

**RESOLUTION NO. 127 -22**  
**OF THE GOVERNING BODY OF THE**  
**YAVAPAI-APACHE NATION**

**A Resolution Authorizing the Exclusion of Alberto Raul Mendez, Jr., a Non-Member of the Nation, under Authority of the Yavapai-Apache Nation Exclusion Ordinance**

**WHEREAS:** The Yavapai-Apache Tribal Council (“Council”) is authorized to represent the Yavapai-Apache Nation (“Nation”) and act on all matters that concern the health and welfare of the Nation, and to make decisions not inconsistent with or contrary to the Constitution of the Yavapai-Apache Nation (“Constitution”) as provided under Article V(a) of the Constitution; and

**WHEREAS:** The Council is authorized to “enact ordinances providing for the removal or exclusion of any non-member” of the Nation for cause as provided by Article V (t) of the Constitution; and

**WHEREAS:** The Council, as the legislative body of the Nation, is authorized to enact laws, ordinances and resolutions incidental to the exercise of its legislative powers as provided by Article V(v) of the Constitution; and

**WHEREAS:** The Council, by Resolution No. 159-18, amended the Nation’s Exclusion Ordinance (the “Exclusion Ordinance”); and

**WHEREAS:** Section 201 of the Exclusion Ordinance authorizes the Tribal Council to file actions in Tribal Court to exclude any non-members of the Nation and further provides that “[a]ny decision by the Tribal Council to file an action in Tribal Court shall be reflected in a written resolution passed by a majority vote of the Tribal Council”; and

**WHEREAS:** The Nation’s Attorney General and the Yavapai-Apache Police Department (YAPD) have completed such investigation as is necessary under the Exclusion Ordinance to determine that grounds for exclusion exist in the matter of Alberto Raul Mendez, Jr., a non-member of the Nation and the Attorney General and YAPD jointly recommend that the Tribal Council authorize the filing in Tribal Court of an action to exclude Alberto Raul Mendez, Jr.

**NOW THEREFORE BE IT RESOLVED** that the Yavapai-Apache Tribal Council, in Council assembled, at which a quorum is present, in accordance with Section 201 of the Exclusion Ordinance, hereby authorizes and directs the Nation’s Attorney General to file an action in the Nation’s Tribal Court for the exclusion of Non-member Alberto Raul Mendez, Jr., upon such grounds as are authorized under the Nation’s Exclusion Ordinance.

**BE IT FURTHER RESOLVED** that, in accordance with Section 402(A)(4) of the Exclusion Ordinance, the Council hereby recommends that the duration of the exclusion of Alberto Raul Mendez, Jr. should be Permanent.

**BE IT FURTHER RESOLVED** that, in accordance with Section 401 of the Exclusion Ordinance, YAPD is hereby notified of the Nation's intention to file an exclusion action against Alberto Raul Mendez, Jr., and YAPD shall attempt to obtain a voluntary consent to exclusion from Alberto Raul Mendez, Jr. as authorized under Section 401.

**BE IT FINALLY RESOLVED** that the Chairman and Vice-Chairwoman, or either of them, are hereby authorized to take such further action as deemed necessary to carry out the intent and purposes of this Resolution.

**CERTIFICATION**

I hereby certify that the foregoing resolution was adopted by an affirmative vote of the Tribal Council, with a quorum in attendance, presented for approval on July 21 2022, by a vote of 7 7 in favor, 0 opposed and 0 abstaining, pursuant to the authority contained under the Constitution of the Yavapai-Apache Nation as cited above.

Jon Huey, Chairman  
Jon Huey, Chairman

**ATTEST:**

Karla Reimer  
Karla Reimer, Council Secretary

Approved as to form:

Scott Canty  
Office of the Attorney General