



WHITE MOUNTAIN APACHE TRIBE
A Sovereign Tribal Nation

**(Approval of Memorandum of Agreement with U.S. Indian Health
Service for Cibecue Lagoon Upgrades)**

- WHEREAS,** the U.S. Indian Health Service desires to enter into a Memorandum of Agreement with the White Mountain Apache Tribe for project PH17-V03, Cibecue Lagoon Upgrades; and
- WHEREAS,** Cibecue Lagoons Upgrades will consist of Indian Health Service funds in the amount of \$770,000.00; and
- WHEREAS,** such facilities are needed for the community of Cibecue on the Fort Apache Indian Reservation and benefits derived from such facilities will far offset any damages that may occur from the land utilized; and
- WHEREAS,** upon completion of such service by the Indian Health Service, the improved projects will be transferred to the Tribal Utility Authority; and
- WHEREAS,** the Tribal Council finds that the Memorandum of Agreement is in the best interests of the Tribe and should be approved; and
- WHEREAS,** given the urgency of the approaching deadline, the Tribal Council further finds that the memorandum of agreement needs to be considered and made outside of its regularly scheduled meeting; and
- WHEREAS,** the Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the Tribal Council personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Memorandum of Agreement for PH17-V03, Cibecue Lagoon Upgrades including the waiver of damages for rights-of-way, as attached and incorporated by this reference.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the total amount of the project totals \$770,000.00 and consist of Indian Health Service funds.

Resolution No. 09-2017-205


BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

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 document necessary to effectuate the intent of this Resolution.

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.

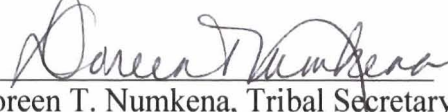
The foregoing resolution was on SEPTEMBER/9, 2017 duly adopted by a vote of 7 for, 0 against, and 0 abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified 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

9/17/17

Date



Doreen T. Numkena, Tribal Secretary

9/19/17

Date

Resolution No. 09-2017-205

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No: 09-2017-205 initiated the 19th day of September, 2017. Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials



Ronnie Lupe
Tribal Chairman

Sept 19 17

Date Signed

 TCS Initials

Kasey Velasquez
Vice Chairman

Date Signed

TCS Initials



Arnold Beach, Sr.
District I Council Member

Sept. 17, 2017

Date Signed

 TCS Initials

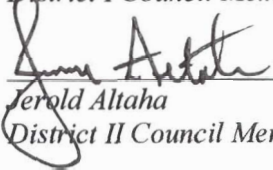


Tony Alsenay
District I Council Member

9/19/17

Date Signed

 TCS Initials



Jerold Altaha
District II Council Member

9/19/17

Date Signed

 TCS Initials

Colleen Faden
District II Council Member

Date Signed

TCS Initials



Ralph Thomas
District III Council Member

9/19/17

Date Signed

 TCS Initials



Floyd Walker
District III Council Member

9/19/17

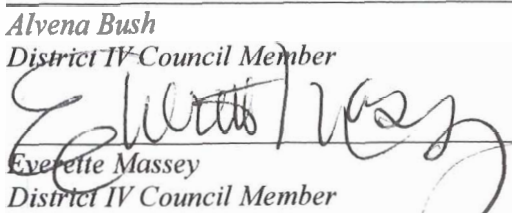
Date Signed

 TCS Initials

Jerome Kasey III
District IV Council Member

Date Signed


TCS Initials



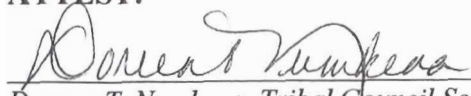
Everette Massey
District IV Council Member

9/19/17

Date Signed

 TCS Initials

ATTEST:



Doreen T. Numkena, Tribal Council Secretary

9-19-17

Date Signed