



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

**(Approving Memorandum of Agreement with U.S. Indian Health Service
for Project No. PH19-F62 Water and Sewer Line Installation for Low-Income Housing Tax
Credit Homes Located in HonDah and McNary Including WMAHA
Contribution of \$852,000)**

WHEREAS, The Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power “To negotiate, make and perform contracts and agreements of every description, not inconsistent with Federal law or [the] constitution, with...the United States...”; and

WHEREAS, The U.S. Indian Health Service desires to enter into a Memorandum of Agreement with the White Mountain Apache Tribe to allow it to construct Project No. PH19-F62, Water and Sewer Line Facilities for Low-Income Housing Tax Credit Homes (the “Project”), at a cost of \$1,222,000.00, of which \$370,000.00 is to be provided for by Indian Health Service and \$850,000.00 is to be provided by White Mountain Housing Authority (attached and incorporated herein by reference); and

WHEREAS, The Project will provide installation of 8” PVC gravity sewer main extensions of 4” PVC gravity service lines with cleanouts for 28 homes in McNary and HonDah.

WHEREAS, Upon completion of the Project by Indian Health Service, the Tribal Utility Authority will assume ownership of the infrastructure and will become responsible for its operation and maintenance; and

WHEREAS, The Tribal Council finds that approving the Memorandum of Agreement will contribute to the infrastructure and housing needs of the members of the Tribe, 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 the Memorandum of Agreement between the Tribe and Indian Health Service for Project No. PH19-F62 Water and Sewer Line Facilities for Low-Income Housing Tax Credit Homes is hereby approved.

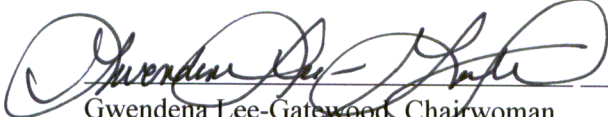
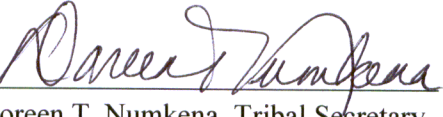
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

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

Resolution No. 08-2019-175

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.

The foregoing resolution, on **AUGUST 22, 2019** was 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>9.12.19</u>		<u>9-12-19</u>
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date