

## **SECOND ADDENDUM TO TO INTERGOVERNMENTAL AGREEMENT**

This Second Addendum (“Addendum”) to the Intergovernmental Agreement (“IGA”) Between the Buena Vista Rancheria of Me-Wuk Indians (“Tribe”) and the County of Amador (“County”) is entered into on this 7th day of September, 2023, by and between the County, whose principal place of business is located at 810 Court Street, Jackson, California 95642 and the Tribe, whose principal place of business is located at 4650 Coal Mine Road, Ione, California 95640. The County and the Tribe shall hereinafter be referred to as the “Parties”.

### **RECITALS**

**WHEREAS**, the Parties entered into an Addendum of the IGA on July 26, 2023; and

**WHEREAS**, the Tribe filed suit against the State of California in the case of *Buena Visita Rancheria of Me-Wuk Indians v. Gavin Newsom and the State of California*, United States District Court for the Eastern District of California, Case No. 2:23-cv-01790-KJM-DB (“Litigation”), seeking a determination, among other things, whether the environmental provisions contained in the Tribe’s 2016 Compact (“Compact”) are void in violation of the Indian Gaming Regulatory Act, 25 U.S.C. § 2701, et. seq; and

**WHEREAS**, one of the possible outcomes of the Litigation is the Federal Court declaring that the environmental provisions of the Compact are void; and

**WHEREAS**, if the Federal Court declares the environmental provisions of the Compact void, that could also render the Tribe’s payment obligations to the County under the IGA void; and

**WHEREAS**, to avoid the Tribe suing the County in the Litigation to enjoin the County from bringing a lawsuit against the Tribe to compel it to make the payments to the County required under the IGA, the Parties are entering into this Second Addendum to extend the deadline for the Tribe making the payments to the County currently required under the IGA; and

**WHEREAS**, based upon the foregoing facts, the Parties desire to modify Paragraph 1 of the Addendum extending the date that the Tribe is required to make its payment to the County under the IGA; and

**NOW, THEREFORE**, in consideration of the mutual promises contained herein, for valuable and good consideration, and notwithstanding any of the provisions of the IGA and Addendum to the contrary, the Parties hereby agree that the Addendum can be modified as follows:

1. Paragraph 1 of the Addendum shall be deleted in its entirety and replaced with the following: The July 31, 2023, payment due the County under section 2.2 of the IGA, shall be extended and shall not be due until thirty (30) days from the date of the Tribe's receipt of a letter from the County demanding payment pursuant to this Paragraph 1.
2. If any of the provisions of this Addendum conflict with the provisions of the IGA or the Addendum, the provisions of this Second Addendum shall control.
3. Except as expressly modified by this Addendum the provisions of the Agreements shall remain in full force and effect.
4. The Parties shall attach a copy of this Second Addendum to the Addendum.

**WHEREFORE**, this Second Addendum is executed and entered as of the date first written above.

**COUNTY OF AMADOR**

**BUENA VISITA RANCHERIA OF  
ME-WUK INDIANS**

By: \_\_\_\_\_  
Jeff Brown, Chairman of the Board of  
Supervisors

By: \_\_\_\_\_  
Rhonda Pope-Flores, Chair of the  
Tribal Council

ATTESTED:

By: \_\_\_\_\_  
Jennifer Burns, Clerk of the Board of Supervisors