



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing Execution of Documents for the White Mountain Apache Housing Authority's 2019 Low Income Housing Tax Credit Program Application for the WMAHA #8 Project)

- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe (the "Tribe") is entrusted by the Tribe's Constitution to act in all matters that concern the welfare of the Tribe, to manage all economic affairs and enterprises of the Tribe, and to regulate subordinate organizations for economic and other purposes; and
- WHEREAS,** the White Mountain Apache Housing Authority ("Housing Authority"), is designated by the Tribe as the Tribe's Tribally Designated Housing Entity in accordance with the Native American Housing Assistance and Self-Determination Act of 1996, § 2 U.S.C. § 4101, et seq., P.L.104-330, 110 Stat. 4106 ("NAHASDA") and is authorized to receive and administer the Tribe's Indian Housing Block Grants, operate and develop low income housing for the White Mountain Apache Tribe and to provide safe, decent, and affordable housing on the reservation; and
- WHEREAS,** to this end, the Housing Authority plans to submit a 2019 Low Income Housing Tax Credit application ("LIHTC Application") to the Arizona Department of Housing ("ADOH"); and
- WHEREAS,** the proposed LIHTC project, known as WMAHA #8, consists of the new construction of nineteen (19) to thirty (30) new housing units, a sport court, and a playground on the Fort Apache Reservation ("Project"), a map of the proposed area is attached hereto; and
- WHEREAS,** all units in the Project will be occupied by low income households as defined pursuant to the LIHTC rules and regulations governing the Project; and
- WHEREAS,** it is necessary in the LIHTC Application to ADOH that the Housing Authority form a special purpose entity, to be known as WMAHA #8 Limited Partnership ("Partnership"), an Arizona limited partnership, that will own and operate the Project; and
- WHEREAS,** the Housing Authority will serve as the general partner of the Partnership and Elizabeth Glynn of Travois, Inc. will serve as the initial limited partner of the Partnership; and upon allocation of LIHTCs, the initial limited partner will be replaced by an investor who will provide construction equity to the Project; and

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WHEREAS, it is also necessary for the submission of the Housing Authority's LIHTC Application that the Partnership have site control of the real property where the project is located ("Project Lands") in the form of (1) a Master Lease to be executed on or before March 30, 2019 or an Agreement to Master Lease for the Project Lands between the Tribe and the Housing Authority and (2) an Agreement to Sublease the Project Lands between the Housing Authority and the Partnership; and

WHEREAS, the Tribal Council finds that it is in the best interests of the Tribe to acknowledge and support (1) a Master Lease to be executed on or before March 30, 2019 or an Agreement to Master Lease for the Project Lands between the Tribe and the Housing Authority and (2) the Agreement to Sublease the Project Lands between the Housing Authority and the Partnership in order to submit the Housing Authority's 2019 LIHTC Application to ADOH; and

WHEREAS, after submission of the Housing Authority's 2019 LIHTC Application to ADOH, ADOH will send the Tribe an ADOH form Community Letter of Acknowledgement and request that the Tribe sign and return the Letter indicating the Tribe's acknowledgement of and consent to the WMAHA #8 LIHTC Project; and

WHEREAS, The Tribal Council finds that it is in the best interest of the Tribe to provide to ADOH a Community Letter of Acknowledgement which provides the Tribe's acknowledgement of and consent to the WMAHA #8 LIHTC Project.

BE IT RESOLVED BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves and authorizes the Housing Authority's submission to ADOH of its 2019 LIHTC Application for the WMAHA #8 LIHTC Project and hereby authorizes the execution of a Master Lease to be executed on or before March 30, 2019 or an Agreement to Master Lease for the Project Lands between the Tribe and the Housing Authority and acknowledges and supports the Agreement to Sublease between the Housing Authority and the Partnership in order to submit Housing Authority's 2019 LIHTC Application to ADOH.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe, for purposes of the Housing Authority's submission to ADOH of its 2019 LIHTC Application for the WMAHA #8 LIHTC Project that it hereby approves and authorizes the Tribe's Chairwoman, Gwendena Lee-Gatewood, or Vice-Chairman, Jerome Kasey III, to execute on behalf of the Tribe, the Community Letter of Acknowledgement for the Housing Authority's 2019 LIHTC Application to ADOH.

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 this Resolution directly conflicts with the Tribal Constitution, Tribal

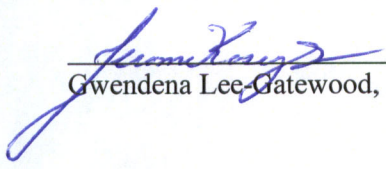
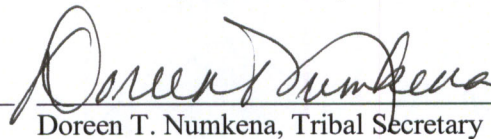
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Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

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 Chairwoman, or in her 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 MARCH 6, 2019 duly adopted by a vote of TEN for, ZERO against, and ONE 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).

	<u>2 APR 19</u>		<u>4-2-2019</u>
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date