



WHITE MOUNTAIN APACHE TRIBE
A Sovereign Tribal Nation

**(Approving the COVID-19 Related Budget Request for the
Tribe's Solid Waste Department in the Amount of \$781,000.00 and
Allocating an Additional \$500,000.00 for the Purchase of New Trash Bins)**

WHEREAS, The Constitution of the White Mountain Tribe ("Tribe") of the Fort Apache Indian Reservation provides, at Article IV, Section 1(a) that the Tribal Council ("Council") shall exercise the power, "To represent the Tribe and act in all manners that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to this constitution"; and

WHEREAS, The World Health Organization declared a Public Health Emergency of International Concern regarding COVID-19 on January 30, 2020. The U.S. Department of Health and Human Services declared a Public Health Emergency related to COVID-19 on January 31, 2020. The Tribe issued an Emergency Declaration due to COVID-19 on March 12, 2020; and

WHEREAS, As of July 7, 2020, there are a total of 1,965 positive COVID-19 diagnoses on the Fort Apache Indian Reservation ("Reservation"), with twenty-five confirmed deaths; and

WHEREAS, The Tribal Council has taken proactive measures to respond to the increase in positive COVID-19 cases on the Reservation, including the implementation of a 57-Hour Lockdown as well as a Shelter-in-Place Order pursuant to Resolution No. 06-2020-134, which was preceded by a Stay-at-Home Order pursuant to Resolution No. 04-2020-86, and other precautionary measures to encourage residents to stay safe at home in order to slow the spread of COVID-19; and

WHEREAS, The requirement for residents to stay at home, whether they are working from home or unemployed, has resulted in an influx of residential waste disposal, in addition to commercial trash, which has created a hardship on the Tribe's Solid Waste Department under the Department of Public Works, its trash pick-up schedule, waste disposal, bio-hazard waste disposal, lack of operational trash trucks, and staff shortages due the need for increased trash pick-ups and also the staff being required to be on leave when exposed to COVID-19; and

WHEREAS, The Tribe's Department of Public Works has made a budget request and has provided the necessary justification and quotes for equipment to the Tribal Council to purchase items

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for the Solid Waste Department that will aid them in their response to the increase in waste due to the COVID-19 pandemic; and

WHEREAS, The Tribal Council recognizes the need for increased sanitation efforts during the COVID-19 crisis in order to ensure the health and safety of Reservation residents and the public at large; and

WHEREAS, The Tribal Council sees fit to utilize funding received from the U.S. Department of Treasury from the Coronavirus Relief Fund (“CRF”) pursuant to Sections 601(a)(2)(B) and (a)(c)(7) of the Security Act of 2020 and as appropriated under the Coronavirus Aid, Relief and Economic Security (“CARES”) Act of 2020 (S.3548, H.R. 748, P.L. 116-136, as amended), as the request of the Tribe’s Department of Public Works meets the requirements set forth in that it is: (1) a necessary expenditure incurred by the Solid Waste Department due to the COVID-19 public health emergency; (2) the request was not accounted for in the Tribe’s most recently approved budget; and (3) the expense has been incurred since March 1, 2020 and before December 30, 2020; and

WHEREAS, The Tribal Council has reviewed the request made by the Department of Public Works on behalf of the Solid Waste Department and finds that granting their request is in the best interest of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves that \$781,000.00 be allocated from the Tribe’s CARES Act funding for the WMAT Solid Waste Department to purchase a front-end trash truck, a front-end loader, and a side loader in order to respond to the COVID-19 related increases in residential and commercial waste disposal.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the WMAT Solid Waste Department is directed to implement policies and procedures to ensure proper usage of the trucks, including daily vehicle inspection reports; and requiring all preventative maintenance, inspections and repairs be completed by a certified diesel mechanic; and that routine preventative maintenance follow a service schedule as recommended according to the trucks’ make and model.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby allocates \$500,000.00 from the Tribe’s CARES Act funding for the purpose of funding WMAT Solid Waste Department’s purchase of new trash bins.


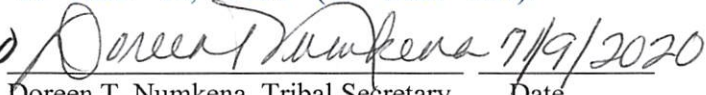
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution 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.

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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 JULY 8, 2020 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).

	<u>7/9/2020</u>		<u>7/9/2020</u>
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date