



Little River Band of Ottawa Indians

375 River Street
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Resolution #02-0417-04

Approving the Expenditure of Contingency Funds in an Amount not to Exceed \$106,561.86 to cover the Signage Budget Shortfall in the FF&E Signage line as well as cover the costs related to the Davenport Contract for Stonework for Exterior Signage.

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.); 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 Tribal Council is authorized under article IV, Section 7 to "exercise the inherent powers of the Little River Band by establishing laws and through the enactment of ordinances and adoptions of resolutions not inconsistent with this Constitution...to promote, protect and provide for public health, peace, morals, education and general welfare of the Little River Band and its members"; and

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

WHEREAS, the Tribe has secured financing for FF&E considerations within the related overall casino expansion financing package; and

WHEREAS, the Tribe had anticipated in the FF&E budget related to the above indicated financing an amount of \$300,000.00 to cover the anticipated costs of providing a complete and adequate signage package for the expanded casino; and

WHEREAS, the Tribe has, in consultation with the Tribal Council, specified a signage design package (as developed by Corbin) that exceeded the original budget allowance for this project consideration by approximately \$88,000.00; and

WHEREAS, there is an additional cost for the stonework associated with completing the exterior signage (through Davenport, as previously presented to the Tribal Council in draft form (in an amount of approximately \$18,561.86); and

WHEREAS, the costs of both of these matters need to be covered in order to complete the arrangements for the signage related to the expanded casino (and total approximately \$106,561.86); and

WHEREAS, the Tribal Council has established both a Construction Management Team and the Owner's Representative to oversee the project as well as a process by which the project is managed; and

WHEREAS, pursuant to Article IV, Section 7 (i)(2) of the Tribal Constitution, the Tribal Council is authorized to manage funds within the exclusive control of the Band, pursuant to appropriations or budgets authorized by the Tribal Council; and

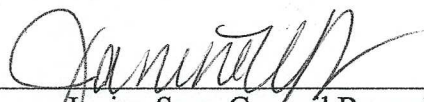
WHEREAS, the Construction Management Team and the Owner's Representative are recommending approval of the expenditure of the additional funds to cover the costs of the expanded casino signage package (as developed in concert with the Tribal Council of the Little River Band of Ottawa Indians) and in light of the additional stonework required to accommodate the approved exterior signage package.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the related budget line item increase to signage line in the original financing agreement and further approves the use of Contingency Funds to cover the related costs in an amount not to exceed \$106,561.86.00.


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 ABSTAINING, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held at the Little River Band Community Center on April 17, 2002, with a quorum being present for such vote.

Attest:



Janine Sam, Council Recorder



Stephen Parsons, Council Speaker

CC: Dale Magoon, Accounting
CMT
Owner's Representative