



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## (Authorizing the Tribe to enter into Agreements with the Federal Government for the Construction of a New Fire Station in the Cedar Creek Community)

**WHEREAS,** the U.S. Department of the Interior, Indian Affairs, Division of Facilities Management and Construction (DFMC) has identified funds for the construction of a new Fire Station within the vicinity of the John F. Kennedy School in the Cedar Creek community; and

**WHEREAS,** after consultation with Tribal and Bureau of Indian Affairs (BIA) staff, it is determined that the best location for construction of the new Fire Station would be adjacent to the former Cedar Creek "C" Store, which was recently transferred and identified for Emergency Medical Services (EMS) and Fire Department Substation use; and

**WHEREAS,** the John F. Kennedy School, under the Bureau of Indian Education (BIE), recently secured a tribal land assignment adjacent to the Cedar Creek Substation for the purpose of utilizing said premises for the construction of the new Fire Station; and

**WHEREAS,** the John F. Kennedy School is requesting that the Tribe convert the tribal land assignment into a Land Lease, for the purpose of complying with Federal Regulations involving Federal Funding; and

**WHEREAS,** the Tribal Council is further advised that ownership of the new Fire Station could be transferred to the Tribe upon the completion of the construction of said Fire Station and upon the issuance of a Certificate of Occupancy from the Division of Safety & Risk Management; and

**WHEREAS,** the Tribal Council recognizes the need for adequate fire protection and expedited response time to address structural fire protection and emergency fire suppression for the Cedar Creek community, and concurs with this request.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes a long-term lease with the Bureau of Indian Education (BIE) for the premises located adjacent to the Cedar Creek EMS/Fire Department Substation.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it has negotiated satisfactory compensation under the lease terms and for that purpose waives valuation under 25 CFR 162.420 in the best interest of the Tribe.

**Resolution No. 09-2015-198**

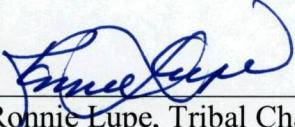
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that upon completion of the construction of the new Fire Station and issuance of a Certificate of Occupancy, the Tribe is requesting that ownership and title to the Fire Station be transferred to the Tribe.

**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.

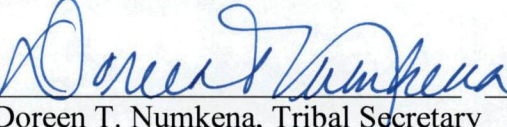
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution 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 **SEPTEMBER 9, 2015** 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 September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

  
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Ronnie Lupe, Tribal Chairman

9/23/15  
Date

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

9/24/2015  
Date