

**PONCA TRIBE OF NEBRASKA TRIBAL COUNCIL**

**RESOLUTION 09- 16**

**The Ponca Tribe of Nebraska authorization to file applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C chapter 53, title 23 United States Code and other Federal statutes administered by the Federal Transit Administration.**

**WHEREAS:** The Ponca Tribe of Nebraska is a federally recognized Indian Tribe (P.L. 101-484) whose business affairs are conducted by the Ponca Tribal Council as defined in the Constitution approved July 22, 1994 by the Acting Deputy Commissioner of Indian Affairs; and

**WHEREAS:** Pursuant to the Constitution of the Ponca Tribe of Nebraska, the Ponca Tribal Council shall exercise legislative powers to enact and promulgate resolutions and ordinances subject to all expenses restrictions upon such powers contained in constitution; and

**WHEREAS:** The Ponca Tribe of Nebraska has designated service areas in twelve Nebraska counties, one South Dakota county, and two Iowa counties. The Tribe also has office sites located in six of these areas: Niobrara, Norfolk, Lincoln, and Omaha. in Nebraska, and Carter Lake and a Sioux City office in Iowa; and

**WHEREAS:** Transportation and transit systems have long been a vital and necessary need among the Ponca Tribe of Nebraska. The Ponca Tribe of Nebraska has experienced positive organizational growth in the last few years. As the needs and services of the 2,500+ tribal members continues to grow, the Ponca Tribe of Nebraska will continue to meet the needs and demands of their tribal members; and

**WHEREAS:** The Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project; and

**WHEREAS:** The grant or cooperative agreement for Federal Financial assistance will impose certain obligations upon the Ponca Tribe of Nebraska; and

**WHEREAS:** The Ponca Tribe of Nebraska has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project.

**WHEREAS:** The Ponca Tribe of Nebraska has identified particular funding needs to best serve their members and others who utilize their services for transportation wish to request funding from the Federal Transit Administration to support capital expenditures related to the tribe's current identified needs such as: economical transit vehicle and a storage facility for vehicles of the Ponca Express Transit Program.

**NOW, THEREFORE BE IT RESOLVED,** The Ponca Tribe of Nebraska designates

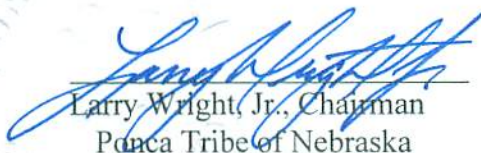
1. The Senior Planner, Teresa Dameron, or her designee, with authority to execute and file such documents as necessary for the application and award of Federal assistance on behalf of the Ponca Tribe of Nebraska with the Federal Transit Administration
2. The Grants Compliance Coordinator, Cheryl Kitto, or her designee, with authority to execute and file with its application the annual certification and assurances and other documents the Federal Transportation Administration requires before awarding a Federal assistance grant agreement.
3. The Finance Director, Tom Tillisch, or his designee with authority to execute a grant agreement and other related financial information that may be required for Federal assistance on behalf of the Ponca Tribe of Nebraska with the Federal Transit Administration.

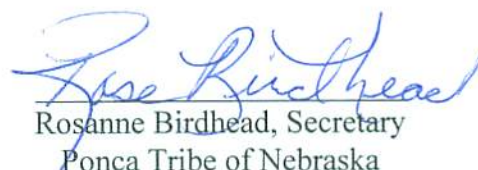
**AND BE IT FURTHER RESOLVED,** That the Ponca Tribe of Nebraska hereby acknowledges and agrees to comply with the provisions of the American Recovery and Reinvestment Act of 2009 (ARRA) Public Law 111-5 regarding the timing for use of funds and transparency, oversight, reporting, and accountability, including review by the Inspectors General, the Accountability and Transparency Board, and Government Accountability Office, consistent with objectives of the Act.

CERTIFICATION

THIS IS TO CERTIFY AND AFFIRM that the above and foregoing resolution was duly authorized and passed by the Ponca Tribal Council at a duly called meeting in Omaha, Nebraska on the 4th day of May, 2009 by a vote of 7 Ayes; 1 Nays; 0 Abstained; 0 Absent. Chairperson \_\_\_\_\_ voting ✓ not voting. A Quorum of 9 was present.

ATTEST

  
Larry Wright, Jr., Chairman  
Ponca Tribe of Nebraska

  
Rosanne Birdhead, Secretary  
Ponca Tribe of Nebraska