



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## (Allocating \$5,139,600 of the Tribe's American Rescue Plan Act Fund for the Apache Service and Tire Shop Project)

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**WHEREAS,** The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation provides, at Article IV, Section 1(k) that the Tribal Council ("Council") shall exercise the power, "To appropriate tribal funds for tribal purposes..."; and

**WHEREAS,** The Tribe received Fiscal Recovery Funds from the federal government as provided by the American Rescue Plan Act (Pub. L. 117-2)("ARPA"), which are intended to provide support of state, local and tribal governments in responding to the impacts of COVID-19, and in their efforts to contain the spread of this disease amongst their communities; and

**WHEREAS,** Among eligible uses of Fiscal Recovery Funds, provided for in federal guidelines, include pay-go funded construction projects and maintenance under the Government Services umbrella; and

**WHEREAS,** The above purpose of Fiscal Recovery Funds will be served by the proposed allocation because it will assist with providing and improving essential local services to underprivileged communities and strengthening local employment and community infrastructure; and

**WHEREAS,** The Council finds that utilizing \$5,139,600 of ARPA funds for construction of a new Apache Service station and Tire Shop, which is an advisable and allowable use of these funds, 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 it hereby allocates \$5,139,600 of the Tribe's ARPA funds for the Apache Service station and Tire Shop projects.

**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 it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

**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.

***Resolution No. 08-2021-169***

The foregoing resolution was on AUGUST 23, 2021 duly adopted by a vote of TEN 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).

	<u>10/7/2021</u>		<u>10-7-2021</u>
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date