



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 15-02

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; **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 the tribal members, and with 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;

WHEREAS, the Squaxin Island 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, public transportation is an ongoing need in rural areas where the Squaxin Island Tribe operates the Squaxin Transit Program, a free community transit service for Squaxin and non-Squaxin riders in Mason, Grays Harbor and Thurston Counties, connecting with Mason County Transit Authority and Grays Harbor Transit; **and**

WHEREAS, the Squaxin Island Tribal Council remains committed to support Squaxin Transit, ensuring that everyone has reliable transportation and access to opportunities leading to successful employment, improved quality of life, and self-sufficiency; **and**

WHEREAS, the Tribe was awarded a transit operating grant of \$150,000 from Washington State Department of Transportation that will required Council to issue a limited waiver of sovereign immunity, **and**

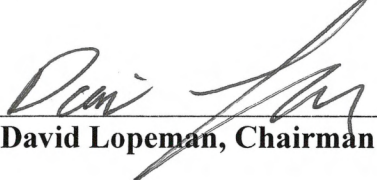
NOW THEREFORE BE IT RESOLVED, the Council hereby agrees to enter into the attached agreement and to issue the following limited waiver of sovereign immunity per Section 46 of the contract:

The TRIBE expressly waives its sovereign immunity from suit with respect to the obligations that arise out of this AGREEMENT; PROVIDED, however, that the waiver is limited as follows: (A) the waiver is granted solely in favor of WSDOT and solely with respect to the obligations arising directly out of this AGREEMENT; (B) any monetary recovery under the waiver may be exercised solely against the proceeds of insurance available to the TRIBE; and (C) the waiver may be exercised solely for the purpose of compelling arbitration or enforcing a judgment received in arbitration under this AGREEMENT. The PARTIES agree that nothing in this AGREEMENT or any related document shall be construed as or deemed a waiver of the TRIBE's sovereign immunity, except as specifically stated in this Section 46.

BE IT FURTHER RESOLVED, that the Tribal Council hereby authorizes the Tribal Chairman, the Tribal Administrator, or Director of Operations to be the Tribe's signatory to do any and all accounts necessary to effect execution of the Agreement regarding the 2015-2017 biennium State/Federal Tribal Operating Grant.

CERTIFICATION


The Squaxin Island Tribal Council does hereby certify that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 8 day of October at which time a quorum was present and was passed by a vote of 5 for and 0 against with 0 abstentions.



David Lopeman, Chairman



Arnold Cooper, Vice Chairman



Charlene Krise, Secretary