

RESOLUTION #657

RESOLUTION RELATING TO THE DAY CARE ASSISTANCE & TRANSITIONAL CHILD CARE PROGRAM

A RESOLUTION OF THE CITY OF BETHEL AUTHORIZING PARTICIPATION IN THE DAY CARE ASSISTANCE AND TRANSITIONAL CHILD CARE GRANTS AND PROVIDING FOR WAIVER OF SOVEREIGN IMMUNITY FROM LEGAL PROSECUTION BY THE STATE OF ALASKA FOR CLAIMS WHICH MAY ARISE FROM THE USE OF SAID GRANTS.

WHEREAS: the Bethel City Council is an applicant for a grant from the Alaska Department of Community & Regional Affairs (hereafter 'department'), under the day care assistance and transitional child care grants authorized by AS 44.47.050 and AS 44.47.250--44.47.310; and

WHEREAS: the department requires as a condition of the contract that an Alaska Native Village or IRA governing body waive sovereign immunity from legal prosecution for claims by the state which may arise from its activities under the grant.

NOW THEREFORE BE IT RESOLVED THAT the City of Bethel is authorized to negotiate and execute any and all documents required for granting and managing day care assistance and transitional child care grant funds on behalf of this entity. The Mayor of City of Bethel is also authorized to execute any subsequent amendments to said grant agreement to provide for adjustments to the program within the scope of work or budget, based upon the needs of the community and other communities within the State.

BE IT FURTHER RESOLVED THAT this Alaska Native Village, acting through its City of Bethel hereby grants to the State of Alaska its irrevocable consent to be sued in the name of the Native Village for any unlawful act arising out of any contractual obligation entered into as a result of this resolution, and hereby waives immunity from execution of judgements obtained pursuant to the above against any property, whether real or personal, including money, provided that such execution of judgement not exceed the amount of the grant award, including any subsequent amendments.

PASSED AND APPROVED THIS _____ DAY OF _____, 1990.

Tom Warner, Mayor

ATTEST:

Anna McGowan, City Clerk

Accepted
5/22/90