

**TO APPROVE RESCISSION OF CB-86-21 AND APPROVE  
FUNDING FOR AN EQUITY INVESTMENT IN A RESTAURANT  
TO BE LOCATED IN ATOKA, OKLAHOMA**

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**IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION**

**RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL**

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**A COUNCIL BILL**

**TO APPROVE** Rescission of CB-86-21 and Approve Funding for an Equity Investment in a Restaurant to be Located in Atoka, Oklahoma.

**WHEREAS**, in accordance with Article IX, Section 6 of the Constitution of the Choctaw Nation of Oklahoma (the "Nation"), the Tribal Council of the Nation (the "Council") shall make decisions pertaining to the acquisition, leasing, disposition, and management of tribal property;

**WHEREAS**, in CB-86-21, the Council approved funding for an equity investment (the "Investment") of Three Million Dollars (\$3,000,000) in an entity that will build and operate a new restaurant in Atoka, Oklahoma (the "New Restaurant");

**WHEREAS**, market factors have caused the design and construction costs of the New Restaurant to increase and have delayed opening of the New Restaurant, all of which has resulted in the need for an additional equity contribution;

**WHEREAS**, the Council has determined that it is in the best interests of the Nation to rescind CB-86-21;

**WHEREAS**, the Council has determined that it is in the best interests of the Nation to approve funding for the Investment in the total amount of up to Three Million Eight Hundred Thousand Dollars (\$3,800,000) (the "Investment Amount"); and

**WHEREAS**, the Council has determined that it is in the best interests of the Nation to fund the Investment Amount from unrestricted funds.

**THEREFORE, BE IT ENACTED** by the Council that CB-86-21 is hereby rescinded.

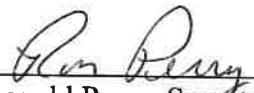
**BE IT FURTHER ENACTED** by the Council that this Bill be cited as approval for the funding of an equity investment of up to Three Million Eight Hundred Thousand Dollars (\$3,800,000) in an entity that will build and operate a new restaurant in Atoka, Oklahoma.

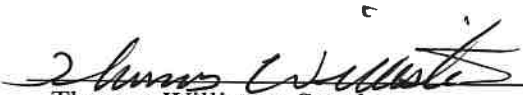
**BE IT FURTHER ENACTED** by the Council that this Bill be cited as approval that the funding of such investment shall come from unrestricted funds.

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**CERTIFICATION**

*I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that twelve ( 12 ) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma, on January 14, 2023. I further certify that the foregoing Council Bill CB- 48 -23 was adopted at such meeting by the affirmative vote of twelve ( 12 ) members, zero ( 0 ) negative votes, and zero ( 0 ) abstaining.*

  
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Ronald Perry, Secretary  
Choctaw Nation Tribal Council

  
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Thomas Williston, Speaker  
Choctaw Nation Tribal Council

  
\_\_\_\_\_  
Gary Barton, Chief

Date: 1-17-23

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**Purpose/Need of Council Bill:** In CB-86-21, the Tribal Council approved funding of \$3,000,000 for an equity investment in an entity that would build and operate a new restaurant in Atoka, Oklahoma. Since such approval, market factors have caused the design and construction costs of the New Restaurant to increase and have delayed opening of the New Restaurant, all of which have resulted in the need for an additional equity contribution. This Council Bill approves a new total equity investment in this entity for the construction and operation of this new restaurant.

**Title of Council Bill:** To Approve Rescission of CB-86-21 and Approve Funding for an Equity Investment in a Restaurant to be Located in Atoka, Oklahoma.

**Agency:** Division of Commerce

**Budget:** Three Million Eight Hundred Thousand Dollars (\$3,800,000)

**Match Required:** N/A

**Request by/Project Director:** Janie Dillard, Senior Executive Officer, Division of Commerce