



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing the Rainbow Treatment Center to Lease the Northfork Store for a Ten Year Term)

WHEREAS, the Rainbow Treatment Center ("RTC") is a Tribal program offering residential and outpatient alcohol and substance abuse treatment programs and is operated through the White Mountain Apache Tribe Division of Health Programs; and

WHEREAS, RTC provides a wide array of services to the members of the community; and

WHEREAS, due to the growth of its programs and the community needs, RTC seeks additional space to provide services; and

WHEREAS, the Tribal Council has received a proposal to locate a portion of RTC's Working To Wellness program at the Northfork Store, which is currently vacant; and

WHEREAS, RTC has prepared a written summary of the program elements, activities and objectives for its proposed use of the facility which are focused on employment skills internship opportunities, provides specialized training to equip clients for participation in the workforce; and

WHEREAS, RTC officials have advised the Council that they can expand and strengthen their client services with the additional space and facilities available at the facility; and

WHEREAS, RTC would need to make some modifications to the store to adapt it for RTC purposes; and

WHEREAS, prior to the commencement of any modifications, RTC would submit project construction plans to the Tribe for approval; and

WHEREAS, RTC requests permission to lease the facility for a ten year term, subject to the review and approval for the facility modifications; and

WHEREAS, the rental amount would be offset by the cost of the modifications RTC makes to the facility, as agreed to by RTC and the Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the proposed plan of activities and the lease of the Northfork Store to the Tribe's RTC program for a term of ten years pursuant to the terms and conditions set forth above, including the abatement of rent by the amount of the approved modification costs.

Resolution No. 07-2016-162

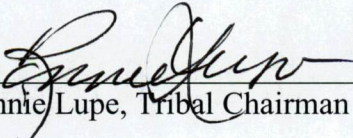
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby makes the following declarations about certain conditions which would otherwise be required by federal regulation, 25 C.F.R. Part 162:

1. The Tribe waives the due diligence and enforcement requirements under 25 CFR §162.417 concerning permanent improvements which may be made within the lease site;
2. The Tribe has negotiated satisfactory compensation under the lease terms and for that purpose waives valuation under 25 CFR §162.420, and the Tribe further states that accepting the negotiated compensation and waiving the valuation is in the Tribe's best interest;
3. The Tribe has determined that it is in the Tribe's best interest to not have compensation reviews and/or adjustments, as would otherwise be required under 25 CFR §162.428(a)
4. The Tribe requests that the Bureau of Indian Affairs waive the requirements under 25 CFR §162.434 for a performance bond or other security, in recognition of the Lessee's status as a Tribal program subject to Tribal Council oversight; and
5. Pursuant to 25 CFR §162.438(f), the Tribe confirms that the proposed use of the facility is in conformity with applicable Tribal law.

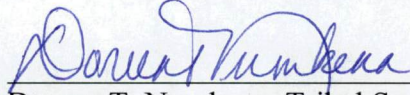
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

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 JULY 18, 2016 duly adopted by a vote of ELEVEN for, ZERO against, and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).


Ronnie Lupe, Tribal Chairman

11/16/16
Date


Doreen T. Numkena, Tribal Secretary

11-9-2016
Date