Little River Band of Ottawa Indians  
375 River Street  
Manistee, MI 49660  
(231) 723-8288  

Resolution # 09-0826-249

Approval of Extension to Master HVAC Service Agreement with Custom Sheet Metal & Heating for one year

WHEREAS, the status of the Gaá Čhíng Ziibi Daáwaa Aníšchinaábek (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7(i) (2) of the Constitution, has the power to manage any funds within the exclusive control of the Tribe and to appropriate such funds for the benefit of the Tribe and its members; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7(b) of the Constitution, has the power to authorize and ratify agreements and contracts negotiated by the Tribal Ogema; and

WHEREAS, in accordance with Section 3 of the original contract, the agreement may be extended for an additional year upon mutual agreement of both parties; and

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians does hereby ratify the extension and authorizes the Tribal Ogema to execute the contract.
NOW THEREFORE IT FINALLY RESOLVED THAT the Tribal Council consents to the limited waiver of sovereign immunity contained at paragraph 21 of the contract.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 5 FOR, 2 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on August 26, 2009, at the Little River Band’s Conference Room in Manistee, Michigan, with a quorum being present for such vote.

Janine M. Sam, Council Recorder

Stephen Parsons, Council Speaker

Attest:

Distribution: Tribal Ogema
Tribal Council
Purchasing Office