



Cher-Ae Heights Indian Community of the Trinidad Rancheria



CHER-AE HEIGHTS INDIAN COMMUNITY OF THE TRINIDAD RANCHERIA RESOLUTION OF THE TRIBAL COUNCIL

RESOLUTION NO: TC 18-18

SUBJECT: Agreement by and between the County of Humboldt and the Cher-Ae Heights Indian Community of the Trinidad Rancheria pertaining to the provision of County law enforcement services in the Trinidad Rancheria and the reimbursement of related costs, and the limited waiver of sovereign immunity included therein.

WHEREAS: The Cher-Ae Heights Indian Community of the Trinidad Rancheria (Tribe) is a federally recognized Indian Tribe located in California and has a government-to-government relationship with the United States of America; and

WHEREAS: The enumerated powers of the Tribal Council of Cher-Ae Heights Indian Community Tribal Council of the Trinidad Rancheria ("Tribal Council") to govern affairs of the Tribe are set forth in the Tribe's Constitution; and

WHEREAS: Article VI of the Tribe's Constitution authorizes the Tribal Council to negotiate, contract, or conclude agreements with local governments, and authorizes the Tribal Council to approve limited waivers of sovereign immunity from suit in contracts; and

WHEREAS: the Tribal Council, at its meeting held on August 27, 2018, approved an Agreement by and between the County of Humboldt (County) acting by and through the County's sheriff's office ("Sheriff") and the Tribe ("Agreement") to collaborate with the County for the provision of County law enforcement services in the Trinidad Rancheria and to reimburse the County for certain itemized costs, as set forth in the Agreement, pertaining to a deputy recruit, who shall be sent by the County to the College of the Redwoods Basic Police Academy and the Sheriff's Office Field Training Program with the understanding that the deputy recruit shall ultimately serve as a deputy sheriff and provide law enforcement services to the Trinidad Rancheria pursuant to a subsequent agreement, which the County and the Tribe shall negotiate and execute; and



WHEREAS: The Tribal Council, through officers of the Tribal Government, negotiated the terms and conditions of the Agreement for the purposes of enhancing the County law enforcement services provided to the Trinidad Rancheria, and the Tribal Council approves this Agreement specifically to serve those purposes; and

WHEREAS: The Agreement preserves the Tribe's sovereign immunity except as set forth in the limited waiver of sovereign immunity included in the Agreement, which grants a limited waiver of the Tribe's sovereign immunity and consents to suit filed in certain defined courts by certain defined claimants for certain expressly defined "covered claims," which are subject to certain limited remedies; and

WHEREAS: The Tribe's limited waiver of sovereign, included in the Agreement, shall be enforceable only as to covered claims arising during the effective period of the Agreement; and

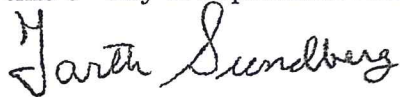
WHEREAS: This resolution and the Agreement signed by Tribal Chairman Garth Sundberg on August 27, 2018, which is attached hereto as an exhibit to this resolution, have been presented for reaffirmation by the Tribal Council via Poll Vote Procedures.

NOW THEREFORE BE IT RESOLVED: That the Tribal Council, exercising its authority under the Tribe's Constitution, hereby: (i) reaffirms its approval of the attached Agreement; and (ii) expressly approves the limited waiver of sovereign immunity set forth in the attached Agreement, subject to the express terms, conditions, and limitations included therein.

CERTIFICATION

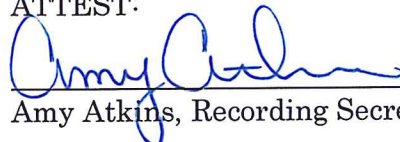
This is to certify that Resolution TC-18-18 was approved through a Poll Vote of the Tribal Council, at which a quorum was present, and that this Resolution was adopted by a vote of 4 in favor, 0 opposed, and 0 abstaining.

Dated this 6th day of September 2018,



Garth Sundberg, Chairperson

ATTEST:



Amy Atkins, Recording Secretary