70 General Duties of Director (2 PYTC § 2-6-70)

- (A) The Director will administer, supervise and direct the activities of the Division.
- (B) The Director will advise the Chairperson regarding;
 - (1) Housing Divisional policies and programs.
 - (2) Community concerns and activity progress.

Section 80 Supervisory Duties and Authorities of Director (2 PYTC § 2-6-80)

- (A) The Director has authority to select, appoint, and hire employees necessary to carry out the laws, regulations, policies and programs adopted by the Tribal Council including, but not limited to;
 - (1) Hiring authority, subject to the policies and procedures of the Tribe's Employee Handbook and personnel policies;
 - (2) Termination authority, subject to the policies and procedures of the Tribe's Employee Handbook and personnel policies;
 - (3) Personnel discipline;
 - (4) Personnel performance reviews;
 - (5) Personnel job assignments;

- (B) The Director has authority to delegate any function, powers, and authorities to other employees of the Division, except as may be prohibited by Tribal law.
- (C) The Director has budgetary authority for the Department.
- (D) The Director has authority to develop and implement internal policies for the efficient and effective administration of the Department.
- (E) The Director has signature authority for the Department, except as may be permissibly delegated.

SUBCHAPTER C ORGANIZATION

Section 90 Organization (2 PYTC § 2-6-90)

- (A) The Department consists of a Director and such departments and offices necessary for the execution of its mission, performance of its mandated functions, and to achieve its long and short term goals and objects.
- (B) The Department may employ staff professionals, support personnel, and/or contract with professional service firms as the Director determines, consistent with the laws of the Tribe and approved budgetary authority.
- (C) The Department must maintain a current organizational chart. The organizational chart must accompany its annual budget submission and any budget modification requests during the fiscal year, in accordance with the Tribe's Fiscal Management Ordinance.

SUBCHAPTER D AUTHORIZED PROGRAMS

Section 100 Authorized Programs (2 PYTC § 2-6-100)

- (A) The Division will have Administrative Responsibility for the following authorized programs, and such other programs as the Tribal Council or the Chairperson may establish and assign.
 - (1) Operation and Maintenance of the Administrative Offices and rental housing stock,
 - (2) Programs authorized and financed pursuant to the federal Native American Housing and Self-Determination Act, subject to approved Indian Housing Plan approved by the Tribal Council and the U.S Department of Housing and Urban Development, Programs of housing assistance authorized by the Tribal Council pursuant to Tribal laws and policies.
- (B) Programs authorized by the Tribal Council shall be subject to the availability of funds, and may be terminated at any time by the Tribal Council.
- (C) If a program is authorized by the Chairperson, it may be terminated, in whole or in part, by either the Chairperson or the Tribal Council.

SUBCHAPTER E PROGRAM EVALUATION AND MONITORING

Section 110 Program Evaluation and Monitoring (2 PYTC § 2-6-110)

- (A) The Director must conduct ongoing evaluation of all programs under his or her control.
- (B) The Director must monitor all programs under his or her control on a regular basis.
 - (1) In the event the Director discovers any irregularity in a program under his or her control, he or she must report that irregularity immediately to the Chairperson.

Section 120 Reporting (2 PYTC §2-6-120)

- (A) The Director will provide reports and meet with the Chairperson and the Tribal Council on the Department's operations and significant activities on a regular basis.

- (B) The Director must report to the Council on programs under his or her control on a schedule determined by the Tribal Council.