



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving the Division of Transportation's Fiscal Years 2023-2027 Tribal Transportation Improvement Program)

WHEREAS, The Constitution of the White Mountain Apache Tribe of the Fort Apache Reservation ("Constitution) provides, at Article IV, Section 1(s) that the Tribal Council ("Council") shall exercise the power "To...regulate subordinate organizations for economic and other purposes "; and

WHEREAS, The Tribal Transportation Improvement Program ("TTIP") is a multi-year list of proposed transportation projects for the Tribal Transportation Program (TTP) developed by the Tribe's Division of Transportation ("WMADOT"); and

WHEREAS, The Bureau of Indian Affairs (BIA) Western Region Office, has provided the Tribe with their estimated shares of TTP funds for the Fiscal Years 2023-2027; and

WHEREAS, The TTIP, among other things, identifies transportation planning, transit, road maintenance, design and construction for road improvement projects to be funded using the Tribe's share of FY 2023-2027 TTP funds, including construction funds and planning funds; and

WHEREAS, The TTIP provides for usage of the construction funds as follows:

- H5247400 – FAIR 12 (24) Cibecue Road;
- H5289400 – FAIR Tribal Transportation Planning 3;
- H52RM607 – FAIR TTP Road Maintenance;
- H52S0100 – FAIR Safety No. 1 Walkway/Trail;
- H52T6100 – FAIR Transit No. 1;
- H52T7300 – FAIR Transit No. 2 – DOT Transit Facility;
- H5288000 – Long Range Transportation Plan Update; and

WHEREAS, WMATDOT, this day, presents the FY 2023-2027 TTIP (attached and incorporated herein by reference), and presents it to Council for approval; and

WHEREAS, The Council has reviewed the FY 2023-2027 TTIP and the proposed uses of funding provided for therein, and finds that approving it will facilitate receipt of TTP funds from the Department of Interior, Bureau of Indian Affairs as authorized by the Indian Self-Determination and Education Assistance Act, Public Law 93-638 (P.L. 93-638), and is in the best interest of the Tribe and its members.

Resolution No. 04-2023-91

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the attached FY 2023-2027 Tribal Transportation Improvement Program (TTIP) for submission to BIA WRO to enter into a new P.L. 93-638 contract(s) and that the authorities of this resolution remain in effect until such time that the contract is closed, re-negotiated or amended.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Division of Transportation is hereby instructed to make a timely and complete submission of the required documents and materials to the Bureau of Indian Affairs Western Region Office by the deadline.

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 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 APRIL 12, 2023 duly adopted by a vote of NINE for, ONE 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).

Kasey Velasquez 4-14-23 Nanclua M. Appah 4/14/2023
Kasey Velasquez, Chairman Date Vaneya Johnson, Tribal Secretary Date