

Headline News:

8/29/13: Shingle Springs Band of Miwok Indians Refinances Debt for Red Hawk Casino and Buy Out Management Contract of Lakes Entertainment, Inc.

www.marketwire.com

8/27/13: Report: Casino, Resort Would Bring 4,000 Jobs

www.gastongazette.com

8/24/13: Federal Agency Approves Tribe's Proposed Kenosha Casino

www.thenorthwestern.com

8/22/13: Seneca Nation Moves Forward with Plans for Casino in Henrietta

www.greecepost.com

8/15/13: Fitch Upgrades Agua Caliente Revenue Bonds to 'BB+'

www.fortmilltimes.com

8/6/13: Chukchansi Makes \$2.6 million Bond Payment

www.sierrastar.com

Politics as Usual

by Rick Hill

The one thing that is constant in life is change. We see it all around us – in the seasons, in the trends and particularly with our chosen line of life's work – in the tribal political environment. Whether it's an election cycle itself, in an ad hoc committee or at the federal government level – politics and the business of enabling change are everywhere.

It is encouraging for me to see forums for voices to be heard. That is one of the things that drove me into politics in the first place. If we work hard at understanding and then explaining an issue, motivating the right people to be involved with us, we can make things happen to improve conditions for our people.

When channeled in a way that has some boundaries – it works the way it's intended to, and lots of good things can happen.

Unfortunately, we see situations all around where an orderly, defined process is usurped, where a vocal minority can derail plans made in the best interest of the tribe, or, because of longstanding and, often unrelated, internal political divides, good ideas and decisions cannot be made. Whether it's a referendum initiative that is launched or some other reason driving a delay in decision making – these all have an effect on tribes' ability to drive change and action. While that may be the ultimate goal of the group launching the disruption, it also can create

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TFA will be attending the following upcoming conferences:



NAFOA Fall Finance & Tribal Economies Conference — *September 9-10*

Global Gaming Expo (G2E) — *September 23-26*

NIGA Mid-Year Conference — *October 29-30*

Please let us know if you will also be in attendance and would like to set up a meeting with TFA.

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roadblocks to future business dealings and can sever relationships that would otherwise push us forward.

In working with TFA, I've seen how the politics can affect financing decisions and situations. In some cases, good opportunities for tribes can go by the wayside if a political disruption keeps decision makers from their posts. In one instance, we saw an opportunity for a tribe to save millions versus their existing financing. The tribal council couldn't even assemble to allow for a simple non-disclosure agreement to be put in place in order for the tribe explore more detail about the cost savings opportunity. In another, several council members were being treated to dinners and special entertainment by interested investors for a project. It was difficult for those particular leaders to de-link the relationship they built with the vendors to hear objective analysis regarding the project and its possible returns for the tribe.

One provision that I have seen resulting in a higher cost to borrow money is the tribal referendum clause. The tribal referendum process is one that is drafted in many tribes' constitutions - a small group of voters can collect signatures and

challenge a tribal council resolution. As sovereigns, we have this right and it is good that we have a way to correct for a misstep or to make a change. However, this situation understandably makes lenders nervous when millions of dollars are on the line. There are ways that the attorneys can draft to protect both the tribe and the lenders in this sort of situation.

While our tribal sovereignty is a precious right and must be respected, consider this a reminder that we still live in a world where we depend on resources from beyond most tribes, our membership needs to be aware of the consequences of these actions when manipulated for political purposes - and that frequent displays of "politics as usual" can cost a Tribe millions.

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