



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Memorandum of Agreement Between the Tribe & U.S. Indian Health Service for Project No. PH23-F97, Water & Sewer Facilities for Sixteen (16) Scattered Houses on the Reservation)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(a) 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 Section 1(b), “[t]o negotiate, make and perform contracts and agreements of every description... with the State of Arizona or the United States”; and

WHEREAS, The U.S. Indian Health Service desires to enter into a Memorandum of Agreement (“MOA”) with the White Mountain Apache Tribe to construct sixteen (16) scattered water & sewer upgrades at a total estimated cost of \$584,000 (Agreement No. PH23-F97 “Water & Sewer Facilities for 16, Fort Apache Indian Reservation”) (the “Project”) (attached and incorporated herein by reference); and

WHEREAS, The Project will entail construction of over 900 feet of 1-inch water service lines, 16 water meter assemblies, and homes served will be connected to community sewer systems with 4-inch sewer service lines and cleanouts; and

WHEREAS, Upon completion of services by the Indian Health Service, ownership of the new facilities will be transferred to the White Mountain Apache Tribal Utility Authority; and

WHEREAS, Entering into a MOA, Agreement No. PH23-F97, with the U.S. Indian Health Service 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 Memorandum of Agreement, Agreement No. PH23-F97, with the U.S. Indian Health Services, for the amount of \$584,000, to complete construction of water and sewer upgrades at sixteen (16) houses within the Reservation.

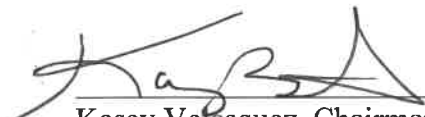
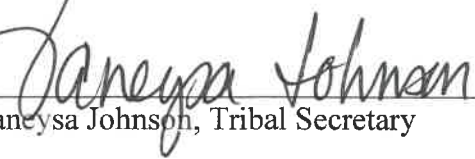
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution 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. 08-2023-198

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 August 02, 2023 duly adopted by a vote of NINE for, ZERO against, and ONE 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).

 8/7/2023  8/8/2023
Kasey Velasquez, Chairman Date Vaneysa Johnson, Tribal Secretary Date