



# WHITE MOUNTAIN APACHE TRIBE

## A Sovereign Tribal Nation

### (Authorizing the FY2021 Filing of Applications with the Federal Transit Administration for Federal Transportation Assistance)

---

- WHEREAS,** The Constitution of the White Mountain Tribe (“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 1(j) that the Tribal Council (“Council”) shall exercise the power “To accept grants and donations from any person, State of the United States”; and
- WHEREAS,** On March 23, 2016, via Resolution No. 03-2016-55 the Tribal Council established the Division of Transportation (“DOT”); and
- WHEREAS,** The Federal Transit Administration (“FTA”) has been authorized to provide funding to support public transportation under 49 U.S.C. Chapter 53; and
- WHEREAS,** DOT is legally authorized under federal, state and Tribal law to apply for and receive federal assistance on the Tribe’s behalf, including among others, the Formula Grants for Rural Areas Program, under 49 U.S.C. 5311; and
- WHEREAS,** Acceptance of grants or cooperative agreements for federal financial assistance will impose certain obligations upon the Tribe and DOT, and may require that DOT provide the non-federal share of transportation-related expenses supported with federal financial assistance; and
- WHEREAS,** As a condition for receipt of FTA assistance, the WMAT Division of Transportation is required to provide certain certifications and assurances to the FTA at least annually; and
- WHEREAS,** DOT, this day, requests the Council’s approval of authority to: submit an Application for Federal Assistance to the FTA on the Tribe’s behalf; submit the required certifications and assurances and all other supporting documents that are required to receive federal transportation assistance funds from the FTA; execute grant and cooperative agreements with the FTA; and draw down payments against available grant funding; and

***Resolution No. 02-2021-29***

**WHEREAS,** The Council has reviewed DOT's request and finds that authorizing DOT to file applications federal assistance from the FTA will help DOT fulfill its mission, and is in the best interests of the Tribe and its members.

**BE IT RESOLVED** by the White Mountain Apache Tribe:

- 1 That the Director of the WMAT Division of Transportation or designee is hereby authorized to execute and file an application for federal assistance on behalf of DOT with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. Chapter 53 or any other Federal statutes authorizing activities administered by the Federal Transit Administration.
2. That the Director of the WMAT Division of Transportation or designee is hereby authorized to execute and file with the Federal Transit Administration the annual certifications and assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. That the Director of the WMAT Division of Transportation is hereby authorized to execute those grant and cooperative agreements pertaining to FY2021 with the Federal Transit Administration on behalf of the White Mountain Apache Tribe Division of Transportation.
4. That the Director of the WMAT Division of Transportation or designee is hereby authorized to draw payments against available grant funding using the ECHO web system or other Federal Transit Administration automated application used to request payments from grant awards.

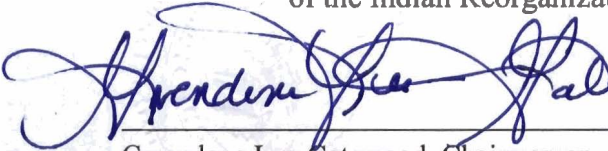
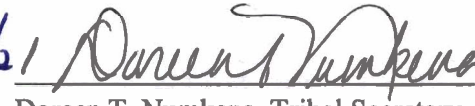
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution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

**Resolution No. 02-2021-29**

**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 **FEBRUARY 17, 2021** duly adopted by a vote of **TEN** 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).

 2/17/21  2/18/2021  
Gwendena Lee-Gatewood, Chairwoman      Date      Doreen T. Numkena, Tribal Secretary      Date