Resolution #09-1202-332

Approval of amendment of contract for comparative analysis of EPA watershed data in the amount of $14,000 from EPA grant program #4435

WHEREAS, the status of the Gaá Čhing Ziibi Daáwaa Aníshinaábek (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 Little River Band of Ottawa Indians is committed to protecting the waters of our reservation, and

WHEREAS, these grant funds were budgeted for contracting with Michigan Technological University for this purpose and approved by EPA assistance agreement # I-00E5601-1;

NOW THEREFORE BE IT RESOLVED that the Tribal Council authorizes the governing law of this Agreement as the laws of the State of Michigan which, in accordance with Article XI, section (g) of the Agreement, shall not constitute or be interpreted as a waiver or modification of, or limitation on, the Little River Band of Ottawa Indians' sovereign immunity from suit in the courts of the State of Michigan.
BE IT FURTHER RESOLVED that the Little River Band of Ottawa Indians hereby approves the contract amendment for the amount of $14,000 for comparative analysis of Environmental Protection Agency watershed date under the Tribal Section 106 Water Quality Management Program. The grant funds are identified and shall be utilized as follows:

Program #4435 Amount: $14,000

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with _6_ FOR, _0_ AGAINST, _0_ ABSTAINING, and _3_ ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on December 2, 2009, at the Little River Band’s Dome Room in Manistee, Michigan, with a quorum being present for such vote.

Janine M. Sam, Council Recorder
Stephen Parsons, Council Speaker

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