



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

**(Authorizing Payment of \$182,530.34 to the
Detention Center General Contractor Pace Pacific)**

- 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 cost to construct the Adult and Juvenile Detention and Rehabilitation Center construction budget has exceeded the projected budget by \$182,530.34; and
- WHEREAS,** the Detention Center Budget went over budget due to unforeseen errors caused by incomplete building plans prepared by project architect William B. Carnell; and
- WHEREAS,** the White Mountain Apache Tribe is seeking compensation from William B. Carnell's firm, Merry Carnell and Schlecht; and
- WHEREAS,** despite errors caused by the Detention Center architect the Tribe is contractually obligated to pay all construction pay requests within 30 days of their receipt; and
- WHEREAS,** Pace Pacific is owed a total of \$182,530.34 to complete work on the Detention Center building and to pay for work previously performed under contract.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby appropriates \$182, 530.34 to pay for Pace Pacific services that have or will be performed in order to complete the Tribe's new Adult and Juvenile Detention and Rehabilitation Center.

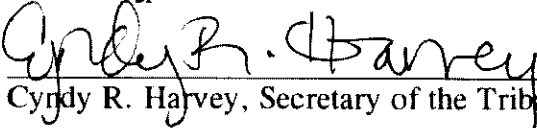
BE IT FURTHER RESOLVED by the Tribal Council that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

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 document necessary to effectuate the intent of this Resolution.

The forgoing resolution was on July 16, 2009, duly adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (c), (h), (i), (j), (k), (l), (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).



Ronnie Lupe, Chairman of the Tribal Council



Cyndy R. Harvey, Secretary of the Tribal Council