



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

**(Approving Addendum to Professional Services Agreement with University of
North Carolina at Chapel Hill for Motor Vehicle Crash Study)**

- 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,** pursuant to Resolution No. 09-2003-228, the Tribal Council did approve grant application to the Center for Disease Control, entitled, "Evidence-based motor vehicle crash prevention strategies", which was subsequently approved by the CID; and
- WHEREAS,** pursuant to Resolution No. 11-2006-390, the Tribal Council did approve a Professional Services Agreement with the University of North Carolina at Chapel Hill which was signed on May 11, 2006; and
- WHEREAS,** pursuant to Resolution No. 05-2007-188, the Tribal Council did approve an Addendum to the Professional Service Agreement with the University of North Carolina at Chapel Hill, extending the contract term to September 30, 2007; and
- WHEREAS,** pursuant to Resolution No. 09-2007-374, the Tribal Council did approve an Addendum to the Professional Service Agreement with the University of North Carolina at Chapel Hill, extending the contract term to September 30, 2008; and
- WHEREAS,** pursuant to said grant, the Tribe is required to review data and procedures and prepare an evaluation plan of its crash prevention strategies for the purposes of identifying better, life saving strategies; and
- WHEREAS,** the Tribal Council finds that an amendment to the Professional Services Agreement with the University of North Carolina at Chapel Hill is necessary to complete the study, and such agreement shall be in the best interests of the Tribe and automobile safety; and
- WHEREAS,** because this Agreement has expired and needs to be addressed before the next regularly-scheduled Council meeting, the Tribal Council further finds that the Addendum for the Crash Study 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:

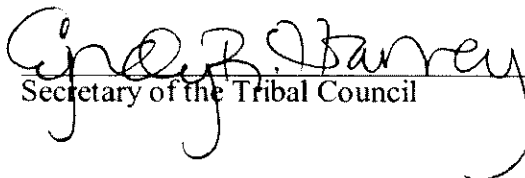
1. An Addendum to the Professional Services Agreement between the Tribe and the University of North Carolina at Chapel Hill is hereby approved.
2. The agreement shall (a) not exceed \$11,000.00; (b) include a term through September 30, 2009; (c) be subject to the terms and conditions of the CDC grant and available funds. In the event that an additional extension of the Agreement is required to complete the Scope of Work, a modification for such purpose is hereby authorized, subject to availability of funds.
3. 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.

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-Chairwoman 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.

The foregoing resolution was on February 19, 2009, adopted by a vote of SEVEN for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Sections 1 (a), (b), (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).



Chairman of the Tribal Council



Secretary of the Tribal Council

**ADDENDUM TO PROFESSIONAL SERVICE AGREEMENT
WITH THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL**

This Addendum shall apply to and become part of the attached Professional Service Agreement with the effective date of April 1, 2006 (the "Agreement") by and between the University of North Carolina at Chapel Hill ("UNC-CH") and the White Mountain Apache Tribe ("Tribe"). The Agreement is hereby amended by the addition of the following provisions thereto, which shall be deemed incorporated therein and made a part of the Agreement:

1. The contract term shall be extended one year from October 1, 2008 to September 30, 2009.
2. The expenses for Year 3 shall not exceed \$11,000.00, as detailed in the original Scope of Work.
2. In the event of any inconsistency or conflict between the provisions of the Agreement and this Addendum, the provisions of this Addendum shall govern and control.

**UNIVERSITY OF NORTH
CAROLINA AT CHAPEL HILL**

WHITE MOUNTAIN APACHE TRIBE

By: _____

By: 
Ronnie Lupe
Chairman

Date: _____

Date: 3/23/09

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 02-2009-59 initiated the 19th day of February 2009.

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

TCS Initials

Ronnie Lupe
Tribal Chairman

Date Signed

Margaret Baha Walker
Margaret Baha-Walker
Vice Chairwoman

3/5/09
Date Signed

cm TCS Initials

Arnold Beach, Sr.
District I Council Member

Date Signed

Evangeline Gatewood
Evangeline Gatewood
District I Council Member

2/24/09
Date Signed

cm TCS Initials

Victoria Brewer
Victoria Brewer
District II Council Member

2/24/09
Date Signed

cm TCS Initials

Rubert M. Lupe
Rubert Lupe, Sr.
District II Council Member

3-9-09
Date Signed

cm TCS Initials

Alvin DeClay, Sr.
District III Council Member

Date Signed

Kirk Massey Sr.
Kirk Massey, Sr.
District III Council Member

2/24/09
Date Signed

cm TCS Initials

Noland Clay
District IV Council Member

Date Signed

Wayne Coleley Jr.
Wayne Coleley, Jr.
District IV Council Member

3/5/09
Date Signed

cm TCS Initials

Reno Johnson
Reno Johnson, Sr.
District IV Council Member

3/5/09
Date Signed

cm TCS Initials

ATTEST:

Cindy R. Harvey
Cindy R. Harvey, Tribal Council Secretary

3.19.09
Date Signed