



Little River Band of Ottawa Indians

1762 U.S. 31 South
Manistee MI 49660
(231) 723-8288

Resolution No. #01-020⁷¹~~8~~-08

Authorizing the Tribal Ogema, or in his absence, the Tribal Council Speaker to Execute an Addendum to the September 7, 2000, Letter of Authorization with Cunningham-Limp Company for Design and Construction Work Associated with The Permanent Casino Resort Project

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.)(hereinafter "Little River Act"); and

WHEREAS, the Tribe is entitled to the protections and benefits accorded federally-recognized Indian tribes under federal law, including those under the Indian Gaming Regulatory Act of 1988 (25 U.S.C. §2701 et seq.)(hereinafter "IGRA"), which permits Indian tribes to operate Class II and III gaming activities on lands held in trust for the Tribe; and

WHEREAS, the Tribe has determined that the development of the permanent casino/resort facilities is in the best, long-term interests of the Tribe and its members; and

WHEREAS, the Tribe has authorized design work related to the permanent Casino/Resort and authorized entering into a Letter of Authorization with Cunningham Limp Company for work associated with such design work; and

WHEREAS, the Tribal Ogema has previously executed a Letter of Authorization, dated September 7, 2000, which authorizes Cunningham-Limp to proceed with such design work; and

WHEREAS, the Tribe and Cunningham-Limp are currently completing negotiations of the terms of a Design/Build Agreement, which would address both the design and construction phases of the project; and

WHEREAS, pending completion of those negotiations, Cunningham-Limp has proposed extending the term of the Authorization Letter through February 28, 2001, or until a Design/Build Agreement is executed, and to authorize certain construction activities, as defined in the scope of work described in Attachment A to the Letter of Authorization; and

WHEREAS, the Tribe adopted a 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, pursuant to Article IV, Section 5 (a)(4) and Article V, Section 5(a)(3) and (8) of the Tribal Constitution, the Tribal Ogema, or in his/her absence, the Tribal Council Speaker, is authorized to represent the Tribe in its relations with other organizations and manage the economic affairs/enterprises of the Tribe, in a manner consistent with the Tribal Constitution and resolutions of the Tribal Council; 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 chief executive officer of the Tribe; and

WHEREAS, the Tribal Council has determined that ratification and extension of the authorization letter with Cunningham-Limp will advance important Tribal purposes and tribal business enterprises.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby ratifies and authorizes the Tribal Ogema, or in his absence, the Tribal Council Speaker, to execute an addendum to the September 7, 2000 Authorization Letter with Cunningham-Limp Company, to extend the term of that authorization letter through February 28, 2001. *dated 2-2-01*

*FURTHER RESOLVED that
T.C. rescinds addendum dated 2-1-01, acted on
2-02-01*

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with ____ FOR, ____ AGAINST, ____ ABSENT, and ____ ABSTAINING, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held at the Little River Band Community Center on February 8, 2001, in Manistee, Michigan. A quorum of the Tribal Council being present for such vote.

Charles Fisher, Council Recorder

Attest:

Joan Spalding, Council Speaker

Distribution: Tribal Council Records
Accounting Department (ATTN: Dale Magoon)
Tribal Court
Legal Department