



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Amendment No. 3 to Contract No. A17AV01018 FAIR Transit No. 2 between the Tribe and the Bureau of Indian Affairs)

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...”; and

WHEREAS, The White Mountain Apache Department of Transportation (DoT) is responsible for administering and maintaining the Tribe’s transportation infrastructure, including airports; and; and

WHEREAS, DOT operates, in large part, through entering into P.L.93-638 contracts with the Bureau of Indian Affairs (“BIA”); and

WHEREAS, BIA is proposing to amend one of the Tribe’s current contracts, No. A17AV01018, FAIR Transit No. 2, to increase the amount of contract funds and extend the contract until September 30, 2023 (See Modification No. 3, attached and incorporated herein); and

WHEREAS, The Council has reviewed the proposed contract amendment and finds that approving 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 Amendment No. 3 to Contract No. A17AV01018, FAIR Transit No. 2 between the Tribe and the Bureau of Indian Affairs is hereby approved.

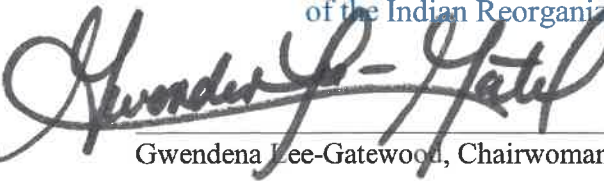

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution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

Resolution No. 12-2021-264

The foregoing resolution was on **DECEMBER 15 , 2021** duly adopted by a vote of **TEN** for, **ONE** 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).

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|--|-----------------|--|-------------------|
|  | <u>12.17.21</u> |  | <u>12-17-2021</u> |
| Gwendena Lee-Gatewood, Chairwoman | Date | Doreen T. Numkena, Tribal Secretary | Date |