



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Allocating \$135,360.00 of American Rescue Plan Act Funds to Cover Carollo Engineers Professional Services Agreement Expenses)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(i) that the Tribal Council (“Council”) shall exercise the power, “To manage all economic affairs and enterprises of the Tribe...”; and
- WHEREAS,** The Tribe has received funding from the American Rescue Plan Act of 2021 (“ARPA”) to assist in mitigating and responding to the threat of COVID 19; and
- WHEREAS,** Making improvements to wastewater systems is allowable under Investments in Infrastructure on Page 55 of the Guidance; and
- WHEREAS,** Responding to the public health emergency or its negative economic impacts is also allowable under Section §35.6 Eligible Uses on Page 122 of the Guidance; and
- WHEREAS,** The Tribe executed professional services agreements (“PSA”) with Carollo Engineers to engineer and assess improvements to the Tribe’s wastewater treatment facilities and to respond to the COVID-19 pandemic and its negative economic impacts; and
- WHEREAS,** Using ARPA funds to pay the PSA is allowable and would provide the Tribe some financial support; and
- WHEREAS,** The Council finds that utilizing \$135,360.00 of the Tribe’s ARPA funds to pay the aforementioned PSA 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 \$135,360.00 of the Tribe’s American Rescue Plan Act of 2021 funds to pay the amounts for the Professional Services Agreements between the Tribe and Carollo Engineers.

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.

Resolution No. 04-2022-94

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.

The foregoing resolution was on APRIL 26, 2022 duly adopted by a vote of NINE 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).



4/29/2022



4/29/2022

Gwendena Lee-Gatewood, Chairwoman

Date

Doreen T. Numkena, Tribal Secretary

Date