



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

**(Approval for FY 2009 HUD Indian Community Development Block Grant Application)**

- WHEREAS,** pursuant to Article IV, Section 1(a) and 1(s) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and
- WHEREAS,** the White Mountain Apache Tribe lacks suitable facilities necessary to accommodate the needs of the new community buildings and public safety building; and
- WHEREAS,** the North Fork, Turkey Creek, Canyon Day and Cedar Creek Community Buildings and public safety building in Cibecue provides an essential community development opportunity and provides space for recreation, social and community meetings; and
- WHEREAS,** the Tribal Council understands that funds are available through the Indian Community Development Block Grant (ICDBG) of the United States Department of Housing and Urban Development (HUD) to fund construction of the buildings and the ICDBG program requires the Tribe to supplement the application with its own funds; and
- WHEREAS,** the Tribe, with a qualified architect, has developed preliminary project designs and cost-analysis to support an application for necessary ICDBG funds and as a result, the Tribe has included a Maintenance and Operation plan with the application; and
- WHEREAS,** the Tribe solicited public comment on the proposed use of the ICDBG and the response has been positive and the Tribe has further met all HUD citizen participation requirements, by placing a "Public Notice" in the local newspaper, the *Fort Apache Scout*, July 17, 2009 issue, requesting citizen input and comments; and
- WHEREAS,** the Tribe has sufficient policies and procedures for procurement, financial management and internal controls according to applicable guidelines and regulations set forth under the Code of Federal Regulation 24 part 85 and part 1003; and
- WHEREAS,** a budget has been developed, as attached and incorporated by this reference, by the Planning and Community Development Department, which projects a total cost of \$3,726,569 of which \$2,750,000 and will be provided by the HUD ICDBG, in an amount of \$ 976,569 that will be provided as an In-Kind Contribution by the Tribe that includes at least \$ 500,000 in donated tribal land; and
- WHEREAS,** the Tribe will provide sufficient funds to assure the full operation of the community buildings and public safety building and will additionally provide a minimum of \$250,000 a year in funding to maintain and operate the proposed buildings included in the grant application as attached; and

- WHEREAS,** the Tribe has identified five parcels of land totaling approximately 21 acres in five different tribal communities that the community buildings and public safety building will be located on; and
- WHEREAS,** the Tribe selects to submit demographic data that are unpublished and not generally available in order to meet the requirements of the application process; and
- WHEREAS,** the Tribe, through published procedures, will ensure that the proposed buildings shall be used to provide essential recreation, health, public safety, education and community services to help meet the needs of the community; and
- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe certifies that there have been numerous public meetings concerning the proposed community buildings and public safety building and both the Tribal Council and each Tribal Community strongly support the development of the buildings included in this grant application; and
- WHEREAS,** given the urgency of the filing of this grant application, the Tribal Council further finds that the grant application needs to be considered and made outside of its regularly scheduled meeting; and
- WHEREAS,** the Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the Tribal Council personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

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

1. The Tribe's Planning and Community Department is authorized to apply for funds available through the Indian Community Development Block Grant Program of the United States Department of Housing and Urban Development to fund the construction of the North Fork, Turkey Creek, Canyon Day and Cedar Creek Community Buildings and public safety building in Cibecue community.

2. The proposed budget of \$ 3,726,569 of which \$2,750,000 will be provided by the HUD ICDBG (if funded), and amount of \$ 976,569 will be provided In-Kind by the Tribe, including at least \$ 500,000 in donated land.

3. Five lots of land covering approximately 21-acres of land located in five communities will be used for the construction of four community buildings and one public safety building included in the 2008 ICDBG assistance and favorable outcome of an Environmental Review required under the Code of Federal Regulations 24, Part 58.

4. The Building Maintenance and Operations Plan and Procurement Policy requirements under the ICDBG application are hereby approved.

5. The Tribe elects to submit demographic data that is unpublished and not generally available in order to meet the requirements of the application process.

6. The Tribe shall provide at least \$250,000 a year to maintain and operate the proposed buildings.


7. The Tribe hereby certifies that it has sufficient policies and procedures for the procurement, financial management and internal controls according to the applicable guidelines and regulations set forth under Code of Federal Regulation 24, part 85 and part 1003.

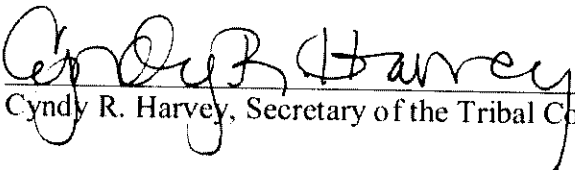
8. The Tribal Council of the White Mountain Apache Tribe hereby certifies that there have been numerous public meetings concerning the proposed SBNF and both the Tribal Council and each Tribal Community strongly support the construction of the four new community buildings and a public safety building.

**BE IT FURTHER RESOLVED** by the Tribal Council that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**BE IT FURTHER RESOLVED** by the Tribal Council that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on August 4, 2009, duly adopted by a vote of SIX for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (c), (h), (i), (j), (k), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
\_\_\_\_\_  
Ronnie Lupe, Chairman of the Tribal Council

  
\_\_\_\_\_  
Cyndy R. Harvey, Secretary of the Tribal Council

**WHITE MOUNTAIN APACHE TRIBE  
FY 2009 ICDB GRANT**

**BUDGET AND COST ESTIMATES**

A. The White Mountain Apache Tribe will provide or wave the following services and expenses in order to construct the five buildings included in this proposal.		
1. Director of Planning/Project Manager		
at \$75,000 a year for 3 years 3 months @50% =	\$121,875	
Benefits @ 35% (\$121,875)	<u>42,626</u>	
Subtotal		\$164,501
2. Grant Writer		
\$40,000 @ 50% for 3 years 3 months	65,000	
Benefits @ 35% (\$65,000)	<u>22,750</u>	
Subtotal		87,750
3. Office Manager \$41,000		
Year for 3 year 3 month years @ 50%	66,625	
Benefits @ 35% (66,625)	<u>23,318</u>	
Subtotal		89,943
4. Building Inspector ½ of 1 percent of the project		
(\$2,700,000)		13,500
5. Office Staff ½ FTE @ 20,000 year for 3 years 3		
month @ 50%, ( the Tribe's Environmental Planner		
will prepare the Project's Environmental Review)	32,500	
Benefits @35% (32,500)	<u>11,375</u>	
Subtotal		<u>43,875</u>
6. Total Cost of Labor		399,569
7. Audit fees	20,000	
8. Office and Supplies @ \$1,000.00 a month for		
39 months @50%	18,500	
9. Mileage and Travel Expenses @ \$1,000.00 a month for		
39 months (Three employees will require mileage		
reimbursement) @50%	<u>18,500</u>	
Sub total of labor, expenses and benefits		<u>57,000</u>
10. Total Administration Expenses		\$456,569
11. Tribe Wiring buildings for voice and data lines and		
install computer systems	20,000	
12. Land and building Values		
Land for Buildings	<u>500,000</u>	
Total value of sites, materials and services		<u>520,000</u>
<b>Total Tribal In-Kind Contribution</b>		<b>\$976,569</b>

WHITE MOUNTAIN APACHE TRIBE  
FY 2009 ICDB GRANT

<b>Total In-Kind Contribution</b>		<b>\$976,569</b>
Indian Community Development Block Grant Cost:		
Four Community Buildings	\$1,454,516	
Public Safety Building	1,185,454	
Parking for Public Safety Building	50,300	
Architect Fees	<u>60,000</u>	
<b>Total Construction (ICDBG) Cost</b>		<b><u>2,750,000</u></b>
<b>Total Value of the Project</b>		<b>\$3,726,569</b>

Non-ICDBG contribution to the construction of the five building in this Grant Proposal is 26.2% of the total project cost of \$3,726,569.00

Byron McNeil, Director of Planning and Community Development prepared the budget for this grant. Mr. McNeil has ten years of experience in preparing construction budgets for Tribal buildings. Tribal Council Resolution approving the Tribe's contribution of Land and resources as in-kind contribution.

The Tribal Council has committed by resolution to provide nearly 21 acres of land and buildings that will be used for the purposes of this grant. To demonstrate the Tribe's commitment to this project the Tribal Council approved by resolution to be subject to the approval of the ICDBG assistance and favorable outcome of any environmental review required under 24 CFR part 58 for this project.

ANNUAL MAINTENANCE & OPERATIONS COSTS

WMA Tribe demonstrates its commitment to sustain the proposed project by passing a tribal resolution that mandates sufficient funds be budgeted each year to properly maintain and operate the proposed four new community centers and one new public safety building. A Maintenance and Operations Plan has been approved by tribal resolution, projected operation, maintenance costs, and replacement reserves including maintenance repairs, insurance/security systems, replacement reserves, and cost breakdown for annual expenses.

The tribal resolution states an amount of approximately \$250,000 to operate and maintain the North Fork, Turkey Creek, Canyon Day, Cedar Creek Community Centers and the Public Safety Building in Cibecue. The public safety building will be larger and utilized on a 24-hour basis in comparison to the community centers that will be operated on a regular daytime schedule; therefore, the maintenance and operation costs for this building will be about three times greater. These costs were determined as follows:

PROJECTED MAINTENANCE & OPERATIONS  
COSTS FOR EACH BUILDING ANNUALLY

<u>Operation &amp; Maintenance Item:</u>	<u>Cost</u> <u>One Bldg.</u>	<u>Cost</u> <u>Four Bldgs</u>	<u>Cost</u> <u>Pub. Safety Bldg</u>
Housekeeping Supplies	\$ 100/yr	\$ 400/yr	\$ 1,200/yr
Repair Expense	2,000/yr	8,000/yr	24,000/yr
Bldg Repair Reserve Expenses	2,000/yr	8,000/yr	24,000/yr
Security (Fire-Burglar Alarm)	1,000/yr	4,000/yr	12,000/yr
Utilities Cost (propane, electricity, water, sewer, trash)	2,000/yr	8,000/yr	24,000/yr
<u>Insurance</u>	<u>500/yr</u>	<u>2,000/yr</u>	<u>6,000/yr</u>
TOTAL MAINTENANCE, OPERATIONS, REPAIR COSTS:	\$ 7,600/year	\$ 30,400/year	\$ 91,200/year

**TOTAL ANNUAL MAINT. & OPERATIONS COSTS: \$ 121,600**  
(4 bldgs & 1 public safety bldg)

These costs are based on the average costs to operate a similar-sized building. The estimated insurance and security costs were based on rates that the Tribe is currently paying for these services.

The Maintenance and Operations budget will be included in the Tribal Resolution to ensure permanent funding by the Tribe.

Note: The Replacement Expense Budget includes \$ 24,000 that is to be set aside each year to cover the Replacement and Repair of the facilities included in this proposal. The Maintenance and Operations Plan is in the Appendices section of the grant proposal.