



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Ratifying the 2022 Amendment to the Amended and Restated Tribal-State Gaming Compact)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power “[t]o represent the tribe and act in all matters that concern the welfare of the Tribe, and to make decision not inconsistent with or contrary to this constitution”; and
- WHEREAS,** The U.S. Congress enacted into law the Indian Gaming Regulatory Act, Public Law 100-497, 25 U.S.C. §§2701-2721 and 18 U.S.C. §§ 1166-1168, which requires a tribal-state gaming compact in order to conduct Class III Gaming on Indian lands; and
- WHEREAS,** In 2003, the Tribe entered into the Arizona Tribal-State Gaming Compact with the State of Arizona after the passage of the gaming initiative, Proposition 202, codified in part, at A.R.S. 5-601.02 (“2003 Compact”); and
- WHEREAS,** The Tribe was an active participant in the coalition negotiating the new gaming compact, with a delegation consisting of 5 Tribal Councilmembers, the Tribe’s Attorney General, and Hon-Dah Management (“WMAT Gaming Group”); and
- WHEREAS,** The Tribal Council ratified the Amended and Restated Compact (“Compact”) between the State of Arizona and the White Mountain Apache Tribe via Tribal Council Resolution No. 02-2021-36 on February 23, 2021; and
- WHEREAS,** While the White Mountain Apache Tribe, along with other Arizona tribes and the State of Arizona, signed the Compact in early 2021, the Yavapai Prescott Indian Tribe (“Yavapai Prescott”) did not sign the Compact nor did they participate in negotiations; however, they did file a lawsuit against the State of Arizona in opposition to the negotiated 2021 Amended and Restated Tribal-State Gaming Compact; and
- WHEREAS,** The court in the aforementioned lawsuit issued an Order of Stay to allow the parties to negotiate a settlement that necessitated discussions with the signatory tribes to the Compact. The signatory tribes have reached an agreement with the Yavapai Prescott Indian Tribe in order for them to also become a signatory to the Compact; and

Resolution No. 03-2022-066

WHEREAS, The signatory tribes and the State seek to amend certain provisions pursuant to Section 17 of the Compact, including the inclusion of the Yavapai Prescott Indian Tribe, into a single Compact amendment; and

WHEREAS, Understanding the importance of gaming to the Tribe, the Tribal Council finds that ratifying the 2022 Amendment to the Amended and Restated Tribal-State Gaming Compact as presented this day, is in the best interest of the Tribe and its members.

WHEREAS, Given the urgency of the matter, the Tribal Council further finds that ratifying the 2022 Amendment needs to be considered and made outside of its regularly scheduled meeting; and

WHEREAS, The Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the Tribal Council personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.



BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby ratifies the 2022 Amendment to the Amended and Restated Tribal-State Gaming Compact as presented this day.

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 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.

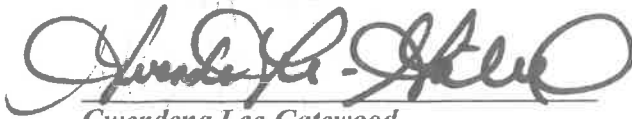
The foregoing resolution was on MARCH 29, 2022 duly adopted by a vote of SEVEN for, ZERO against, and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

 3-30-22  3-30-2022
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date

Resolution No. 03-2022-066

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No: 03-2022-066 initiated the 30th day of MARCH 2022.

Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials



Gwendena Lee-Gatewood
Tribal Chairwoman

3.30.22

Date Signed

DTN TCS Initials

_____ TCS Initials

Jerome Kasey, III
Vice Chairman

Date Signed



Arnold Beach, Sr.
District I Council Member

March 29 2022

Date Signed

DTN TCS Initials

_____ TCS Initials

Travis Tessay
District I Council Member

Date Signed



Jerald Altaha
District II Council Member

3-29-22

Date Signed

DTN TCS Initials

_____ TCS Initials

Renaldo Dazen
District II Council Member

29 March 2022

Date Signed



_____ TCS Initials

Aubrey Aday
District III Council Member

Date Signed

Alvin Declay
District III Council Member

Date Signed



Gary Alchesay
District IV Council Member

03.29.22

Date Signed

DTN TCS Initials

_____ TCS Initials

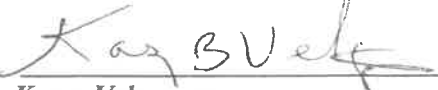


Alvena Bush
District IV Council Member

03-30-2022

Date Signed

_____ TCS Initials



Kasey Velasquez
District IV Council Member

3-29-22

Date Signed

_____ TCS Initials

ATTEST:



Doreen T. Numkena, Tribal Council Secretary

3-30-2022
Date Signed