

RESOLUTION NO. 119 23
OF THE GOVERNING BODY OF THE
YAVAPAI-APACHE NATION

A Resolution Approving Amendment No. 2 to the Grant Agreement Between the Yavapai-Apache Nation and The Nature Conservancy to Fund Development of a Comprehensive Farm Plan for Operation of the Nation's Cloverleaf Farm and Ranch

- WHEREAS:** The Yavapai-Apache Nation Tribal Council ("Council") is authorized to represent the Yavapai-Apache Nation and act on all matters that concern the health and welfare of the Nation, and to make decisions not inconsistent with or contrary to the Constitution of the Yavapai-Apache Nation ("Constitution") as provided by Article V (a) of the Constitution; and
- WHEREAS:** The Council is Authorized to manage all economic affairs of the Nation and to appropriate and regulate the use of the Nation's funds as provided by Article V (i) and (k), respectively, of the Constitution; and
- WHEREAS:** By Council Resolution No. 208-22, dated November 10, 2022, the Council authorized the Nation to enter into a Grant Agreement, Grant Number AZ-220728 ("Agreement"), with The Nature Conservancy ("TNC"), under which TNC agreed to provide the Nation grant funds "to Fund Development of a Comprehensive Farm Plan for Operation of the Nation's Cloverleaf Farm and Ranch (the "Project"); and
- WHEREAS:** By Council Resolution No. 91-23, dated May 24, 2023, The Nation and TNC Amended the Agreement to add additional grant funds for the Farm Plan Project; and
- WHEREAS:** The Nation and TNC wish to amend the Agreement to extend the Term of the Agreement from its current expiration date of July 14, 2023, through January 12, 2024, in accordance with the terms and conditions of Amendment No. 2 attached to this Resolution as **Exhibit A**, with all other terms and conditions of the Agreement remaining unchanged; and
- WHEREAS:** The Council finds that amending the Grant Agreement with TNC, as set forth above and in the attached Amendment No. 2 (**Exhibit A**), will provide the Nation with additional time to complete the work specified under the Agreement and that completion of the work will support more efficient operation of the Nation's Cloverleaf Farm and Ranch, and Amendment No. 2 is therefore in the Nation's best interests.

NOW THEREFORE BE IT RESOLVED that the Yavapai-Apache Tribal Council, in Council assembled, at which a quorum is present, hereby approves Amendment No. 2 to the Nation's Grant Agreement with The Nature Conservancy, as specified hereinabove and in accordance with the Terms and Conditions of the Amendment No. 2 attached to this Resolution as **Exhibit A** and incorporated herein by reference.

BE IT FINALLY RESOLVED that the Chairwoman, and Vice-Chairman, or either of them, are hereby authorized to take such further action as deemed necessary to carry out the intent and purposes of this Resolution.

CERTIFICATION

I hereby certify that the foregoing resolution was adopted by an affirmative vote of the Tribal Council, with a quorum in attendance, presented for approval on July 11, 2023, by a vote of 9, 9 in favor, 0 opposed and 0 abstaining, pursuant to the authority contained under the Constitution of the Yavapai-Apache Nation.


Tanya Lewis, Chairwoman

ATTEST:



Karla Reimer, Council Secretary

Approved as to Form:


Office of the Attorney General

EXHIBIT A

Grant Agreement
Between
The Yavapai-Apache Nation
And
The Nature Conservancy
To Fund Development of a Comprehensive Farm Plan for Operation of the
Nation's Cloverleaf Farm and Ranch
(TNC Grant Number AZ-220728)

Amendment No. 2

July 11, 2023



Contract Number:	AZ-220728
TNC Accounting Information	
Project Name:	AZ 1 Verde River; WWF9
Project-Award-Activity #:	P102125 – F107362
Source of funds:	<input type="checkbox"/> Public Funds <input checked="" type="checkbox"/> Private funds <input type="checkbox"/> Private funds with donor restrictions <input type="checkbox"/> Private funds as match for public funds

Amendment No. 2
to Grant Agreement
between The Nature Conservancy and
Yavapai-Apache Nation

This is Amendment No. 2 to the Grant Agreement dated November 21, 2022 (the “**Original Agreement**”) between The Nature Conservancy (“**TNC**”) and Yavapai-Apache Nation (“**Grantee**”) and is effective as of the last signature date below. Capitalized terms in this Amendment have the same meaning given to them in the Original Agreement.

WHEREAS the Grantee only recently successfully engaged a contractor to provide the plans and designs specified in Attachment A and Grantee needs additional time for the work to be completed, the Parties desire to amend their Original Agreement and extend the agreement term from July 14, 2023, to January 12, 2024.

THEREFORE, in consideration of the aforementioned, the Parties hereby agree as follows:

1. Section 3 of the Original Agreement is hereby deleted and replaced with the following language:

Agreement Term. This Grant shall become effective upon final signature of TNC and Grantee and will expire on January 12, 2024.

2. **Term of Activities.** The date through which Program activities may continue is changed from June 30, 2023, to December 31, 2023 (the “**Term of the Activities**”).

3. **Reporting.** The reports schedule in Section 6 of the Original Agreement is amended as follows:

#	Description of Report	Report due date
1	Interim Programmatic Report	February 15, 2023
2	2 nd Interim Programmatic Report	On or before July 10, 2023
3	Final Programmatic Report	On or before January 12, 2024

#	Description of Report	Report due date
1	Interim Financial Report (Attachment C)	February 15, 2023
2	2 nd Interim Financial Report (Attachment C)	On or before July 10, 2023
3	Final Financial Report (Attachment C)	On or before January 12, 2024

Except as modified by this Amendment, all provisions of the Original Agreement (as previously amended, if applicable) remain in full force and effect. In the event of a conflict between the Original Agreement and this Amendment, the latter will control. Any recital or preliminary statement in this Amendment and any Attachments referred to in this Amendment are an integral part of and are incorporated by reference into this Amendment.

In consideration of the above, the Parties execute this Amendment effective as of the later date of signature below.

The Nature Conservancy

Yavapai-Apache Nation

By: (signature) _____

By: (signature)



Print Name: _____

Print Name:

Tanya Lewis,

Title: _____

Title (if applicable):

Chairwoman

Date: _____

Date:

07.11.23