



YUROK TRIBE

190 Klamath Boulevard • Post Office Box 1027 • Klamath, CA 95548



RESOLUTION

of the

YUROK TRIBAL COUNCIL

RESOLUTION NO: 18-52

DATE APPROVED: August 23, 2018

SUBJECT: Limited waiver of sovereign immunity in favor of Humboldt County relating to Memorandum of Understanding for the police cross-deputization (Herein out "Agreement")

WHEREAS: The Yurok Tribe is a federally recognized Tribe; and

WHEREAS: The Yurok Tribal Council is the governing body of the Yurok Tribe under the authority of the Yurok Constitution of 1993; and

WHEREAS: The Yurok Tribe is eligible for all rights and privileges afforded to federally recognized Tribes, including but not limited to, the rights and privileges afforded under the Hoopa-Yurok Settlement Act; and

WHEREAS: The Yurok Tribe authorized entering into an Agreement with the County of Humboldt and the Sheriff of Humboldt County (Sheriff) by approving Council Agenda Item OTA 18-060, authorizing cross-deputization of Yurok Tribe Police Officers by the Sheriff's Office; and

WHEREAS: Section 19 of the Agreement requires that the Tribe authorize a limited waiver of sovereign immunity for purposes of indemnification of the County of Humboldt for action related to performance of law enforcement duties by the Yurok Tribe's personnel performed independently and for such performance performed at the request of the Sheriff; and

WHEREAS: The Yurok Tribal Council, in order to effectuate the limited waiver of sovereign immunity, must approve the limited waiver in the manner required by the Yurok Constitution for major actions and must "unequivocally and specifically" express the limited waiver in accordance with the Yurok Tribe Supreme Ordinance; and

WHEREAS: The Yurok Tribe Supreme Ordinance only permits limited waivers and requires that "[i]n no case is there a waiver of sovereign

immunity for monetary damages, interest damages, punitive damages
exemplary damages or attorney fees:"

NOW THEREFORE BE IT RESOLVED: That the Yurok Tribal Council approves the execution of the Agreement with the County of Humboldt and the Sheriff for the cross-deputization of Yurok Police Officers and the limited waiver of sovereign immunity as set forth in Section 19 of that Agreement, in accordance with the Yurok Constitution and Supreme Ordinance.

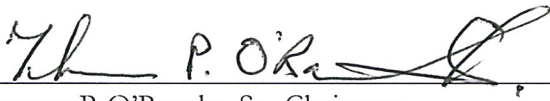
BE IT FURTHER RESOLVED: That the Chairperson is hereby authorized to execute the Agreement attached to this resolution and any amendments or changes thereto.

BE IT FURTHER RESOLVED: That the Chairperson is hereby authorized to sign this resolution and to negotiate all matters pertaining hereto and that the Council Secretary is authorized to attest.

C*E*R*T*I*F*I*C*A*T*I*O*N

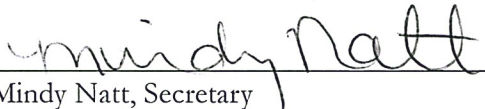
This is to certify that this Resolution was approved at a duly called meeting of the Yurok Tribal Council on August 23, 2018, at which a quorum was present and that Resolution Number 18-52 was adopted by a vote of 6 for and 0 opposed and 0 abstentions in accordance with The Constitution of the Yurok Tribe. This Resolution Number 18-52 has not been rescinded or amended in any way. 2 Not Present

DATED THIS 23 DAY OF AUGUST 2018



Thomas P. O'Rourke, Sr., Chairman
Yurok Tribal Council

ATTEST:



Mindy Natt, Secretary
Yurok Tribal Council