



ONAP Training & Technical Assistance
Virtual Sessions

Tribal Council Training

July 14-15, 2021 | 11:00 AM – 4:00 PM / EST

Presented by Shelly Tucciarelli, Turtle Clan
Development Services, LLC



This virtual training is sponsored by the
U.S. Department of Housing & Urban Development's Office of Native American Programs and the
National American Indian Housing Council



Getting to know the Instructor

Shelly J. Tucciarelli

- Owner and CFO of Turtle Clan Development Services, LLC
- Founder and Executive Director of Visionary Ventures NFP Corporation
- Tribal member of the Oneida Nation of Wisconsin – Reservation near Green Bay
- Previously worked for 20 years at the Illinois Housing Development Authority (IHDA) – State Housing Finance Agency
- Board member for 2 Affordable Housing Nonprofits
- Advisory Board member for 5 New Market Tax Credit –Community Development Entities (CDE)

Getting to Know You

In the Chat box can you put the following information about yourself:

- Name & Tribe or Organization
- What is your position with the Organization
- The one or two important things I really want to learn are.....

Agenda – Day 2

Day Two

- 10:45 – 11:00
 - 11:00 – 4:00
 - 4:00 p.m.
 - 1:00 – 2:00 p.m. (EST)
- ZOOM Sign in & Room Entry
 Planning (Indian Housing Plan) – Break Out Session
 Organizing
 Staffing
 SWOT Analysis – Break Out Session
 Leading, Ethical Issues
 Ethical Issues/Conflict of Interest -Breakout Session
 Controlling (Annual Performance Report)
 End of Day Two
- Lunch Break

Tribal Council Responsibility/Functions

- Housing Board/Committee
- Executive Director
- Housing Staff
- Participants/Residents/Applicants

Functions

- Policy Making
- Planning
- Organizing
- Staffing
- Leading
- Controlling

Planning

Second function of an Executive Director is Planning. The Tribal Council may be involved in some of the Planning functions and final approval.

Planning involves setting goals and objectives and deciding how they will be achieved.

- Standing plans
 - Policies used over and over again
- Short-range plans
 - Covers a period of one year
- Long-range plans
 - Covers three, five or ten years

Indian Housing Plan (IHP)

- Recipient must prepare and submit to HUD (ONAP):
 - Indian Housing Plan/Annual Performance Report
 - Within 75 days of program year beginning
 - HUD has a 60 day review period to determine compliance

Indian Housing Plan (IHP)

- IHP on template for each grant year
- Housing Director and staff prepare plan
- Tribal Council and Board may be involved, will approve
 - Focus on 1-year goals & objectives
- Plan can be amended

IHP - Planning Considerations - One-Year Plan

- Housing Needs -Who are we serving (needs assessment)
- Program Descriptions – What they need now and in the future
- Maintaining the 1937 Act Units
- Budgets - How much is our budget - IHBG \$ and other funds, program income
- Certifications
- Self Monitoring
- Inspections
- Audits
- Public Accountability – IHP, Policies and APR – Available to general public
- Job Created by NAHASDA – Jobs created by projects and programs
- Waiver Request

Tribal Certifications

- Tribal Certification – when recipient is a TDHE:
 - Must accompany IHP and any amendments
 - Tribal government certifies that:
 - It has reviewed the IHP and authorizes TDHE to submit, or
 - The TDHE has been delegated the authority to prepare and submit IHP and amendments without prior review by the tribe

Standard Certifications

- Certification of Compliance
- Civil Rights Act of 1968
- Insurance is maintained for units owned, operated, or assisted with grant funds
- Required policies are in effect and available for review

Environmental Review Certification

- Tribe to assume responsibility to complete environmental reviews
- Request HUD to be responsible for review
- Work in conjunction with HUD to complete review

Planning & Evaluating Use of IHBG Funds

- Indian Housing Plan (IHP)
 - Identifies activities that IHBG funds will be spent on in a given year
- Annual Performance Report (APR)
 - Method for reporting accomplishments

What are the eligible affordable housing activities?

- 1. **Indian Housing Assistance** - Modernization and Operating Assistance for 1937 Act (Low Rent and Mutual-Help) units.
- 2. **Development** - Acquisition, new construction, reconstruction, or rehabilitation for affordable housing.
- 3. **Housing Services** - Housing related services such as: counseling, resident organizations, self-sufficiency programs, homeless prevention, and youth activities.
- 4. **Housing Management Services** - Preparing work specifications, processing loans, inspections, tenant selection, managing tenant-based rental assistance, and management of other housing projects.
- 5. **Crime Prevention & Safety Activities** - Security enhancements, such as fencing, speed bumps, monitors, locks, lighting, security personnel, and security equipment.
- 6. **Model Activities** - These are activities that require HUD approval and include: construction of an office, warehouse, day care center, community facility, or college housing.
- 7. Housing programs can also use IHBG funds for Administrative & Planning Expenses. The regulations state that no more than 20% of the grant amount can be used for these expenses. If a higher percentage is requested, HUD approval is required.

BREAK-OUT SESSION

1st Break out Session

- **FIRST – LET EVERYONE INTRODUCE THEMSELVES, SAY WHERE THEY ARE FROM AND WHAT TRIBE OR ORGANIZATION THEY REPRESENT**
- **What are a few projects or programs that you have in your Indian Housing Plan for this year. What as the Tribal Council are some of the projects you are planning to approve**
 - **AFTER THE BREAKOUT SESSION IS OVER – We will have an open discussion. Anyone can let us know of the projects you are working on**

Strategic Planning

The Executive Director is also in charge of Strategic Planning

- Long-range strategic planning that is in line with the mission of your housing program
- Ensure staff buy-in, engagement and implementation of the strategic plan

Organizing

The 3rd Management Function is Organizing and includes:

- Assigning tasks
- Delegating authority
- Allocating resources
- Manage staff
- Review of human resources, finances, and priorities

Benefits of Organizing

Some of the benefits of organizing include:

- Overall object maintained
- Expand of housing programs, activities and development
- Efficiency and waste reduction
- Accountability

First Break

- 10 minute break

Staffing

Staffing is a very important management function and it involves:

- Recruitment
- Selection
- Development
- Training
- Compensation

Hiring The Right Staff

Making sure to the hire the right staff with help with:

- Efficient performance of other management functions
- Improves productivity
- Help to develop human capital
- Builds morale and motivation of the staff
- Resident Relations

Human Resource Leadership and Management

- Responsible for the oversight of personnel, including hiring and discharge
- Responsible to provide leadership influence and inspire the entire staff
- Responsible to ensure all staff have job descriptions, performance reviews, and training
- Responsible to provide the process for all personnel actions, ethics compliance, and grievance issues

Meetings

Regular meeting – monthly

- Provide 24 hour public notice
- Special meeting – between regular mtgs.
- Provide 48 hour public notice
- Emergency meeting – as needed
 - Provide notice ASAP
- Adjourned meeting – to resume business not completed at previous meeting

Executive Sessions

Entire meetings or portions of meetings held in private

- Convene in public
- Majority vote to enter executive session
- Only board, invitees, necessary staff attend
- Only for hiring or dismissing employees, disciplinary action, or purchase or appraisal of property
- Records and discussions are confidential
- Board may be required to resume open meeting and conduct any required votes

Agendas

- Pre-scheduled “Order of Business”
- Usually prepared by director or staff
- Identify all items to be considered
 - Must include any proposed executive sessions

Resolutions

- A formal expression of opinion, will or intent voted by an official body or assembled group
- The official record of decisions made by the board
- Usually attached to proposed policies, budgets, or other items of business
- Typically prepared by director or staff
- Sequentially numbered
- Approved by board
 - Signed
 - Dated
 - Indexed
 - Kept in safe place

Minutes

- Record of proceedings of the board
- Prepared for each meeting
 - Copies provided to director and board
 - Approved by board
 - Bound
 - Indexed
 - Stored in safe place
 - Limited access

Undertaking a SWOT analysis

SWOT Analysis –
Strengths, Weaknesses, Opportunities, Threats

- How can we use our strengths to take advantage of the opportunities?
- How can we use our strengths to overcome the threats?
- What do we need to do to overcome the weaknesses before we can take advantage of the opportunities?
- How should we minimize our weaknesses to ward off the threats?

SWOT ANALYSIS



SWOT ANALYSIS

BREAKOUT SESSION

- You are on the Tribal Council working with your Executive Director for your Housing Program.
- As the Tribal Council, you are at your Executive Director/Tribal Council/Housing Board retreat and asked to do a SWOT Analysis on your Housing Program.
- Provide your Strengths, Weaknesses, Opportunities and Threats
- After the Break out session is over, we will discuss

SWOT ANALYSIS - EXAMPLE

BREAKOUT SESSION

Strengths What do you do well? What unique resources can you draw on? What do others see as your strengths?	Weaknesses What could you improve? Where do you have fewer resources than others? What are others likely to see as weaknesses?
Opportunities What opportunities are open to you? What trends could you take advantage of? How can you turn your strengths into opportunities?	Threats What threats could harm you? What is your competition doing? What threats do your weaknesses expose to you?

STRENGTHS

- people
- mission/vision
- outside perception, recognized brand, market leader
- organization
- cultural
- content
- technology
- financial - donations easy and reliable
- less reflection as an organization
- less communication

WEAKNESSES

- lack of structure (management not adapted)
- poor processes/delegation/decision making
- communication
- lack of trust
- unfocused direction, lack of planning or strategic vision
- finances, donor relationships
- divided opinions on board members
- lack of responsibility
- volunteers
- reflection of organization
- turnover

OPPORTUNITIES

- money
- Internet
- good will
- free culture movement success
- educational penetration
- support of free culture movement
- media and political interest
- technology
- hiring pool

THREATS

- legal
- unmanaged growth
- fragmentation of the general organization
- financial stability
- competition
- internal communication

Lunch

- One hour for lunch

Leading

- Provide opportunities to ensuring housing staff have access to personal development training
- Support and enforce approved policies
- Tribal Council and Housing Board to provide guidance and to be available for trainings and meetings
- Plan for the future of community/tribe in providing affordable housing projects and programs

Procurement

- Recipients of the Indian Housing Block Grant are required to follow applicable Tribal, State or local laws on procurement
- Make sure to review your policies on procurement
- Maintain all records
- Review Sample Procurement Policy
- Attend procurement training

Politics

You may face political pressures from the Board of Commissions or other Tribal Council member relating to:

- Admissions
- Waiting lists
- Employment and Nepotism
- Land and construction issues
- Procurement

How do you cope?

Ethical Issues

- The Tribal Council, the Housing Board and the Executive Directors all have a positions of power
- Decisions should be based on ethical standards
- Housing programs must follow laws, regulations and board policies

Ethical Dilemmas

- Requires a choice to be made
- Sometimes no clear “right” or “wrong” answer
- Use moral principles

Your Applications should ask....

Do you or any member or your household have a family or Business relationship with an employee of the Housing Authority, Board of Commissioners of the Housing Authority, or a Tribal Council Member.



Unethical Behavior

You convince yourself that:

1. The behavior is not illegal
2. You are doing what is in everyone's best interest
3. No one will ever know what you've done
4. You are protected by your position or the organization itself

Ethical Decision Making

Here are a few tips for making ethical decisions:

- Recognize the dilemma
- Gather all the facts
- Establish your options
- Test the option
 - Is it right? Is it Legal? Is it Ethical?
- Choose your option
- Ask: "How would I feel if my family finds out? What if this is in the paper?"
- Take appropriate action

Conflict of Interest

Here are some examples:

- When someone in a position of trust has competing professional and personal interests, or
- When someone makes a decision in an official capacity and they stand to personally profit from it, or
- When your interests have the potential to conflict with the best interests of the organization or those you represent

Conflict of Interest (cont'd)

Prohibitions in the regulations

- “no person who participates in the decision-making process or who gains inside information with regard to NAHASDA assisted activities may obtain a personal or financial interest or benefit from such activities.”
- “grantees and subgrantees will maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts. No employee, officer or agent of the grantee or subgrantee shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.”

Applying the Conflict of Interest Requirement in Admission

Should have in place a set of procedures determining when a conflict of interest exists. How to report.

- Need a method of determining conflict of interest
- Administrative steps for reporting potential conflicts of interest to area ONAP office

Conflict of Interest Example

Here is another example:

- The Housing Director tells the Board and Tribal council that the program needs to hire a consultant to facilitate scheduled management trainings.
- You (a tribal council member) have an immediate family member who has a consulting firm who provides various management trainings.
 - Professional interest – housing program would benefit from this procurement.
 - Personal interest – you have inside information on the budget for this training and may also benefit from this agreement.
- Is this a conflict?

Second Break

- 10 minute break

Ethical Issues/Conflict of Interest —Breakout session

Give an example of:

1. An ethical issue
2. A conflict of interest

We will have an open discussion after the break out session

Mitigation Measures

- Recusal – declare yourself disqualified to participate
- Code of Ethics – policies that prohibit certain activities or conduct
- Third-parties – independent, well-qualified individual outside the organization
- Disclosure – sharing information not previously known

Grievances

- Any dispute that a tenant or homebuyer may have with respect to their lease, their homebuyer agreement, or the housing program policies
- Relating to actions, failure to act, or interpretation or implementation of policies

Controlling

- Controlling = Monitoring
- Measuring Performance
- Tools:
 - Annual Performance Report
 - Annual Compliance Assessment
 - Audit

Annual Performance Report

- Report progress for the year
- New revised standard form combined with IHP
- Due within 90 days of program year end
- Make available to public for comment
- Submit to HUD
- If prepared by TDHE, submit to Tribe
- HUD has 60 days to review

Annual Compliance Assessment

- At least annually
- To determine compliance with the law and regulations
- Must include inspection of assisted units

Audit

- Required when recipient spends \$500,000 or more in federal funds for the year
- Complete within 9 mo. of program year end
- Submit to federal audit clearinghouse and to HUD
- TDHE must submit copy to Tribe

Recipient Responsibilities

The Recipient is responsible for:

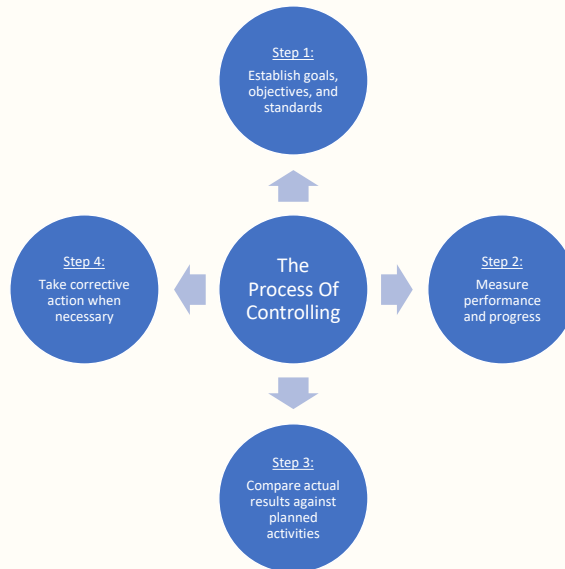
- Monitoring grant activities to ensure compliance with Federal requirements
- Monitoring performance goals in the IHP
- Preparing an Annual Compliance Assessment
- Preparing an Annual Performance Report
- Undergoing an audit

HUD Responsibilities

HUD is responsible for:

- On-site and off-site review of records, reports, and audits
- Providing technical assistance and training
- Determining if recipients have carried out activities in a timely manner
- Determining if recipients have complied with the IHP
- Determining if APRs are accurate

Controlling



Business Management

Part of the Control Process is Business Management

- Keep regular books of accounts
- Provide to Tribal Council and Board financial condition of the Tribal Housing Authority
- Negotiate and execute all contracts

Asset Management

Another part of the Control Process is Asset Management

- Ensure that the Indian housing portfolio is well maintain
- Occupancy levels remain high
- Monitor business plans
- Identify opportunities for expansion

Control Process

The Control Process will help answer the question -
Is your program “Under Control” or “Out of Control”

Training for Tribal Council

- Work with Board of Commissions and Executive Director to help provide a Tribal Council Orientation handbook
- Obtain copies of all policies, the budget, IHPs,
- APRs, audits, law, and regulations
- Request copy of organizational chart
- Request information on upcoming meetings or training opportunities

Tribal Council

Remember:

- The Housing Director is responsible for day-to-day business.
- Tribal Council and Board Members are policy makers and participate in planning and controlling.
- The Tribal Council, Housing Board and Housing Executive Director must all work together.
- Your Executive Director guides the overall direction of the Housing Program.
- Decisions should be based on factual information.
- Avoid conflicts of interest.
- Always choose what is right or good, versus what is wrong or bad.
- Be prepared to support your positions, but compromise whenever necessary.

CASE STUDY -Chicago

Proposal for the first Urban Native American Housing in Chicago

- Background – Protests in the early 1970's ended in promises by the local and federal level to construct affordable housing for the underserved Native American community in Chicago. Nearly 50 years later, the promises were not kept.
- Affordable Housing Developed by and for Chicago's Native American Community

Project to include:

- Approximately 45 units of 100% affordable housing in seven stories
- Studio, one, two, and three bedroom units
- On-site management, maintenance, and supportive services
- Amenity spaces may include: community room and kitchen, roof top garden, meditation space, children's play area, business center, fitness room, space for Native cultural practices
- On-site laundry, tenant storage, and free on-site parking for both vehicles and bikes

Submitted the stage 1 application to the City of Chicago on 7/2/2021

THANK YOU FOR ATTENDING!!

Contact information:

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