



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

**(Adopting Proposed Ordinance Nos. 249 and 250 to Delete
Chapter Six of the Government Code and Create the
White Mountain Apache Tribal Utility Authority Code)**

WHEREAS, pursuant to Article IV, Section 1(a) and 1(s) 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, Chapter Six of the Government Code, which pertains to the Tribal Utility Authority, was created by Ordinance No. 93 enacted November 1, 1972 and amended by Ordinance No. 144 enacted April 18, 1984; and

WHEREAS, pursuant to Article XV, Section 2 of the Constitution, and Section 1.6 of the White Mountain Apache Judicial Code, "All proposed ordinances of the Council shall be posted in each district at least ten days before final action by the Council," and the codes of the Tribe may be "amended by the adoption of ordinances by the Tribal Council"; and

WHEREAS, Resolution No. 01-2011-16 along with Ordinance Nos. 249 & 250 were posted for ten days from January 27, 2011 to February 8, 2011; and

WHEREAS, the Office of the Tribal Council Secretary has not received any comments regarding the proposed changes as set forth in Ordinance Nos. 249 & 250 since posting Resolution No. 01-2011-16; and

WHEREAS, the Council has reviewed Ordinance Nos. 249 & 250 carefully and finds that the recommendation of the Tribal Utility Water Policy Working Group is in the best interest of the White Mountain Apache Tribe and that the proposed Tribal Utility Authority Code constitutes an essential function of the Tribal Government and the exercise of tribal sovereignty over the use and distribution of water for domestic use on the reservation.


BE IT ENACTED by the Tribal Council of the White Mountain Apache Tribe that Ordinance No. 249 deleting Chapter Six from the Government Code and Ordinance No. 250 creating the Tribal Utility Authority Code are hereby adopted.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.


**Resolution No. 03-2011-54
Ordinance Nos. 249 and 250**

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

The foregoing resolution was on **MARCH 9, 2011** duly adopted by a vote of **FOUR** for and **THREE** against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (f), (h), (i), (q), (r), (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).



Ronnie Lupe, Chairman of the Tribal Council



Mariddie J. Craig, Secretary of the Tribal Council