



Little River Band of Ottawa Indians

375 River Street
Manistee, MI 49660
(231) 723-8288

Resolution # 10-0120-15

*Approving Replacement Contracts with the United States Department of
Housing and Urban Development and Rescinding Resolution #09-1216-352*

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 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 vested with the authority, under Article IV, Section 7(a) of the Constitution, to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council is vested with the authority, under Article IV, Section 7(b) of the Constitution, to authorize and ratify agreements for execution by the Ogema; and

WHEREAS, the Tribal Council previously approved various contracts with the United States Department of Housing and Urban Development ("HUD") and authorized signature by the Ogema; and

WHEREAS, the Tribe rescinded its designation of the Housing Commission as the Tribally Designated Housing Entity by Resolution on October 16, 2004; and

WHEREAS, in order to formally recognize the Tribe's rescission of its designation of the Housing Commission as the Tribally Designated Housing Entity, HUD has prepared replacement Funding/Approval Agreements for each of the Tribe's grants governing housing funds, including those grants made in connection with the American Recovery and Reinvestment Act; and

WHEREAS, by Resolution Number 09-1216-352, Tribal Council previously approved revised Funding Approval Agreements which replaced the previous Agreements for the following Program/Grant Numbers: 08-ST-26-36400; 09-CT-26-36400;

09-IT-26-36400; 08-IT-26-36400; 07-IT-26-36400; 05-IT-26-36400; and 06-IT-26-36400; and

WHEREAS, HUD has identified technical errors in the replacement agreements approved by Resolution #09-1216-352, and has provided the Tribe with another set of revised Funding Approval Agreements; and

WHEREAS, all funds associated with the above Program/Grant Numbers have been previously approved and accepted by the Tribe and those funds will be accessible under the new Program/Grant Numbers once HUD has completed its internal processes; and

WHEREAS, the Tribal Council believes it is in the best interests of the Tribe to approve the replacement Funding Approval/Agreements and authorize execution by the Ogema.

IT IS THEREFORE RESOLVED THAT the Tribal Council approves the replacement Funding Approval/Agreements for the following Program Grant Numbers: 05-IH-26-36400; 06-IH-26-36400; 07-IH-26-36400; 08-SH-26-36400; 08-IH-26-36400; 08-IT-26-36400; 09-IH-26-36400; and 09-CH-26-36400; and authorizes execution by the Ogema.

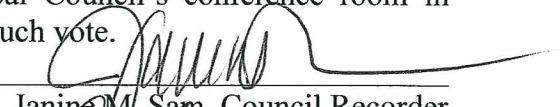
IT IS FURTHER RESOLVED THAT two copies of each executed replacement Funding Approval/Agreements shall be forwarded to the United States Department of Housing and Urban Development along with a copy of this Resolution.

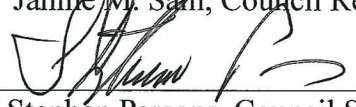
IT IS FURTHER RESOLVED THAT the Accounting Department shall maintain one fully executed copy of each replacement Funding Approval/Agreement in its grant files.

IT IS FINALLY RESOLVED THAT Resolution #09-1216-352 is hereby rescinded.

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, 1 and ABSENT at a regular open session of the Little River Band of Ottawa Indians Tribal Council held on January 20, 2010, at the Little River Band Tribal Council's conference room in Manistee, Michigan, with a quorum being present for such vote.


Janine M. Sam, Council Recorder


Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records

Tribal Ogema

Tribal Court

Grants Department

Accounting Department

Housing Department