



WHITE MOUNTAIN APACHE TRIBE
A Sovereign Tribal Nation

(Authorizing the Division of Transportation to apply for the 5311 Grant through ADOT in the Estimated Amount of Between \$200,000.00 and \$300,000.00)

- 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,** The Tribe’s Division of Transportation (“DOT”) operates the Fort Apache Connection transit program which provides transit services for the residents of the Fort Apache Reservation; and
- WHEREAS,** DOT has identified a grant opportunity in the form of the 5311 Grant (the “Grant”) solicited by the Arizona Department of Transportation; and
- WHEREAS,** If awarded, the funding in the estimated amount of between \$200,000.00 and \$300,000.00 will be used to assist in the expansion of the Fort Apache Connection transit program, specifically to purchase busses for Route 5 (Hon-Dah to Sunrise), or the connecting route with the San Carlos Apache Tribe, or to assist with construction of a bus barn facility; and
- WHEREAS,** The Grant includes a 20% match requirement, which funding will come from the FAIR Transit #1 Project funding (H52T6100); and
- WHEREAS,** The Tribal Council finds that the Grant will, if awarded, will help the Tribe expand the Fort Apache Connection transit program, and that applying for it 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 authorizes the Division of Transportation to apply for the 5311 Grant through the Arizona Department

Resolution No. 02-2021-33

of Transportation (ADOT) to assist in the expansion of the Fort Apache Connection transit program, under the White Mountain Apache Tribe's Division of Transportation

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Division of Transportation is hereby instructed to make a timely and complete submission of the required documents and materials to the granting agency by the grant deadline.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that should the grant be awarded, the Division of Transportation and the Finance Division are instructed to develop and implement a budget for receipt and expenditures of funds received pursuant to the Grant.

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 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