



# **WHITE MOUNTAIN APACHE TRIBE**

## **A Sovereign Tribal Nation**

### **(Authorizing a Contract with Johnson Controls, Inc. for the Hon-Dah Resort and Casino's Boiler System)**

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**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**WHEREAS,** The Hon-Dah Resort and Casino ("Casino") has a twenty-five (25) year old seven boiler system that is obsolete and parts are no longer available; and

**WHEREAS,** The Casino requires having the boiler system retrofitted and upgraded in a phased approach, so as not to impact heating to the Casino, Conference Center, and Hotel; and

**WHEREAS,** The Casino intends to proceed with the proposal submitted by Johnson Controls, Inc. to provide the necessary boiler system retrofit and replacement; and

**WHEREAS,** The Council has reviewed the information provided and finds it in the best interest of the Tribe to authorize a contract between the Tribe's Casino and Johnson Controls, Inc.; and

**WHEREAS,** Given the urgency of the project timeline, the Tribal Council further finds that the contract needs to be considered and made outside of its regularly scheduled meeting; and

**WHEREAS,** The Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the Tribal Council personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes a contract between Hon-Dah Resort and Casino and Johnson Controls, Inc., subject to Legal Counsel's review, to retrofit and upgrade the Casino's boiler system.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or

by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**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 JULY 30, 2024 duly adopted by a vote of 8 for, 0 against, and 0 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

7.29.24  
Date

Vaneysa Johnson  
Vaneysa Johnson, Tribal Secretary

07/30/2024  
Date

**Resolution No. 07-2024-162**

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution initiated the 29<sup>th</sup> day of July, 2024.

**Presented Personally by Tribal Council  
Secretary (TCS)-Indicated by Initials**

Kasey Velasquez

Kasey Velasquez  
Tribal Chairman

29. JULY. 2024

Date Signed

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TCS Initials

Jerome Kasey III

Jerome Kasey III  
Vice Chairman

29 JUL 24

Date Signed

ij

TCS Initials

Tony Alsenay  
District I Council Member

Date Signed

TCS Initials

Travis J. Tessay, Sr.  
District I Council Member

Date Signed

TCS Initials

Elva Lomayaktewa

Elva Lomayaktewa  
District II Council Member

7/29/2024

Date Signed

ij

TCS Initials

Renaldo Dazen  
District II Council Member

Date Signed

TCS Initials

Ivan Walker, Jr.

Ivan Walker, Jr.  
District III Council Member

7/30/2024

Date Signed

ij

TCS Initials

Annette Tenijieth  
District III Council Member

Date Signed

ij

TCS Initials

Gary Alchesay

Gary Alchesay  
District IV Council Member

07-29-2024

Date Signed

ij

TCS Initials

Mariddie Craig

Mariddie Craig  
District IV Council Member

07-29-2024

Date Signed

ij

TCS Initials

Cairo Clay

Cairo Clay  
District IV Council Member

7/29/2024

Date Signed

ij

TCS Initials

**ATTEST:**

Vanessa Johnson

Vanessa Johnson, Tribal Council Secretary

07/30/2024

Date Signed