



# WHITE MOUNTAIN APACHE TRIBE

## A Sovereign Tribal Nation

### (Approving Equipment Purchase Agreement with Ferguson Waterworks)

**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 to make decisions not inconsistent with or contrary to this constitution", and at Article IV, Section 1(b), the power "[t]o negotiate, make and perform contracts and agreements of every description, not inconsistent with federal law or this constitution, with any person, association, or corporation..."; and

**WHEREAS,** The Tribe continues to be impacted by extended drought conditions, which have limited water resources and drinking water in all communities on the Reservation; and

**WHEREAS,** The Tribe's Water Resources Program collaborated with the Tribal Utility Authority in a grant application, as authorized by Resolution No. 12-2023-266, and was awarded the Water Infrastructure Finance Authority of Arizona – Water Conservation Grant Fund C3, to install Neptune Smart Meters on the Reservation; and

**WHEREAS,** Through a competitive, qualification-based procurement process, in accordance with the WMAT Financial Policies and federal procurement requirements, Ferguson Enterprises, LLC dba Ferguson Waterworks, was selected to provide Neptune Smart Meters and now proposes to enter into a purchase agreement (as attached and incorporated herein by reference), in the amount of \$240,075.00, for the necessary equipment; and

**WHEREAS,** The Council finds that approving the proposed Equipment Purchase Agreement with Ferguson Enterprises, LLC dba Ferguson Waterworks, is in the best interest of the Tribe and its members.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Equipment Purchase Agreement, in the amount of \$240,075.00, with Ferguson Enterprises, LLC dba Ferguson Waterworks, for the purchase of Neptune Smart Meters that will be installed on the Fort Apache Indian Reservation.

**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.

**Resolution No. 02-2025-23**

**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 **FEBRUARY 05, 2025** duly adopted by a vote of **NINE** 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  
Kasey Velasquez, Chairman

2-7-25  
Date

Vaneysa Johnson  
Vaneysa Johnson, Tribal Secretary

2-7-25  
Date