



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## (Amending of Plan of Operation to Tribal Utility Authority Code)

**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 Tribal Utility Authority (TUA) Code, Section 2.4, Plan of Operation, is reviewed annually by the Utility Director and TUA Advisory Board; and

**WHEREAS**, any changes to the Plan of Operations involving adjustments to billing rates, fees, and other charges must also receive prior approval by Tribal Council resolution; and

**WHEREAS**, the Tribal Council finds the attached proposed "Amendment to the WMA TUA Plan of Operations" to be acceptable and that the proposed amendment is in the best interest of the White Mountain Apache Tribe.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the proposed amendment to the existing TUA Plan of Operation of the WMAT Tribal Utility Authority is hereby approved and adopted, effective immediately.

**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 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 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 **DECEMBER 13, 2017** duly adopted by a vote of **ELEVEN** 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).

 \_\_\_\_\_ 12-20-17 \_\_\_\_\_ 12-21-2017  
Ronnie Lupe, Tribal Chairman                      Date                      Doreen T. Numkena, Tribal Secretary                      Date