



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing Modification to Intergovernmental Agreement No. CTR055818 between the Emergency Preparedness Program and the Arizona Department of Health Services)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power “To negotiate, make and perform contracts and agreements of every description, not inconsistent with Federal law or [the] constitution, with any person, association, or corporation, with any municipality or any country, or with the State of Arizona or the United States, including agreements with the State of Arizona for rendition of public services”; and
- WHEREAS,** On August 5, 2020, by Resolution No. 08-2020-182, the Council approved Intergovernmental Agreement No. 2020-009 (“IGA”) between the White Mountain Apache Tribe (“Tribe”) and the Arizona Department of Health Services (“ADHS”), for provision of mutual assistance during and related to the COVID-19 pandemic; and
- WHEREAS,** IGA No. 2020-009 between the Tribe and ADHS was subsequently amended three times and approved by Council via Resolution Nos. 12-2020-311, 08-2021-158, and 02-2022-19; and
- WHEREAS,** ADHS, through the Bureau of Emergency Preparedness and Response, has proposed amending Contract No. CTR055818 (formerly IGA 2020-009) (attached and incorporated herein), between ADHS and the Tribe’s Emergency Preparedness Program, to improve the preparedness of each community on the Fort Apache Indian Reservation (“Reservation”) in the event of a public health emergency; and
- WHEREAS,** The proposed amendment revises the scope of work per 2 CFR 200.332 (see Exhibit A of Amendment No. 4, attached hereto and incorporated herein), updates the price sheet, and adds Exhibit D (Grant Deliverables); and
- WHEREAS,** The Centers for Disease Control and Prevention Public Health Emergency Preparedness Grant award requires a Tribal-match requirement of ten percent (10%) “in-kind” match; and
- WHEREAS,** The budget period 4 for this Amendment No. 4 shall be from July 1, 2022 through June 30, 2023; and
- WHEREAS,** The Director of the Division of Health Programs has reviewed the proposed amendment and recommends its approval; and
- WHEREAS,** The Council has reviewed and considered the Emergency Preparedness Program’s requests and finds that approving their request is in the best interests of the Tribe and its members.

Resolution No. 06-2023-144

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the execution of Amendment No. 4 to Intergovernmental Agreement No. CTR055818 between the Tribe and the Arizona Department of Health Services.

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 **JUNE 7, 2023** duly adopted by a vote of **TEN** 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

<u>Kasey Velasquez</u>	<u>6.9.2023</u>	<u>Vaneysa Johnson</u>	<u>06/12/2023</u>
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date