



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving 2019 Cooperative Agreement and Cooperative Fire Rate Agreement between the Tribe and Arizona Department of Forestry and Fire Management for Provision of Fire Suppression Assistance)

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... the State of Arizona for rendition of public services”; and

WHEREAS, The Arizona Department of Forestry and Fire Management (“DFFM”) enters into annual cooperative agreements with local governments and tribes for the provision of timely and organized fire suppression across the state; and

WHEREAS, The 2018 cooperative agreement between the Tribe and DFFM has expired, and the Tribe’s Forestry Department, this day, presents the draft 2019 agreement (“Agreement”) for the Council’s approval (attached and incorporate herein by reference); and

WHEREAS, Reimbursement rates for the provision of services under the Agreement are governed by the ADFFM Cooperative Fire Rate Agreement (“Rate Agreement”) (attached and incorporate herein by reference); and

WHEREAS, The Tribal Council has reviewed the Agreement and the Rate Agreement, and finds that approving them will facilitate payment to the Tribe for fire suppression services rendered to the State, and is in the best interests of the Tribe’s natural resources and members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the 2019 Cooperative Agreement and Cooperative Fire Rate Agreement between the Tribe and the Arizona Department of Forestry and Fire Management.



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.

Resolution No. 04-2019-66

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her 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 **APRIL 10, 2019** duly adopted by a vote of **TEN** for, **ZERO** against, and **ONE** 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>5/6/19</u>		<u>5/6/2019</u>
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date