



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Amendment No. 1 to the Memorandum of Agreement with U.S. Indian Health Service for Project No. PH21-F70 for Funding at \$390,000.00)

WHEREAS, The Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation (F.A.I.R) 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 entered into a Memorandum of Agreement with the White Mountain Apache Tribe to construct water and sewer services for 20 new or like-new houses located on F.A.I.R. for Project No. PH21-F70 (the “Project”); and

WHEREAS, The Project’s purpose is to make the improvements necessary to construct new septic tanks and water systems for failed scattered homes and bring it into compliance with the existing EPA Authorization on Consent; and

WHEREAS, The U.S. Indian Health Service desires to enter Amendment No. 1 to the Memorandum of Agreement with the White Mountain Apache Tribe for Project No. PH21-F70 to construct an additional 22 individual sanitation facilities for scattered houses on F.A.I.R., at a cost of \$390,000.00; and

WHEREAS, The Tribal Council finds that approving Amendment No. 1 to the Memorandum of Agreement will help the Tribe safeguard its water resources, 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 Amendment No. 1 to the Memorandum of Agreement between the Tribe and Indian Health Service for Project No. PH21-F70 Scattered Failed Septic and Failed Water systems for 22 additional homes on (F.A.I.R) 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. 10-2021-205

The foregoing resolution, on **OCTOBER 6, 2021** was 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).

	<u>10/12/2021</u>		<u>10/13/2021</u>
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date