

AGNES GONZALEZ
TRIBAL CHAIRPERSON

MORNING STAR GALI
VICE-CHAIRPERSON

JOLIE GEORGE
TRIBAL SECRETARY



BETTY GEORGE
RECORDING SECRETARY

ALEXANDRO URENA
TRIBAL TREASURER

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ELEVEN AUTONOMOUS BANDS

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ATWAMSINI

SPECIAL CALLED VOTING TRIBAL MEMBERSHIP MEETING

HAMMAWI

Meeting Date: Saturday July 29, 2023
Meeting Time: Starts at 10 AM **Doors open at 8 a.m.**
Meeting Location: VFW Hall 37392 CA HWY 299 E Burney CA 96013
Subject Matter: The following issues will be voted on:

ATSUGEWI

ISSUE #1 Resolution to Delegate Authority to Pit River Tribal Council to Grant Limited Waivers of Sovereign Immunity for California Department of Housing and Community Development Program Funding

HEWISEDAWI

ISSUE #2 Resolution of Voting Membership to Delegate Authority to Pit River Tribal Council to Grant Limited Waivers of Sovereign Immunity Pursuant to a Limited Waiver of Sovereign Immunity Ordinance

ASTARAWI

ISSUE #3 Resolution of the Voting Membership to Delegate Authority to Pit River Tribal Council to Grant Limited Waivers of Sovereign Immunity for a Period of Five (5) Years

ILIMAWI

Tribal sovereign immunity, an aspect of Tribal sovereignty, is an important protection for Tribal assets and resources, but it can at times be an impediment to commercial transactions. Many potential business partners of the Tribe are reluctant to enter into contracts unless Tribal sovereign immunity is waived, thereby allowing recourse in the event of tribal default or breach of contract.

A longstanding goal of the Pit River Tribe is to develop additional tribal housing and economic development enterprises in order to generate revenue for the Tribe and its citizens. In order to enter into contracts for financing such developments, the Tribe must enter into contracts with lenders, contractors, architects, and related vendors. Those entities will want to ensure that the contracts are enforceable and they will get paid for the services rendered to the Tribe.

APORIGE

Suits against Indian tribes, including subordinate entities of tribal government are barred by sovereign immunity absent a clear waiver by the Tribe or congressional abrogation. A limited waiver of sovereign immunity is a signed document from the Tribe to a vendor or contractor that allows that vendor or contractor to bring suit against the Tribe, or the named subordinate entity, if needed to enforce elements in a contract. A limited waiver of sovereign immunity **IS NOT** a waiver of the Tribe's sovereignty, but it is an exercise of the Tribe's sovereignty.

ITSATAWI

AJUMAWI

A limited waiver of sovereign immunity will need to include a narrowly defined enforceable dispute resolution mechanism that does not weaken the power of the tribe or open the tribal treasury to unlimited liability. If approved by a vote of the general membership, Tribal Council will be authorized to offer limited waivers of sovereign immunity, limited in scope, and only as set forth in the proposed resolutions.

KOSEALEKTE

MADESI

Most tribes across the State have delegated the power to enter into a limited waiver of tribal sovereign immunity to their governing body in order to conduct the day-to-day business of the Tribe. The Tribal Council is now at a time where a waiver is required to obtain funding from the California Department of Housing and Community Development to build an emergency operations facility in Alturas. Since the process for approving a limited waiver of sovereign immunity under the Pit River Tribe's Constitution requires a vote of the tribal membership, the Tribal Council is seeking that approval under Issue #1 listed above.

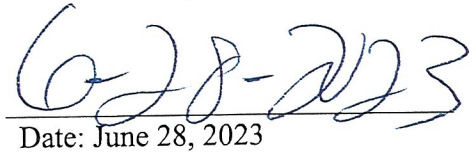
The Tribal Council also has other funding opportunities from state and private funding sources where a limited waiver of tribal sovereign immunity will be required. The Tribal Council has prepared a tribal ordinance that delegates the power to grant a limited tribal sovereign immunity waiver, which can be brought back to the Voting Membership if there are concerns about the actions taken under the Ordinance. Specifically, the Ordinance can be revoked or amended to limit the powers granted in the Ordinance. The Tribal Council is seeking approval for the resolution approving the Limited Waiver of Sovereign Immunity Ordinance in Issue #2.

Finally, if the Voting Membership does not approve the proposed Limited Waiver of Sovereign Immunity Ordinance in Issue #2, the Tribal Council seeks authorization by the Voting Membership to delegate the power to grant a limited waiver of sovereign immunity to the Tribal Council for five (5) years. This limited delegation of the power to grant a limited waiver of sovereign immunity would be for a limited time and allow the Voting Membership to become accustomed to the Tribal Council having the power to approve contracts that include a limited waiver of tribal sovereign immunity without having to bring each contract to the Voting Membership for approval each time. This would allow the Tribal Council to pursue funding for important tribal housing and land acquisition grant funding that is currently available, and to begin the process for developing new tribal economic development ventures to generate revenue for the Tribe and its citizens. The Tribal Council is seeking approval for the resolution approving the delegation of power for this limited purpose for five (5) years in Issue #3.

*****INFORMATION ON EACH PROPOSAL IS AVAILABLE ON THE TRIBE'S WEBSITE*****

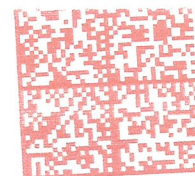
Must provide either form of identification to vote: State issued ID, Military ID and/or Tribal ID


Jolie George, Tribal Secretary


Date: June 28, 2023



Pit River Tribe
36970 Park Ave
Burney CA 96013



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