



Little River Band of Ottawa Indians

375 River Street
Manistee, MI 49660

Resolution # 09-0722-209

Authorizing the Construction of Five Homes at Aki Maadiziwin to be constructed by Muschigon Construction Company

WHEREAS, the status of the *Gaá Čhíng Ziibi 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 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 Tribal Council is authorized under Article IV, Section 7(b) to approve contracts negotiated by the Ogema on behalf of Little River Band of Ottawa Indians; and

WHEREAS, the Tribal Council and Ogema agree that engaging in force account construction and employing Tribal Members is in the best interest of the Tribe.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Ogema to direct the Housing Director and Commerce Director to work in coordination with Muschigon Construction and the Construction Task Force to construct five (5) low income houses using force account construct and Indian Housing Block Grant dollars.

IT IS FURTHER RESOLVED THAT this the Tribal Council of the Little River Band of Ottawa Indians authorizes funds for this project in the amount of in the amount of

\$755,040.00 (Seven hundred fifty-five thousand forty dollars) from the following Indian Housing Block Grant Accounts.

Indian Housing Block Grants Dollars

4340 = \$274,865.47

4341 = \$281,931.00

4342 = \$95,488.53

4316 = \$102,755.00

Total Indian Housing Block Grant Dollars = \$755,040.00

IT IS FURTHER RESOLVED THAT the authorization for the execution of this directive and the authorization for the expenditure of funds is for the specific amount approved by this resolution, and that the amount may not be amended or additional funds expended in excess of the original contract amount, without an additional authorization by resolution adopted by Tribal Council.

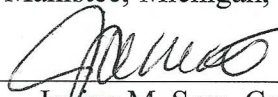
BE IT FURTHER RESOLVED THAT the Tribal Council concurs with the designation made by the Tribal Ogema of Frank Figgels, Director of Housing and Robert J. Memberto, Director of Commerce, as the assigned representative from Little River Band, to manage the project scope of services and delivery of the project.

BE IT FURTHER RESOLVED THAT the Tribal Council of Little River Band of Ottawa Indians hereby rescinds Resolution # 09-0715-197.

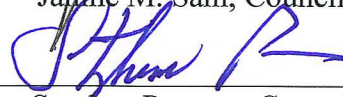
IT IS FINALLY RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby expressly denies any waiver of Sovereign Immunity; also denies any implied waiver of Sovereign Immunity in connection with authorization of this contract.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on July 22, 2009, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Tribal Council
Tribal Ogema
Purchasing Department