



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 09-99

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 Squaxin Island Tribal Council directed staff to negotiate a construction proposal and accept bids for the purpose of certain repair work in Tribal Housing; and

WHEREAS, Staff has negotiated the terms of a contract for construction services with J.A. Morris Construction LLC ("Contractor"), as evidenced by the attached Contract for Goods and Services, as modified; and

WHEREAS, in order to induce Contractor to complete and execute the Contract for Goods and Services and perform the same, it is necessary for the Tribal Council to ratify and approve the terms of the Contract; to authorize execution of any and all documents required; to issue a limited waiver of sovereign immunity; and to consent that the Tribe enter dispute resolution and/or be sued in Tribal and potentially federal courts in disputes related to the transaction.

NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council hereby agrees to enter into the attached Contract with J.A. Morris Construction LLC to provide the repairs according to the Contract.

NOW THEREFORE BE IT FURTHER RESOLVED, the Tribal Council specifically limits its waiver of sovereign immunity for the purposes of this Contract to the limited waiver as stated in Section 10.3 of the Contract; and

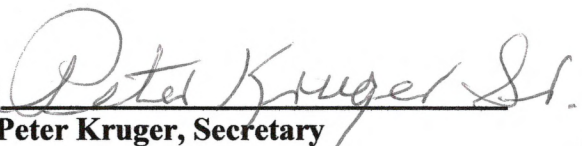
NOW THEREFORE BE IT FINALLY RESOLVED, that the Tribal Council hereby authorizes the Council Chairman, the Executive Director, or the Director of the Housing Department to do any and all accounts necessary to effect execution and implementation of the Contract.

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 10 day of December, 2009, at which time a quorum was present and was passed by a vote of 5 for and 0 against, with 0 abstentions.



David Lopeman, Chairman

Attested by: 

Peter Kruger, Secretary



Arnold Cooper, Vice Chairman