



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## **(Authorizing the Transfer of Former IHS Employee Housing Units and Granting a Land Assignment to the White Mountain Apache Housing Authority)**

- WHEREAS**, pursuant to a Transfer Agreement between the White Mountain Apache Tribe ("WMAT") and the Indian Health Service ("IHS"), the Tribe obtained title to 28 housing units identified as the IHS City Center Houses; and
- WHEREAS**, prior to the transfer of said housing units, IHS was required to abate all hazardous materials from the premises, but did not repair or replace the abated materials; and
- WHEREAS**, upon abatement of all hazardous materials from said homes by IHS, the White Mountain Apache Housing Authority, through its own resources and materials, replaced and/or repaired exposed areas of said homes to prevent further damage or destruction of the units; and
- WHEREAS**, it is proposed that due to the extreme shortage of safe, decent housing on the reservation, it would be in the best interest of the Tribe to transfer ownership of the 28 housing units to the White Mountain Apache Housing Authority to complete all repairs and renovation, and to operate and manage the units to serve eligible families residing on the reservation; and
- WHEREAS**, it is further proposed that a land assignment be granted to the White Mountain Apache Housing Authority for the land associated with the 28 housing units, as the homes will be used for public housing purposes benefiting families residing on the Fort Apache Indian Reservation; and
- WHEREAS**, the White Mountain Apache Housing Authority has submitted a land assignment application for the land associated with the 28 housing units to the Land Board and the Land Board has approved said land assignment and the White Mountain Apache Housing Authority requests that the White Mountain Apache Tribal Council approve of the land assignment, as required by the Land Code; and
- WHEREAS**, the Tribal Council finds it in the best interest of the White Mountain Apache Tribe to authorize and approve the transfer of ownership of 28 housing units and the specified land assignment; and
- WHEREAS**, given the urgency of the repairs and renovation, the Tribal Council further finds that the transfer of ownership 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.

**Resolution No. 05-2015-80**

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes and approves the transfer of ownership of 28 housing units, identified as the IHS City Center Houses, to the White Mountain Apache Housing Authority, for the purpose of completing all repairs and renovation, and to operate and manage the units to serve eligible families residing on the Fort Apache Indian Reservation.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves and grants a Land Assignment to the White Mountain Apache Housing Authority for the land associated with the 28 housing units, identified as the IHS City Center Houses, to be used for public housing purposes benefiting families residing on the Fort Apache Indian Reservation.

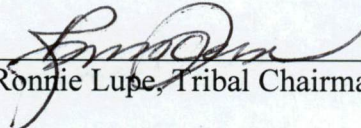
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairman 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.

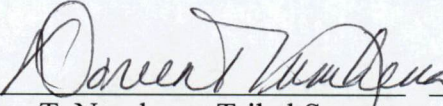
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, 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 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.

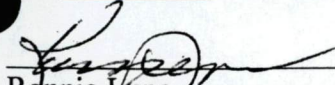
The foregoing resolution was on MAY 18, 2015 duly adopted by a vote of 10 for and 0 against with 1 abstaining by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

  
\_\_\_\_\_  
Ronnie Lupe, Tribal Chairman

may 18-15  5/18/2015  
Date Doreen T. Numkena, Tribal Secretary Date


Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No: 05-2015-80 initiated the 18 day of May, 2015.

Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials

  
\_\_\_\_\_  
Ronnie Lupe  
Tribal Chairman


5-18-15  
\_\_\_\_\_  
Date Signed

 TCS Initials

  
\_\_\_\_\_  
Kasey Velasquez  
Vice Chairman

5-18-15  
\_\_\_\_\_  
Date Signed

 TCS Initials

  
\_\_\_\_\_  
Arnold Beach, Sr.  
District I Council Member

May 18, 2015  
\_\_\_\_\_  
Date Signed

 TCS Initials

\_\_\_\_\_  
Tony Alsenay  
District I Council Member

\_\_\_\_\_  
Date Signed

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TCS Initials


  
\_\_\_\_\_  
Kino Kane  
District II Council Member

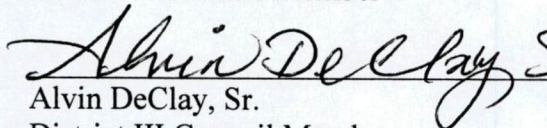
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Colleen Faden  
District II Council Member

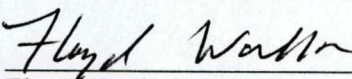
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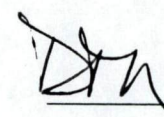
  
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Alvin DeClay, Sr.  
District III Council Member

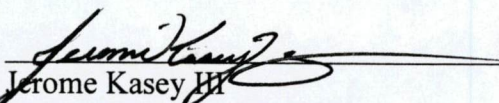
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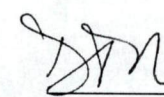
  
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Floyd Walker  
District III Council Member

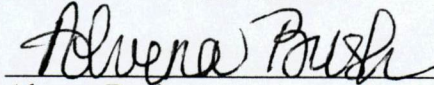
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Jerome Kasey III  
District IV Council Member

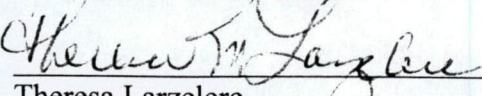
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Date Signed

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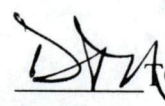
  
\_\_\_\_\_  
Alvena Bush  
District IV Council Member

5/14/15  
\_\_\_\_\_  
Date Signed


 TCS Initials

  
\_\_\_\_\_  
Theresa Larzelere  
District IV Council Member

5/13/15  
\_\_\_\_\_  
Date Signed

 TCS Initials

ATTEST:

  
\_\_\_\_\_  
Doreen T. Numkena, Tribal Council Secretary

5/18/15  
\_\_\_\_\_  
Date Signed