



**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

**(Authorizing Use of Proceeds from the Ak-Chin Hydro-electric Fund to Pay the Cost of
Transporting Twelve FEMA Trailers)**

WHEREAS, pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

WHEREAS, the U.S. Federal Emergency Management Agency ("FEMA") has provided the White Mountain Apache Tribe with twelve trailers that are designated to house low to moderate income families on the Fort Apache Indian Reservation; and

WHEREAS, FEMA requires that the White Mountain Apache Tribe pay the cost of transporting the trailers to the Reservation; and

WHEREAS, there exists a critical shortage of housing for low to moderate income families in the Cibecue community of the Reservation due to adverse economic impacts resulting from the devastation of the Rodeo-Chediski fire; and

WHEREAS, the Tribe's Planning Department has received a quote of \$107,655.55 to transport the FEMA trailers to Cibecue, and is in the process of seeking other bids, as well as identifying other set-up related costs, which will include site work, gas, water, sewer and electricity; and

WHEREAS, funds are available to fund the transportation of the FEMA trailers through the hydroelectric power allocation from the Colorado River Storage Project, as managed by Ak-Chin Energy Services and made available through the Tribe's Energy Benefit Account ("EBA") held with the Wells Fargo Bank; and

WHEREAS, pursuant to Resolution No. 12-2007-532, "Establishing Policy and Procedure for Energy Benefit Account Funds," the EBA funds were designated to supplement the Tribe's line of credit for certain priority payables, as may be required and determined by the Tribe's Treasurer; and

WHEREAS, the Tribal Council concurs with the housing needs of the Cibecue Community and finds that it is appropriate to use the EBA funds for the purposes described herein, subject to the requirements set forth under Resolution No. 12-2007-532 and the submission of a reasonable budget for transportation and set-up costs related to the FEMA trailers as may be further developed and identified by the Tribe's Planning Department, and said budget shall be known as the FEMA Trailer Budget; and

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WHEREAS, the Tribal Council further finds that initially and in advance of the finalizing of the FEMA Trailer Budget up to \$107,655.55 in EBA funds may be used for transportation of the FEMA trailers; and

WHEREAS, the Tribal Council finally finds that of the twelve trailers, six should go to Cibecue, with the remaining to be divided as follows: three for District IV, two for District III, and one for District II.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

1. Receipt of the twelve trailers provided by FEMA is hereby approved for the purposes described herein. Of the twelve trailers, six shall go to Cibecue with the remainder to be divided as follows: three for District IV, two for District III, and one for District II.
2. Use of up to \$107,655.55 in funds from the Tribe's EBA for transportation of the FEMA trailers is hereby approved, subject to the requirements set forth under Resolution No. 12-2007-532 and the submission of a reasonable budget for the total transportation and set-up costs as may be developed by the Tribe's Planning Department, and said budget shall be submitted to the Budget and Finance Committee.
3. An agreement for the purposes of transporting the FEMA trailers is hereby approved, subject to review by the Tribe's Legal Department.
4. In the event that the Budget and Finance Committee approves the FEMA Trailers Budget, said Budget shall be considered by the Tribal Council at its subsequent regularly scheduled meeting.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on March 14, 2008, duly adopted by a vote of SEVEN for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (h), (j), (k), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council