



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 06- 16A

of the

SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

WHEREAS, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources and rights of the Tribe; and

WHEREAS, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; and

WHEREAS, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and

WHEREAS, the Tribe desires to upgrade its existing water system to accommodate the commercial and residential growth on the Reservation; and

WHEREAS, Zenon Environmental Corporation has submitted a contract proposal for the engineering services for the Kamilche WRP project;

NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council hereby approves the Zenon Environmental Corporation contract (as attached);

NOW THEREFORE BE IT FURTHER RESOLVED, that the Squaxin Island Tribal Council waives its sovereign immunity as follows:


The Tribe expressly waives its sovereign immunity from suit with respect to the obligations and indebtedness that arise out of or relate to this Contract, provided that the waiver of sovereign immunity expressed herein is expressly limited as follows:

- The waiver of sovereign immunity expressed herein is limited to Consultant;
- The waiver of sovereign immunity expressed herein is limited to the contract price specified in this Contract;
- The waiver of sovereign immunity expressed herein is limited to the net unrestricted revenues of the Tribe's general fund;
- The waiver of sovereign immunity expressed herein is limited to the jurisdiction of the Squaxin Island Tribal Court, including the appellate division of that Court.

NOW THEREFORE BE IT FINALLY RESOLVED that the Executive Director is hereby authorized to execute the Contract on behalf of the Squaxin Island Tribe and is further authorized to do any and all acts necessary to implement and/or perform the Contract.

CERTIFICATION

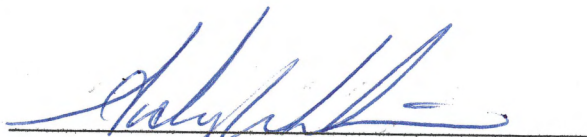
The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 23 day of March, 2006, at which time a quorum was present and was passed by a vote of 5 for and 0 against, with 0 abstentions.



James L. Peters, Chairman

Attested by: Patti Pahr for

Vincent Henry, Sr., Secretary



Andrew D. Whitener, Vice Chairman