



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing FirstNet First Responder Network Equipment Installation and Deployment at Sunrise Base Cellular Tower)

- 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... with any person, association, or corporation...”; and
- WHEREAS,** The United States Department of Commerce’s Telecommunications and Information Administration established FirstNet as the only nationwide public safety and first responder’s communications network; and
- WHEREAS,** AT&T accepted a government contract to deploy FirstNet communications equipment on cellular and communications towers across the country; and
- WHEREAS,** Cellular One of Northeastern Arizona is a subcontractor to AT&T, who has been utilizing Cellular One’s towers for deployment of the FirstNet network in this region; and
- WHEREAS,** Cellular One would like to install FirstNet equipment on their tower(s) at or near Sunrise Lodge, subject to an amendment to the Master Lease Agreement (“MLA”) between the Tribe and Cellular One; and
- WHEREAS,** This installation will enable the Tribe’s first responders to have access to FirstNet, and for FirstNet’s coverage area to include the ability to communicate during emergencies on the Fort Apache Indian Reservation; and
- WHEREAS,** Because of AT&T’s deployment deadlines, this installation needs to happen rapidly; and
- WHEREAS,** Council has reviewed the proposal and finds that authorizing the installation and deployment of FirstNet First Responder Network equipment at the Sunrise Base cellular tower, subject to negotiation of a suitable amendment to the Tribe and Cellular One’s MLA, will improve the Tribe’s ability to communicate and respond to emergencies, 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 it hereby authorizes the installation and deployment of FirstNet equipment at the Sunrise Base cellular tower, and other such sites in the vicinity as needed, subject to the negotiation and approval of an amendment to the Tribe and Cellular One’s Master Lease Agreement.

Resolution No. 06-2023-148

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 Chairman, or in his 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 **JUNE 7, 2023** 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Kasey Velasquez 7.6.2023
Kasey Velasquez, Chairman Date
White Mountain Apache Tribe

Vaneysa Johnson 07/06/2023
Vaneysa Johnson, Tribal Secretary Date