



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Memorandum of Agreement with the U.S. Indian Health Service for Water and Sewer Facilities for 28 Low Income Tax Credit Homes and 5 Other IHS Eligible Homes)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(j) that the Tribal Council (“Council”) shall exercise the power “[t]o accept grants and donations from any person, State, or the United States”; and

WHEREAS, The White Mountain Apache Housing Authority (“WMAHA”) was established by the Tribe as its Tribally Designated Housing Entity (“TDHE”); and

WHEREAS, The Tribe, through WMAHA, is in the process of building homes in the Hon-dah area pursuant to a multi-phase development called Apache Pine (the “Project”), and has requested funding and services from the U.S. Indian Health Service (“IHS”) for water and sewer facilities for Phase I; and

WHEREAS, IHS desires to enter into a Memorandum of Agreement (“MOA”) with the Tribe for the construction of water and sewer facilities for 28 Low Income Housing Tax Credit homes (Phase I), plus an additional 5 new IHS eligible homes;

WHEREAS, An additional 10 Indian Community Block Grant Homes not eligible for IHS Housing funding will also be built as part of the Project; and

WHEREAS, The Project, as set forth in the MOA and Project Summary, will serve a total of 33 IHS eligible homes at the Apache Pine Subdivision Phase I project in Hon Dah-McNary at total cost of \$1,221,000, funded by Indian Health Service (MOA Project No. PH 19-F62) as attached and incorporated by this reference; and

WHEREAS, Upon completion of such service by the IHS, the improved infrastructure will be transferred to the ownership, control, and maintenance of the Tribe’s Utility Authority; and

WHEREAS, The Tribal Council finds that approving the MOA will help provide needed housing and associated infrastructure to the Reservation community, 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 of the MOA between the Tribe and IHS for Project No. PH 19-F62.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it acknowledges and approves that the MOA references funding and services for water and sewer

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for 28 Low Income Housing Tax Credit homes plus an additional 5 new IHS eligible homes in the amount of \$1,221,000.

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 the Resolution.

The foregoing resolution was on JUNE 2, 2020 duly adopted by a vote of SEVEN for, FOUR 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).

 6/3/2020

Gwendena Lee-Gatewood, Chairwoman

Date

 6/3/2020

Doreen T. Numkena, Tribal Secretary

Date