



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Contract with Green Frog Systems to Complete and Install Canyon Day Solar Street Lighting Project)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power, “[t]o represent the Tribe and act in all matters that concern the welfare of the Tribe”, and in Article IV, Section 1(b), “[t]o negotiate, make and perform contracts and agreements of every description, not inconsistent with federal law or this constitution, with any person, association, or corporation ...”; and

WHEREAS, The Tribe’s Division of Transportation proposes to contract and work with Green Frog Systems to install solar powered street lighting along Indian Route 0004 (S. West Street, S. East Street, 7th Street, and Marigold Avenue), with a project length of approximately 2.50 miles encompassing both roadways on each side, in Canyon Day, AZ; and

WHEREAS, The Division of Transportation recommends moving forward with the standard contract agreement with Green Frog Systems in the amount of \$1,570,555.16; and

WHEREAS, The Tribal Council finds that approving the Canyon Day Solar Street Lighting Project to be installed by Green Frog Systems, is important to provide enhanced public safety for drivers and pedestrians, and it 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 approves the standard contract agreement with Green Frog Systems to complete and install the solar powered street lighting project in the proposed area of Canyon Day.

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.

Resolution No. 06-2023-149

The foregoing resolution was on **JUNE 7, 2023** 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

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| <u>Kasey Velasquez</u> | <u>June 9, 2023</u> | <u>Vaneyssa Johnson</u> | <u>06/12/2023</u> |
| Kasey Velasquez, Chairman | Date | Vaneyssa Johnson, Tribal Secretary | Date |