



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Ratifying the 2021 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 decisions not inconsistent with or contrary to this constitution"; 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, As the term of the current gaming compact nears expiration, Arizona gaming and non-gaming tribes have negotiated the terms of a new Tribal-State Gaming Compact with the State of Arizona ("2021 Compact"); and

WHEREAS, The Tribe has been 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 Casino management ("WMAT Gaming Group"); and

WHEREAS, On October 30, 2020, the Tribal Council passed Resolution No. 10-2020-258 "*Ratifying the 2020 Tribal-State Gaming Compact*"; and

WHEREAS, The Tribe's Attorney General and Hon-Dah Casino management this day presents the 2021 Amended and Restated Tribal-State Gaming Compact to the Council and recommends its ratification by the Tribe; and

WHEREAS, Understanding the importance of gaming to the Tribe, the Tribal Council finds that ratifying the 2021 Amended and Restated Tribal-State Gaming Compact will help the Tribe sustain its gaming operations and is in the best interest of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby ratifies the 2021 Amended and Restated Tribal-State Gaming Compact, provided that the final version is substantially consistent with the draft 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.

Resolution No. 02-2021-36

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 **FEBRUARY 23, 2021** duly adopted by a vote of **ELEVEN** 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).



Gwendena Lee-Gatewood, Chairwoman

3/1/2021

Date



Doreen T. Numkena, Tribal Secretary

3-1-2021
Date