



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving the Division of Transportation's Fiscal Years 2019-2023 Transportation Improvement Program)

WHEREAS, the Constitution of the White Mountain Tribe of the Fort Apache Reservation ("Constitution") provides, at Article IV, Section 1(a) that the Tribal Council ("Council") shall exercise the power "To represent the Tribe and act in all matters that concern the welfare of the Tribe"; and

WHEREAS, the Constitution also provides, at Article IV, Section (j) that the Council shall exercise the power "To accept grants and donations from any person, State or the United States"; and

WHEREAS, the Transportation Improvement Program ("TIP") is a multi-year list of proposed transportation projects developed by the Tribe's Division of Transportation; and

WHEREAS, the Bureau of Indian Affairs ("BIA") Western Region Office ("WRO"), has provided the White Mountain Apache Tribe ("Tribe") with their estimated shares of TIP funds for the Fiscal Years ("FY") 2019-2023; and

WHEREAS, to qualify to receive these funds, the Tribe must prepare and submit its TIP, which must be approved by the Council by resolution; and

WHEREAS, the Division of Transportation has completed the TIP for FY 2019-2023 (attached and incorporated herein by reference), and presents it to Council for approval, this day; and

WHEREAS, the TIP, among other things, identifies transportation planning, transit, road maintenance, and design and construction for road improvement projects to be funded using the Tribe's share of FY 2019-2023 TIP funds, including 6K1 construction funds ("6K1") and 66K planning funds ("66K"); and

WHEREAS, the TIP provides for usage of the 6K1 funds as follows:

- H5247400 - FAIR 12(24) Cibecue Road
- H52T7300 – FAIR Transit No. 2 – Division of Transportation Transit Facility
- H52S0100 – FAIR Safety No. 1 Paved Walkways/Trails
- H52T6100 – FAIR Transit No. 1
- H52RM607 – FAIR TTP Road Maintenance

Resolution No. 04-2019-75

- H5289400 – FAIR Tribal Transportation Planning 3
- H5241000 – FAIR Tribal Transportation Planning 4 – Long Range Transportation Plan with Inventory Update
- New Project – FAIR TTP Bridge Maintenance & Inspections; and

WHEREAS, the TIP provides for usage of the 66K funds for H5289400 – FAIR Tribal Transportation Planning No. 3; and

WHEREAS, the Council has reviewed the FY 2019-2023 TIP and the proposed uses of funding provided for therein, and finds that that approval of it at this time will facilitate receipt of TIP funds from the BIA WRO, and is in the best interests of the Tribe and its members.


BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the attached FY 2019-2023 TIP for submission to BIA WRO.

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 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 APRIL 23, 2019 duly adopted by a vote of NINE 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).


Gwendena Lee-Gatewood, Chairwoman Date  
Doreen T. Numkena, Tribal Secretary Date