



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

**(Approving Memorandum of Agreement with U.S. Indian Health Service
for Project No. PH19-V39 Whiteriver and Cibecue Sewer Main Replacement)**

WHEREAS, The Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power “To negotiate, make and perform contracts and agreements of every description, not inconsistent with Federal law or [the] constitution, with...the United States...”; and

WHEREAS, The U.S. Indian Health Service desires to enter into a Memorandum of Agreement with the White Mountain Apache Tribe to allow it to construct Project No. PH19-V39, Cibecue & Whiteriver Sewer Main Replacement (the “Project”), at a cost of \$1,494,396.99, of which 100% is to be provided for by Indian Health Service (attached and incorporated herein by reference); and

WHEREAS, The purpose of the Project is to replace failed sewer mains in the communities of Whiteriver and Cibecue; and

WHEREAS, Upon completion of the Project by Indian Health Service, the Tribal Utility Authority will assume ownership of the infrastructure improvements and will be responsible for their operation and maintenance; and

WHEREAS, The Tribal Council finds that approving the Memorandum of Agreement will provide badly needed infrastructure improvements to the Reservation, and is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Memorandum of Agreement between the Tribe and Indian Health Service for Project No. PH19-V39 Cibecue & Whiteriver Sewer Main Replacement is hereby approved.

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

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.

Resolution No. 08-2019-174

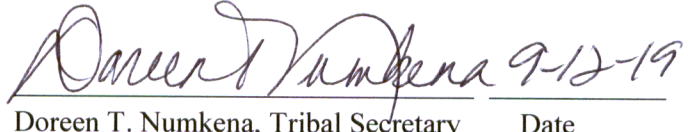
The foregoing resolution, on **AUGUST 22, 2019** was duly adopted by a vote of **TEN** for, **ZERO** against, and **ONE** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, 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).



Gwendena Lee-Gatewood, Chairwoman

9.12.19

Date



Doreen T. Numkena, Tribal Secretary

Date