



# **WHITE MOUNTAIN APACHE TRIBE**

**A Sovereign Tribal Nation**

**(Approving FY 2024 United States Department of Commerce - Economic Development Administration - Economic Adjustment Assistance Program Grant Application to Complete a Feasibility Study to Revitalize the Sand, Gravel and Cement Batch Plant Operations for the White Mountain Apache Tribe Department of Public Works)**

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**WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Reservation”) provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power “[t]o represent the Tribe and act in all matters that concern the welfare of the Tribe...”, and in Section 1(j) “[t]o accept grants and donations from any person, state, or the United States”; and

**WHEREAS,** The Tribe’s Department of Public Works (“Public Works”) is an essential tribal enterprise serving the public works needs of the Tribe and its communities, with capital assets that include machinery and equipment that was used for the Tribe’s sand, gravel, and cement enterprise, formally known as the Batch Plant (“Plant”) when it was in operation; and

**WHEREAS,** When the Plant was in operation, it made substantial financial profits that supported and benefited tribal departments, programs, and enterprises, and its operations sustained Public Works and created significant business opportunities which promoted the short and long-term business goals of the enterprise, and during the course of operation, established a solid business reputation as a competitor in the White Mountain region for the sale of sand, gravel and cement; and

**WHEREAS,** The Plant currently is not in operation, full-time operation of the Plant has been nil, and Public Works needs professional consultation services to conduct a feasibility study to assess the opportunity to reactivate the Plant full-time; and

**WHEREAS,** The Grant application will fund a single or multiple Request for Proposal(s) for studies that evaluate the following suggested components:

- Assess the expected functionality and life span of current assets for the entire Public Works
- Determine cost of needed new, replacement or repair of equipment
- Complete a third-party business/feasibility plan to evaluate:
  - Market demands
  - Management requirements and internal capacity for operations
- Create a capital plan for necessary equipment and operational costs:
  - Includes workforce estimates and trained needs for employees
  - Possible options for training resources for staff
- Evaluate scenarios for operational management

- Internal to Tribe
- Contracted operations
- Sale of material resources to 3<sup>rd</sup> parties
- Provide for specialized reports on unexpected findings to ensure fully vetted examination of enterprise feasibility and value as a tribal resource
- Make other recommendations on findings from the assessment

**WHEREAS,** The Council supports the application and submission of the FY 2024 United States Department of Commerce - Economic Development Administration - Economic Adjustment Assistance Program Grant Application for the Tribe's Department of Public Works to conduct a feasibility study to assess the potential to reactivate the Batch Plant and its entire operations.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the submission of FY 2024 United States Department of Commerce - Economic Development Administration - Economic Adjustment Assistance Program grant application for \$350,000 to Complete a Feasibility Study to Revitalize the Sand, Gravel and Cement Batch Plant Operations for the White Mountain Apache Tribe's Department of Public Works.

**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 APRIL 23, 2024 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Kasey Velasquez  
Kasey Velasquez, Chairman

4-24-2024  
Date

Vaneyssa Johnson  
Vaneyssa Johnson, Tribal Secretary

4/29/2024  
Date