Resolution #14-0312-064

Approval of a grant application to the Economic Development Administration, Investments for Public Works and Economic Development Facilities Program (CFDA# 11.300) for a Sewer Force Main Replacement and Capacity Upgrade for the U.S. 31 Corridor in the amount of $869,600.00, with a commitment to providing a $217,400.00 LRBOI Tribal Match

WHEREAS, the status of the Gaá Čhéng Ziibi Daâwaa Anišhinaábek (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 US-31 Corridor is prohibited from expansion due to an aged and failing sewer system that has been identified as a high priority by Manistee County, the Township, the City of Manistee, the Northwest Michigan Council of Governments and the Little River Band of Ottawa Indians; and

WHEREAS, these entities have been in mutual discussions to eliminate barriers related to moving this project forward and further entered into non-binding resolutions of support to collectively move the project forward; and
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WHEREAS, in the fall of 2013, LRBOI proposed the construction of a gravity feed line from M-55 along US-31 to the LRBOI Wastewater Treatment Plant at no cost to Manistee County or Manistee Township; and

WHEREAS, the project proposal made will greatly enhance and assure future non-tribal and tribal growth, development, and employment along this high traffic corridor and also provide the Tribe with a long-term project-related future revenue stream; and

WHEREAS, a funding opportunity to address these needs was identified through the Economic Development Administration, Economic Development Assistance Program and Investments for Public Works and Economic Development Initiative: and

WHEREAS, this above funding opportunity will provide 80% of total project costs, leaving the remaining 20% of project costs as a matching requirement and obligation of the Little River Band of Ottawa Indians; and

WHEREAS, recent stakeholder discussions have led to an agreed upon plan that can be accomplished by the end of 2014 and related agreements are now in various stages of finalization (including an agreement that LRBOI will manage the grant and the Alliance for Economic Success will manage the related construction); and

NOW THEREFORE BE IT RESOLVED that the Tribal Council of the Little River Band of Ottawa Indians by this resolution approves the submission of a grant application to the Economic Development Administration, Economic Development Assistance Program and Investments for Public Works and Economic Development Initiative, in the amount of $869,600.00 and further commits to the meet the matching requirement of $217,400.00.

IT IS FURTHER RESOLVED that the Little River Band of Ottawa Indians by this resolution authorizes the Ogema to execute any relevant grant application documents necessary to complete the application for submission prior to the March 14, 2014 deadline.
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CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on March 12, 2014 at the Little River Band’s Government Center in Manistee, Michigan, with a quorum being present for such vote.

[Signature]
Sandy Mezeske, Tribal Council Recorder

[Signature]
Virgil Johnson, Tribal Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department
Grants Department
Utilities Department
Economic Development