



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Memorandum of Agreement between the Tribe and U.S. Indian Health Service for Project No. PH20-X05 "CARES Act, Failed Equipment Repair and Replacement" Funded at \$195,000.00)

WHEREAS, The Constitution of the White Mountain Apache Tribe ("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 Tribe to allow it to provide funds to repair and replace Tribal Utility equipment and infrastructure, Project No. PH20-X05, Coronavirus Aid, Relief and Economic Security ("CARES") Act (the "Project"), at a cost of \$195,000.00 (attached and incorporated herein by reference); and

WHEREAS, The Project's purpose is to provide funds to repair and replace failed tribal utility water, wastewater, and solid waste equipment to ensure the tribal public water and wastewater system has the minimal level of service needed for hand washing, cooking, drinking, and waste disposal; and

WHEREAS, During the course of the Project and afterwards, the Tribal Utility Authority will maintain ownership of the equipment and infrastructure; and

WHEREAS, The Tribal Council finds that approving the Memorandum of Agreement will help the Tribe provide necessary utility service and solid waste services to the residents of the Fort Apache Indian Reservation, 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. PH20-X05 "CARES Act, Failed Equipment Repair and Replacement" 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. 08-2020-184

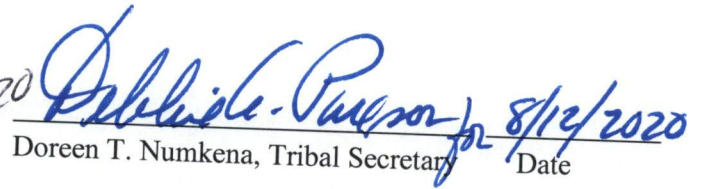
Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

The foregoing resolution, on AUGUST 5, 2020 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).



Gwendena Lee-Gatewood, Chairwoman

8/12/2020
Date



Doreen T. Numkena, Tribal Secretary

8/12/2020
Date