

# **REDDING RANCHERIA TRIBAL GOVERNMENT POLICIES**

## **Chapter TP 2-200**

### **Win-River Governing Board**



**January 29, 2019**

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Win-River Governing Board

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#### SECTION 1: PURPOSE

The purpose of this policy is to establish a governing board for Win-River Casino and to delegate to the board such powers and authorities as deemed appropriate for the effective governance and management of the enterprise.

#### SECTION 2: BACKGROUND AND INTENT

The Tribal Council has determined that it is in the interest of the Redding Rancheria and the successful management of the Win-River Casino that it delegates certain policy and oversight decisions to a board consisting of certain members of the Tribal Council.

The operation of Win-River Casino is subject to federal and Tribal regulations, and to such California state rules as are agreed to in the compact between the Redding Rancheria and the State of California. The distribution of net revenues of the casino is subject to provisions of the Federal Indian Gaming Regulatory Act and the Redding Rancheria Gaming Distribution Ordinance.

Within the confines of these laws and regulations, the Tribal Council delegates within this policy limited powers to the Win-River Governing Board (WRGB), and reserves to itself certain powers associated with the enterprise.

#### SECTION 3: DEFINITIONS (Reserved)

#### SECTION 4: DELEGATED AUTHORITY

The Tribal Council hereby delegates the following responsibilities and authorities to the Win-River Governing Board:

- (a) Selection and appointment of the General Manager of Win-River Casino Bingo.
- (b) Provide policy guidance to the General Manager subordinate to and consistent with the Win-River Casino Bingo General Management Policies.
- (c) Approve business plans and budgets.
- (d) Select depositories and appoint signatories.

#### SECTION 5: AUTHORIZED PROGRAMS AND SERVICES (Reserved)

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SECTION 6: RETAINED AUTHORITY

The Tribal Council shall retain the following authorities:

- (a) Adopt and amend Win-River Casino Bingo General Management Policies.
- (b) Appointment of the Win-River Governing Board.
- (c) Approve financing arrangements in excess of \$100,000.
- (d) Approve limited waivers of the Tribe's sovereign immunity subject to General Membership approval.
- (e) Major construction or expansion as well as contracts with third party casino managers and land purchases shall be subject to General Membership approval.
- (f) Approve major contracts, including legal counsel and independent auditors.

SECTION 7: COMPOSITION OF THE BOARD

- (a) The Win-River Governing Board shall be managed by a board comprised of all duly elected members, including alternates, of the Tribal Council who satisfactorily complete a criminal background check.
- (b) For purposes of this section, satisfactory completion of a criminal background check shall mean that the background check discloses no felony convictions or convictions of misdemeanor crimes involving moral turpitude.
- (c) If an insufficient number of Tribal Council Members are not eligible to serve on the board, the Tribal Council may appoint other enrolled members to the board.
- (d) If a newly elected Tribal Council Member served on the Tribal Council at any time during the previous five years and had completed a successful background check during that service, the returning Tribal Council Member may sign an affidavit confirming that nothing has changed since the last background check was completed and, upon signing the affidavit, is eligible for appointment to the WRGB.
- (e) Newly elected Tribal Council members who have not served in the past five years, or did not complete a successful criminal background check during their previous service on the Tribal Council, must submit to a Live-Scan, at

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any licensed Live-Scan location, within 30 days of being elected to Council if they wish to be seated on the WRGB for that year.

#### SECTION 8: OFFICERS OF THE BOARD

The governing board shall elect from among its membership the following officers: Chairperson, Vice-Chairperson, Secretary and Treasurer.

The duties of the officers of the Win-River Governing Board shall be similar to those duties set forth for Tribal Council officers within the Redding Rancheria Tribal Policies, to the extent appropriate to the operation of Win-River Casino Bingo.

#### SECTION 9: BOARD MEETINGS

- (a) The board shall meet monthly, and at such other and required times and places as shall be announced in advance within the boundaries of the Redding Rancheria.
- (b) Meetings shall be conducted in accordance with the same general guidelines as are adopted for the Tribal Council within Tribal policies.
- (c) Members of the Tribal Council who are not members of the board may attend board meetings and shall be afforded an opportunity to speak to the board on matters that come before it.

#### SECTION 10: BOARD COMPENSATION

Unless otherwise provided by the Tribal Council, the compensation of board members for attendance at meetings shall be the same as that provided for regular members of the Tribal Council for attendance at Tribal Council meetings. Tribal Council who are not board members shall be compensated for attendance at board meetings.

#### SECTION 11: SOVEREIGN IMMUNITY

Nothing in this policy shall be construed to have waived the sovereign immunity of the Redding Rancheria, any tribal entity, department or program, or any tribal officials or employees, except as specifically and explicitly described herein.

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Legislative History:

Originally Adopted by Tribal Council Resolution #035-05-14-08 dated May 14, 2008.

Amended by Tribal Council Resolution #053-06-02-09 dated June 02, 2009.

Amended by Tribal Council Resolution #007-01-29-19 dated January 29, 2019.