

NINTH LEGISLATURE
OF THE
CHEYENNE AND ARAPAHO TRIBES
SPECIAL SESSION
SEPTEMBER 29, 2022
LCR, CONCHO, OK

RESOLUTION: A Resolution to Amend Resolution # 9L-SS-2022-0518-002 - Authorize Governor Wassana or other designee to execute any and all documents with BancFirst

RESOLUTION NO: 9L-SS-2022-0929-007
DATE INTRODUCED: September 22, 2022
SPONSOR: Travis Ruiz, Arapaho District 3
CO-SPONSOR: Bruce Whiteman Jr., Cheyenne District 1

SUBJECT: A Resolution to Authorize Governor Wassana or other designee to execute any and all documents with BancFirst

WHEREAS: The Cheyenne and Arapaho Tribes are a federally recognized Indian tribe organized pursuant to a Constitution approved by tribal membership on April 4, 2006 and approved by the Secretary of the Interior; and

WHEREAS: Article VI, Section 5(a) of the Constitution provides that Legislative power shall reside with the Legislature; and

WHEREAS: Article VI, Section 5(a) of the Constitution grants the Legislature the “power to make all laws and resolutions in accordance with the Constitution which are necessary and proper for the good of the Tribes;” and

WHEREAS: Article V, Section VII, Section 4(d) provides that no contract shall be valid which has not been previously authorized by the Tribal Council or Legislature; and

WHEREAS: The Legislature has the Constitutional obligation and public responsibility to the Tribes to oversee the Tribes’ operations in order to establish and promote justice, establish guidance and direction for the government and advance the general welfare of the Tribes; and

WHEREAS: This Resolution states certain powers and authority to Officials and/or Agents of the Cheyenne and Arapaho Tribes, as more fully stipulated below, to the following Officials and/or Agents of the Cheyenne and Arapaho Tribes:

- A. Reggie Wassana, Governor
- B. Gilbert Miles. Lt. Governor
- C. Easton Yellowfish, Treasurer
- D. Stephanie Black, Lucky Star Casino CFO – Stephanie Black shall be authorized as a designee for Lucky Star Casinos accounts only.**

NOW THEREFORE BE IT RESOLVED that the Ninth Legislature of the Cheyenne and Arapaho Tribes approves and authorizes the following powers are granted to the above-cited individuals by placing the letter corresponding to their name in the area before each power:

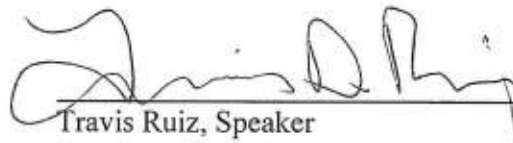
- A. Exercise all of the powers listed in this resolution.
- B. Open any deposit or share account(s) in the name of the Cheyenne and Arapaho Tribes and Lucky Star Casinos
- C. Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution
- D. Borrow money on behalf and in the name of the Tribes, sign, execute and deliver promissory notes or other evidences of indebtedness
- E. Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the Tribes and/or Lucky Star Casinos as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment
- F. Enter into a written lease for the purpose of renting, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution.

Be it Finally Resolved that the Cheyenne and Arapaho Tribes agrees to the following provisions:

- 1) BancFirst is designated as a depository for the funds of the Cheyenne and Arapaho Tribes and Lucky Star Casinos and to provide other financial accommodations indicated in this resolution.
- 2) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by BancFirst. Any and all prior resolutions adopted by the Cheyenne and Arapaho Tribes and certified to BancFirst as governing the operations of this Cheyenne and Arapaho Tribes account(s) are in full force and effect until Banc First receives and acknowledges an express written notice of its revocation, modification, or replacement. Any revocation, modification, or replacement of a resolution must be accompanied by documentation, satisfactory to Banc First, establishing the authority for the changes.
- 3) The signature of an Officer or Agent on this resolution is conclusive evidence of their authority to act on behalf of the Cheyenne and Arapaho Tribes and Lucky Star Casinos. Any Officer or Agent, so long as they act in a representative capacity as an Officer or Agent of the Cheyenne and Arapaho Tribes and Lucky Star Casinos, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with BancFirst, subject to any restrictions on this resolution or otherwise agreed to in writing.
- 4) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Cheyenne and Arapaho Tribes with BancFirst prior to the adoption of this resolution are hereby ratified, approved and confirmed.
- 5) The Cheyenne and Arapaho Tribes agree to the terms and conditions of any account agreement, properly opened by any Officer or Agent of the Cheyenne and Arapaho Tribes. The Cheyenne and Arapaho Tribes authorizes BancFirst, at any time, to charge the Cheyenne and Arapaho Tribes for all checks, drafts, or other orders, for the payment of money, that are drawn on BancFirst, so long as they contain the required number of signatures for this purpose.

- 6) The Cheyenne and Arapaho Tribes acknowledges and agree that BancFirst may furnish at its discretion automated access to devices to Officers and/or Agents of the Cheyenne and Arapaho Tribes and Lucky Star Casinos to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.
- 7) The Cheyenne and Arapaho Tribes acknowledge and agree that BancFirst may rely on alternative signature and verification codes issued to or obtained from the Officer or Agent named on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with BancFirst, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Cheyenne and Arapaho Tribes with BancFirst from time to time) BancFirst is authorized to treat the facsimile signature as the signature of the Officer(s)/Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Cheyenne and Arapaho Tribes authorizes each Officer and/or Agent to have custody of the Cheyenne and Arapaho Tribes' and Lucky Star Casinos private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. BancFirst shall have no responsibility of liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.
- 8) The Cheyenne and Arapaho Tribes hereby authorizes and approves the limited waiver of Sovereign Immunity not to exceed \$100,000 set forth in the Treasury Management Services Agreement

NOW BE IT FINALLY RESOLVED, that the Cheyenne and Arapaho Tribes Governor or designee is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.



Travis Ruiz, Speaker
Speaker of the Ninth Legislature
Cheyenne and Arapaho Tribes

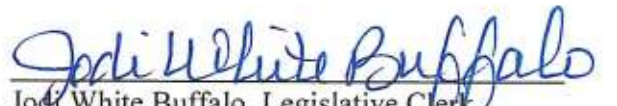


ATTEST:

I, Jodi White Buffalo, Legislative Clerk, hereby certify that the foregoing is a True and Accurate Copy of the Original Bill No. 9L-SS-2022-0929-007 which was acted upon by the Legislature of the Cheyenne and Arapaho Tribes in the Ninth Legislature Special Session, by a roll call vote on the 29th day of September 2022, by a vote.

VOTE RECORD:

DISTRICT	LEGISLATOR	YES	NO	ABSTAIN	ABSENT
A1	Diane Willis	✓			
A2	Kendricks Sleeper				✓
A3	Travis Ruiz	✓			
A4	Rector Candy				✓
C1	Bruce Whiteman Jr.	✓			
C2	George Woods	✓			
C3	Darrell Flyingman				✓
C4	Byron Byrd	✓			
TOTAL		5			3
Passes (X) Fails () Tabled () Allowed to Die () No Action ()					


Jodi White Buffalo, Legislative Clerk
Ninth Legislature, Cheyenne and Arapaho Tribes



ATTEST:


Pursuant to Article VI, Section 7, subsection (a)(iv) of the Tribes Constitution reads in part: "All Bills passed by the Legislature shall be presented to the Governor for signature or veto. All laws shall take effect thirty days after signature by the Governor or veto override by the Legislature unless any Member of the Tribes submits to the Coordinator of the Office of Tribal Council a petition signed by at least one hundred fifty Members of the Tribal Council seeking to repeal the law or resolution at the next Tribal Council meeting. If the Tribal Council fails to repeal such law or resolution at the next Tribal Council where the matter has been properly placed on the agenda for the Tribal Council meeting, such law or resolution shall become effective immediately."

Pursuant to Article VII, Section 4, subsection (g) of the Tribes Constitution reads: "The Governor shall have the power to sign any enactment passed by the Legislature into law or to veto any enactment passed by the Legislature within ten (10) days of passage with a written explanation of any objections; and if the Governor takes no action within ten (10) days, then the enactment shall become law in accordance with this Constitution."

{ } APPROVED

{ } VETOED: Attachment ____; Governor's written explanation of any objections.

On the 29th day of September, 2022.



Reggie Wassana, Governor
Cheyenne and Arapaho Tribes



**TRANSMITTAL OF DOCUMENTS:
From the Legislative Branch to the Office of Records Management**

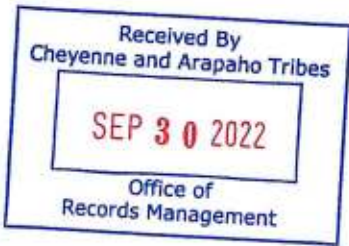
ATTEST:

Pursuant to Article VI, Section 7, subsection (a)(v), of the Tribes Constitution reads, "The Office of Records Management shall compile all Laws and Resolutions into a comprehensive Code in an orderly manner that shall be published annually."

Office of Records Management Staff, hereby certify that the foregoing is a True and Accurate Original Resolution No. 9L-SS-2022-0929-007.

Space below is reserved for Stamp:

Received (Date) Office of Record Management



Signature: *Arienne Ortega*
Print Name: Arienne Ortega
Title: records clerk I
Date: 9/30/22

Office of Records Management
Department of Administration, Executive Branch
Cheyenne and Arapaho Tribes

