

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

WHEREAS, the White Mountain Apache Tribe has been invited by the Department of Housing and Urban Development (HUD) to submit preapplication for a grant to be funded under the Community Development Block Grant Program of HUD: said grant funding to be applied toward the construction of necessary community facilities and economic activities on the reservation, and

WHEREAS, the Tribal Council has determined that the following projects represent the current tribal requirements in the order listed:

- | | |
|--------------------------------------|-------------------|
| 1. Community Services Building | \$750,000.00 |
| 2. Solid Waste Disposal System | 550,000.00 |
| 3. Planning & Administration (14.8%) | <u>193,000.00</u> |

TOTAL \$1,493,000.00

, and

WHEREAS, the Tribal Council has satisfied the requirements of Part 571, Chapter V, Title 24 (Subpart H, Section 571.305 (c) of Federal Regulations covering HUD Community Development Block Grants, as follows:

- (1) Prepared and followed a written citizen participation plan that provides Tribal citizens adequate information as to the CDBG Program, the amount of funds and optional expression of views and for participation in choice of objectives;
- (2) Has followed traditional tribal means of citizens involvement that meet standards outlined in Subpart H; and
- (3) Is presently soliciting views and opinions from tribal members as to community projects to be funded under the HUD CDBG program, and

WHEREAS, in connection with this proposed application to HUD, the White Mountain Apache Tribe is asked to make certain designations and assurances hereinafter resolved.

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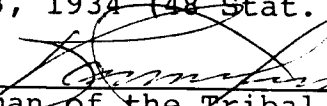
FORT APACHE INDIAN
AGENCY
MONTROSE, ARIZ.

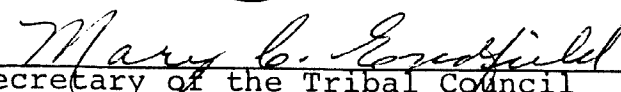
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

1. In accordance with the Amended Tribal Constitutional By-Laws of June 27, 1958, the Tribal Council, as the fully constituted representative body of the White Mountain Apache Tribe, hereby affirms its legal authority to apply for the grant and to carry out the eligible activities being funded by the grant;
2. The Tribal Council hereby authorizes the Tribal Chairman to sign, file and otherwise act in connection with the application and to provide any additional information required;
3. The Tribal Chairman of the White Mountain Apache Tribe:
 - (i) Consents to assume the status of responsible Federal Official under the National Environmental Policy Act of 1969, insofar as the provisions of such Act may apply to the Tribe's proposed program pursuant to 24 CFR 571.602; and
 - (ii) Is authorized and consents, on behalf of the White Mountain Apache Tribe and himself, to accept the jurisdiction of the Federal Courts for the purpose of enforcement of his responsibilities under 3 (i) hereinabove.
4. The program has been developed principally to benefit low and moderate-income persons;
5. The Tribe will comply with the regulations of FMC 74-4 and OMB Circular A-102 as they apply to applicants under the HUD Community Development Block Grant program regulations;
6. The Tribe will administer and enforce the labor standards requirements prescribed by these CDBG program regulations;
7. The Tribe will comply with the Indian Preference provisions required in Section 571.507 of these regulations
8. The Tribe will comply with the requirements of Title II of Public Law 90-284 (25 U.S.C. 1301) the Indian Civil Rights Act.

9. To the best of its knowledge and ability, the Tribal Council declares that the reservation data to be submitted with the application is accurate and independently verifiable; and further, that if the said reservation data is subsequently found to be distorted, that HUD may terminate the grant at any time.
10. The Tribe will establish written safeguards to prevent employees from using positions funded under this section for a purpose that is, or gives the appearance of being, motivated by private gain for themselves or their close family or business associates. (Nothing in this certificate should be construed as to limit employees from benefitting from program activities for which they would otherwise be eligible); and
11. The Tribe will give the Department of Housing and Urban Development and Comptroller General Access to and right to examine all books, records, papers or documents related to this grant for a period of no less than three (3) years after project completion.
12. The Tribe will require its architect, engineer or building designer to comply with energy performance standards for non-residential buildings in order to reduce the energy costs of any proposed new building or substantial renovation.
13. The Tribe will raise the necessary funds for maintenance and operations of the funded facilities through an associated enterprise or from assessments to individuals and/or organizations using the facility.
14. The Tribe will purchase needed equipment for the project at the lowest cost suitable for the need demonstrated.

The foregoing resolution was on September 21, 1981 duly adopted by a vote of 8 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to its authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council