



**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

(Approving Intergovernmental Agreement and Lease for the Purpose of Installing and Operating a UHF Radio Repeater and Tower on the San Carlos Apache Indian Reservation for use by the White Mountain Apache Tribe and other jurisdictions)

WHEREAS, pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

WHEREAS, the topography of Salt River Canyon does not allow for effective radio communications between agencies within the Division of Public Safety of the White Mountain Apache Tribe and other public safety agencies in other jurisdictions; and

WHEREAS, an engineering consultant to the Tribe's Division of Public Safety has found that a tower and UHF repeater should be located on the San Carlos Apache Indian Reservation near Seneca at Mule Hoof Bend in order to eliminate dead spots for radio communications within the Canyon area and improve response time by public safety agencies; and

WHEREAS, pursuant to Resolution No. 06-2007-228, "Authorizing Installation of Improvements for Radio Communications in the Salt River Canyon Area," agencies within the Tribe's Division of Public Safety did apply for a U.S. Department of Homeland Security reimbursable grant in the amount of \$203,000 to fund installation of a radio tower and UHF repeater for use by public safety responders (the "Project"), and said grant has been approved, but the funds must be expended by November 30, 2007; and

WHEREAS, the San Carlos Tribal Emergency Response Commission does support the Seneca site for the Project, and the matter is currently under consideration by the Tribal Council of the San Carlos Apache Tribe; and

WHEREAS, the Tribe's Legal Department has advised that implementation of the Project will require an intergovernmental agreement between the White Mountain Apache Tribe and the San Carlos Apache Tribe, and a lease by San Carlos Apache Tribe for such purpose; and

WHEREAS, the Tribal Council finds that the U.S. Department of Homeland Security grant, together with the intergovernmental agreement and lease as proposed herein, to be in the best interests of public safety in the Salt River Canyon, and the Tribe.

NOW, THEREFORE, BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

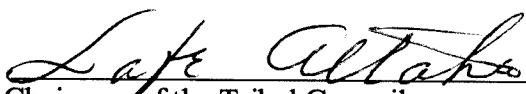
1. The U.S. Department of Homeland Security grant and the receipt of funds therefore are hereby approved, subject to the terms and conditions of the grant and a review by the Tribe's Legal Department.

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2. A budget for reimbursement of any and all expenditures made for the purposes of the grant is hereby approved, and the Tribe's Controller and Treasurer are hereby directed to establish said budget.
3. Be it known that the White Mountain Apache Tribe shall initially incur all costs, for the purposes of reimbursement by the U.S. Department of Homeland Security, subject to the terms and conditions of said grant, and that that said costs shall include construction, installation, and interfacing of the Project's communications infrastructure, facility, access road, and clearing of the site at Mule Hoof Bend to allow reliable and interoperable voice communications to all Tribal, Federal, State, and local entities that respond to the Salt River Canyon.
4. An intergovernmental agreement between the San Carlos Apache Tribe and the White Mountain Apache Tribe is hereby approved, subject to review by the Tribe's Legal Department.
5. A lease between the San Carlos Apache Tribe and the White Mountain Apache Tribe for the lease of property on the San Carlos Apache Indian Reservation is hereby approved, subject to review by the Tribe's Legal Department.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on October 10, 2007, duly adopted by a vote of EIGHT for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (c), (h), (j), (k), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


ACTING Chairman of the Tribal Council


Secretary of the Tribal Council