

**KIOWA TRIBE
KIOWA INDIAN COUNCIL MEETING
JUNE 21, 2025
RED BUFFALO HALL, CARNEGIE, OK
RESOLUTION NUMBER: KIC-CY-0004-2025**

DATE RECEIVED: 05/05/2025 POSTED: 05/22/2025 DATE APPROVED: _____

SUBJECT: A RESOLUTION OF THE KIOWA INDIAN COUNCIL AUTHORIZING THE CHAIRMAN OF THE KIOWA TRIBE AND THE CHAIRMAN OF THE KIOWA CASINO OPERATIONS AUTHORITY (“KCOA”) TO NEGOTIATE AND EXECUTE LOAN AGREEMENT FOR EXPANSION OF KIOWA CASINO & HOTEL AND GRANT A LIMITED WAIVER OF SOVEREIGN IMMUNITY TO PERMIT THE ENFORCEMENT OF LOAN OBLIGATIONS OF THE KCOA.

WHEREAS: The Kiowa Tribe is a sovereign nation since time immemorial and is federally recognized as a Tribal Government by the United States; and

WHEREAS: The Kiowa Tribe is organized under the Constitution approved by tribal membership on April 17, 2017, and approved by the Secretary of the Interior; and

WHEREAS: Article V, Section 3(b)(ii) of the Constitution grants the Kiowa Indian Council the power to authorize the Chairman of the Kiowa Tribe to enter into treaties, compacts, or contracts, including the power to waive sovereign immunity; and

WHEREAS: The Kiowa Indian Council is the governing body with authority to approve financial matters related to tribal enterprises, including Kiowa Casino & Hotel; and

WHEREAS: The Kiowa Casino & Hotel, under the management of the Kiowa Casino Operations Authority (KCOA), has demonstrated significant growth and economic contribution to the Kiowa Tribe, providing revenue, employment opportunities, and community development; and

WHEREAS: The expansion of the Kiowa Casino & Hotel, including additional hotel rooms, gaming floor space, amenities, and infrastructure improvement, is projected to increase revenue, enhance guest experiences, and strengthen the Tribe’s long-term economic sustainability; and

WHEREAS: A loan in the amount of Thirty-Five Million Dollars (\$35,000,000) is necessary to complete the project, including design, construction, furniture, fixtures, equipment, and related expenses.

NOW, THEREFORE, BE IT RESOLVED, that the Kiowa Indian Council hereby authorizes the Chairman of the Kiowa Tribe and the Chairman of the KCOA to negotiate and

execute a new loan agreement to finance the expansion of the Kiowa Casino & Hotel, in total amount not to exceed Thirty-five Million Dollars (\$35,000,000) and which loan agreement may include: (1) limited waiver of sovereign immunity to permit enforcement of the loan obligations of the KCOA against only the assets of the KCOA, and that will not permit any enforcement against assets owned in the name of the Kiowa Tribe, (2) an authorization for the Chairman of the Tribe and the Chairman of the KCOA to execute loan documents, the terms of which are in accordance with this resolution, (3) an authorization for the KCOA to sue and be sued in the KCOA's name, (4) an authorization of the KCOA to consent to the exercise of jurisdiction over any suit or action arising under the loan agreements to be approved hereunder by the courts of the Kiowa Tribe or any court to which appeals from the foregoing courts may be taken, (5) a consent to binding arbitration or litigation or any other form of dispute resolution as a means for resolving any disputes arising under any loan agreements approved in accordance with this resolution; and (6) the foregoing limited waiver of sovereign immunity, authorizations, and consents shall be for the duration of the loan agreement, as the term of such loan agreement and loan documents may be amended, extended, renewed, or otherwise modified.

BE IT FURTHER RESOLVED: That the KCOA is authorized to proceed with project implementation, including securing necessary contracts, permits, and approvals in accordance with tribal, federal, and state regulations; and

BE IT FINALLY RESOLVED: That this resolution shall take effect immediately upon its adoption by the Kiowa Indian Council.

2025 KIOWA INDIAN COUNCIL OF THE KIOWA TRIBE

Chairperson

ATTEST: _____

Secretary,
Kiowa Indian Council
KIOWA INDIAN COUNCIL, RESOLUTION NO. ____:

CERTIFICATION

The foregoing resolution was duly voted upon by the 2025 Special Meeting of the Kiowa Indian Council of the Kiowa Tribe; was present at the duly called Special Kiowa Indian Council Meeting held on the __ day of _____, 20__, and that the foregoing resolution was adopted by the affirmative vote: For: _____ Opposed: _____ Abstention: _____

Secretary, Kiowa Indian Council