Resolution # 14-0924-301

Authorizing the Ogema to Execute a Lease and Services Agreement with Muskegon Bike Time

WHEREAS, the status of the Gaă Ăhng Ziíbi 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 has the authority under Article VI, Section 7(a)(1)-(2) of the Constitution to exercise the inherent powers of the Little River Band by establishing laws through the enactment of ordinances and the adoption of resolutions to govern the conduct of members of the Little River Band and other persons within its jurisdiction and to promote, protect and provide for the public health, peace, morals, education and general welfare; and

WHEREAS, the Tribal Council has the authority under Article VI, Section 7(b) of the Constitution to authorize and ratify agreements and contracts negotiated by the Tribal Ogema on behalf of the Little River Band; and

WHEREAS, the Tribal Ogema has the authority under Article V, Section 5(a)(3) to consult, negotiate, and execute agreements and contracts on behalf of the Little River Band with federal, state and local governments and other Tribal governments, or with private persons or organizations subject to approval or ratification by Tribal Council; and
Resolution # 14-0924-301
Page 2 of 2

WHEREAS, the Tribal Ogema has consulted and negotiated with Muskegon Bike Time an Lease and Services Agreement that serves the best interests of the Tribe and its Membership.

NOW THEREFORE IT IS RESOLVED, that the Tribal Council authorizes the Tribal Ogema to execute a Lease and Services Agreement with Muskegon Bike Time, with additional incidental negotiations as may best benefit the Tribe and its Members.

IT IS FURTHER RESOLVED, that the Tribal Speaker and the Tribal Ogema, or a designated member of the Shoreline Task Force, shall collaborate as contract administrator.

IT IS FURTHER RESOLVED, that any income generated for the Tribe by this Lease and Services Agreement shall be diverted exclusively into the designated Shoreline Development Fund.

IT IS FINALLY RESOLVED, that the Tribe, as party to this Lease and Services Agreement, may exercise its ability to terminate subject to Tribal Council resolution.

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 Closed Session of the Little River Band of Ottawa Indians Tribal Council held on September 24, 2014, at the Little River Band’s Lodge in Manistee, Michigan, with a quorum being present for such vote.

Sandra Mezeske, Council Recorder

Attest:

Virgil Johnson, Council Speaker

Distribution: Council Records
Tribal Ogema