

**UPPER MATTAPONI TRIBE
RESOLUTION NO. 2024-07**

**AUTHORITY TO ENTER INTO EXCLUSIVITY AGREEMENTS FOR
ECONOMIC DEVELOPMENT**

At a duly called Meeting of the Council held this 13th day of March 2024, the following Resolution was adopted.

WHEREAS; the Council is vested with the authority to enact laws pursuant to Article VII, Section 4(a) of the Constitution of the Upper Mattaponi Tribe (“Constitution”); and

WHEREAS; the Chief is vested with executive powers of the Upper Mattaponi Tribe (“Tribe”) pursuant to Article VIII, Section 4 of the Constitution including managing the departments and affairs of the Tribe and executing, administering, and enforcing of the laws, regulations and resolutions of the Tribe; and

WHEREAS, the Tribe is interested in working with and partnering with outside entities and other tribal governments to explore and engage in economic development opportunities that would advance the interests of the Tribe; and

WHEREAS, engaging with outside business entities and other tribal governments may require entering into exclusivity or other agreements that may include limited waivers of the Tribe’s sovereign immunity necessary to enforce those agreements in order to allow for joint preparation of economic development proposals and exploration of economic development opportunities.

NOW THEREFORE BE IT RESOLVED, the Council hereby approves exploring and engaging in partnerships and agreements with outside entities and other tribal governments to pursue economic development opportunities in the interests of the Tribe and its members.

BE IT FURTHER RESOLVED, the Council authorizes the Chief to execute exclusivity or other agreements, including limited waivers of sovereign immunity necessary to enforce those agreements, to implement the objectives of this Resolution.

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

The foregoing resolution was duly voted upon by the Council on March 13, 2024, at a Regular Meeting with a vote of 5 in favor and 1 opposed, 0 abstaining, and 1 absent, pursuant to the authority vested in the Council by the Constitution of the Tribe.



Secretary of the Council

COUNCIL - RESOLUTION NO. ²⁰²⁴ 07:

SPONSOR: O. Adams

CO-SPONSOR(S): S. Knighton

| REPRESENTATIVES | YES | NO | ABSTAIN | ABSENT |
|-----------------|-----|----|---------|--------|
| Rob Adams | ✓ | | | |
| Ken Adams | | ✓ | | |
| Wilma Hicks | ✓ | | | |
| Sonny Knighton | ✓ | | | |
| Desiree Dyer | ✓ | | | |
| Owen Adams | ✓ | | | |
| Kenny Adams | | | | ✓ |

ASSISTANT CHIEF: (Authorized to break tie votes only): _____

DELIVERY OF THE RESOLUTION AND LAW TO THE CHIEF

Resolution No. ²⁰²⁴⁻⁰⁷ _____ was presented to the Chief of the Upper Mattaponi Tribe on the ^{29th} day of March 2024, pursuant to the Article VII, Section 5(f) of the Constitution of the Upper Mattaponi Tribe, and will become effective after signature by the Chief or veto override by the Council.

W. Hicks for R. Adams
Speaker of the Council

CHIEF'S ACTION:

- APPROVED
- VETO - RETURNED TO COUNCIL WITH EXPLANATION:

On this 29 day of MARCH, 2024.

W. Frank Adams
Chief

Presented by the Chief to the Council on the ___ day of _____, 20__.

COUNCIL'S ACTION:

Override of Chief's veto:

- YES
- NO

| REPRESENTATIVES | YES | NO | ABSTAIN | ABSENT |
|-----------------|-----|----|---------|--------|
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CERTIFICATION

The foregoing resolution was duly voted upon by the Council on this ___ day of March 2024, at a meeting with a vote of ___ in favor and ___ opposed, and ___ abstaining, and ___ absent pursuant to the authority vested in the Council by the Constitution of the Upper Mattaponi Tribe.

Speaker of the Council

Section 1.1 Short Title

This enactment shall be known as the “AUTHORITY TO ENTER INTO EXCLUSIVITY AGREEMENTS FOR ECONOMIC DEVELOPMENT” (“Act”).

Section 1.2 Purpose

The purpose of this Act is to authorize the Chief to enter into exclusivity agreements for economic development purposes, and to authorize limited waivers of sovereign immunity for the sole purpose of enforcing such agreements.

Section 1.3 Findings

The Council hereby finds that:

(a). The Tribe is interested in working with and partnering with outside entities and other tribal governments to explore and engage in economic development opportunities that would advance the interests of the Tribe; and

(b). Engaging with outside business entities and other tribal governments may require entering into exclusivity or other agreements that may include limited waivers of the Tribe’s sovereign immunity necessary to enforce those agreements in order to allow for joint preparation of economic development proposals and exploration of economic development opportunities.

Section 1.4 Authorizations

(a). The Council hereby authorizes the Chief to explore and engage in partnerships and agreements with outside entities and other tribal governments to pursue economic development opportunities in the interests of the Tribe and its members.

(b). The Council hereby authorizes the Chief to execute exclusivity or other agreements, including limited waivers of sovereign immunity necessary to enforce those agreements, to implement the objectives of this Act.