



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing the FY2022 Filing of Applications with the Federal Transit Administration for Federal Transportation Assistance)

- WHEREAS,** The Constitution of the White Mountain Tribe of the Fort Apache Reservation (“Constitution) provides, at Article IV, Section 1(s) that the Tribal Council (“Council”) shall exercise the power “To...regulate subordinate organizations for economic and other purposes ”; and
- WHEREAS,** The White Mountain Apache Tribe (“Tribe”) is a federally recognized tribe, eligible to receive services from the federal government, as listed in the Federal Register at 83 FR 34863; and
- WHEREAS,** On March 23, 2016, via Resolution No. 03-2016-55 the Tribal Council established the Division of Transportation (“WMADOT”); 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,** WMADOT 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 WMADOT, and may require that WMADOT provide the non-federal share of transportation-related expenses supported with federal financial assistance; and
- WHEREAS,** As a condition for receipt of FTA assistance, WMADOT is required to provide certain certifications and assurances to the FTA at least annually; and
- WHEREAS,** WMADOT, 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

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

BE IT RESOLVED by the White Mountain Apache Tribe that the Director of WMATDOC, or the Director's designee, is hereby authorized, subject to review of proposed contracts and agreements by the Office of the Attorney General, to:

1. 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. 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. Execute grant and cooperative agreements with the Federal Transit Administration on behalf of the White Mountain Apache Tribe Division of Transportation; and 4. 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.

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 MARCH 02, 2022 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).


Gwendena Lee-Gatewood, Chairwoman 3/7/22 Date


Doreen T. Numkena, Tribal Secretary 3-7-2022 Date