



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Intergovernmental Agreement between the White Mountain Apache Tribe and the Arizona Department of Public Safety's Crime Lab)

- WHEREAS,** an Intergovernmental Agreement between the White Mountain Apache Tribe ("Tribe") and the Arizona Department of Public Safety ("DPS"), on behalf of the White Mountain Apache Police Department ("Police Department"), for the use and support of forensic examination of evidence; and
- WHEREAS,** the DPS Crime Laboratory will provide complete forensic science services to the Police Department; and
- WHEREAS,** evidence submitted by the Police Department to DPS Crime Laboratory for forensic examination may be for prosecution in federal court and/or tribal court; and
- WHEREAS,** DPS Crime Laboratory is requesting payment for forensic services from January 1, 2018 to December 31, 2018; and
- WHEREAS,** the cost for forensic services for 1 year is \$2,151.00 to be paid in four quarterly reoccurring payments of \$537.75 or a single payment of \$2,151.00 and renewable each subsequent years after; and
- WHEREAS,** DPS shall provide necessary laboratory building facilities, all other scientific equipment, all utility and overhead cost, management oversight and laboratory operations accredited by the American Society of Crime Lab Directors/Laboratory Accreditation Board; and
- WHEREAS,** there shall be no other fees or costs charged to or by either party to this agreement concerning the purpose of the agreement set in the Intergovernmental Agreement except as agreed in writing by authorized representatives of both parties; and
- WHEREAS,** the Tribal Council finds it is in the best interest of the Tribe to enter into an agreement with the Arizona Department of Public Safety Crime Lab to conduct and complete all forensic science services as indicated and considered hereto.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the White Mountain Apache Police Department, on behalf of the Tribe, to enter into an Intergovernmental Agreement with the Arizona Department of Public Safety Crime Lab.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the White Mountain Apache Police Department to determine the source of funding to use to pay for forensic services as indicated with the tribal treasurer or appropriate funding source.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that if the one year expiration of the Intergovernmental Agreement is reached, the White Mountain Apache Tribal Police Department shall resubmit an Intergovernmental Agreement between the two parties to be approved.

Resolution No. 02-2018-53

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.

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 20, 2018** duly adopted by a vote of **EIGHT** 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 September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

	<u>2/21/18</u>		<u>2-21-2018</u>
Ronnie Lupe, Tribal Chairman	Date	Doreen T. Numkena, Tribal Secretary	Date