



# SQUAXIN ISLAND TRIBE

## RESOLUTION NO. 22-06

of the

## SQUAXIN ISLAND TRIBAL COUNCIL

**WHEREAS**, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965, as amended; and

**WHEREAS**, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources and rights of the Tribe; and

**WHEREAS**, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; and

**WHEREAS**, the Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and

**WHEREAS**, the Tribal Council wishes to enter into an Outdoor Classroom Participation Agreement with the State of Washington's Division of Children, Youth and Families ("DCYF") to safeguard and promote the health, safety and well-being of the children receiving child care and early learning assistance, pursuant to RCW 43.216.020(1)(e); and

**WHEREAS**, such agreement contains a limited waiver of sovereign immunity, and Tribal Council has not delegated the authority to grant contractual or other waivers of sovereign immunity and therefore must individually approve each waiver by binding council action; and

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**NOW THEREFORE BE IT RESOLVED**, the Tribal Council grants authorization to enter into the agreement with a limited a waiver of sovereign immunity to the waiver stated in Section 5 (B), and reads as follows:

B. Squaxin agrees to waive its sovereign immunity from suit for the limited purpose of permitting the State of Washington to enforce the terms of this Agreement in the Washington State Office of Administrative Hearings or the Superior Court of Washington under Washington state law. This limited waiver of sovereign immunity is solely for the benefit of the State. This limited waiver of sovereign immunity shall not be for, nor shall it be construed as for, the benefit of any other person or entity, and Squaxin does not waive its immunity with respect to any action brought by, or on behalf of, any other entity or person. For the limited purposes described in this Section (Section 5. Sovereign Immunity) only, Squaxin does hereby waive its right to sovereign immunity and its right to assert sovereign immunity status or defense in the courts of the State of Washington or the Administrative Tribunals of the State of Washington.

**NOW THEREFORE BE IT FINALLY RESOLVED**, that the Tribal Council hereby authorizes Kris Peters, Tribal Chair, to do any and all accounts necessary to effect execution and implementation of an agreement in substantially the same form as the attached subject to those conditions stated herein.

#### CERTIFICATION


The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 27th day of January, 2022, at which time a quorum was present and was passed by a vote of 6 for and 0 against, with 0 abstentions.



Kristopher K. Peters (Jan 27, 2022 16:08 PST)

**Kris Peters, Chairman**

Attested by:

  
Patrick Braese (Jan 27, 2022 15:49 PST)

**Patrick Braese, Secretary**



Charlene Krise (Jan 27, 2022 18:08 PST)

**Charlene Krise, Vice Chairman**












# SIT - WA DCYF Agreement Outdoor Classroom

Final Audit Report

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