



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Three Memorandum of Agreements with U.S. Indian Health Service for Minor Flat Water Meter Vaults, Cross Connection Eliminations and Minor Flat Pumphouse Upgrades)

WHEREAS, pursuant to Article IV, Section 1(a) 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 U.S. Indian Health Service desires to enter into a Memorandum of Agreement with the White Mountain Apache Tribe for three projects: 1. PH17-V12, Minor Flat Water Meter Vaults 2. PH17-V14, Cross Connection Elimination to WMAT and 3. PH17-V17, Minor Flat Pumphouse Upgrades; and

WHEREAS, the cost breakdown for each project above are as follows:

- | | | |
|----------------------------------|--------------------|--------------|
| 1. Minor Flat Water Meter Vaults | → EPA DWTSAs Funds | \$206,000.00 |
| 2. Cross Connection Elimination | → EPA DWTSAs Funds | \$373,000.00 |
| 3. Minor Flat Pumphouse Upgrades | → EPA DWTSAs Funds | \$216,000.00 |

WHEREAS, upon completion of such service by the Indian Health Service, the improved projects will be transferred to the Tribal Utility Authority; and

WHEREAS, the Tribal Council finds that the Memorandum of Agreement is in the best interests of the Tribe and should be approved.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Memorandum of Agreements: 1. PH17-V12, Minor Flat Water Meter Vaults, 2. PH17-V14, Cross Connection Elimination to WMAT and 3. PH17-V17, Minor Flat Pumphouse Upgrades are in the best interest of the Tribe including the waiver of damages for rights-of-way, as attached and incorporated by this reference.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the total amount for three projects totals \$795,000.00 and project cost breakdown are as follows:

- | | | |
|----------------------------------|--------------------|--------------|
| 1. Minor Flat Water Meter Vaults | → EPA DWTSAs Funds | \$206,000.00 |
| 2. Cross Connection Elimination | → EPA DWTSAs Funds | \$373,000.00 |
| 3. Minor Flat Pumphouse Upgrades | → EPA DWTSAs Funds | \$216,000.00 |

Resolution No. 09-2017-217

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 document necessary to effectuate the intent of this Resolution.

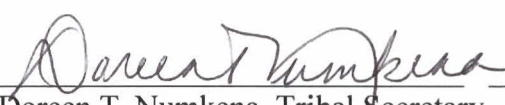
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution 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 27, 2017** duly adopted by a vote of **EIGHT** 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).



Ronnie Lupe, Tribal Chairman 10/5/17
Date



Doreen T. Numkena, Tribal Secretary 10-5-17
Date