

Pyramid Lake Paiute Tribal Council

*Post Office Box 256
Nixon, Nevada 89424
Telephone: (775) 574-1000
Fax (775) 574-1054*

RESOLUTION NO.: PL 077-20

RESOLUTION OF THE TRIBAL COUNCIL OF THE PYRAMID LAKE PAIUTE TRIBE NIXON, NEVADA

WHEREAS, the Pyramid Lake Paiute Tribe is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act (25 U.S.C. § 476) and is federally recognized by the United States Government through the Secretary of the Interior and the Bureau of Indian Affairs; and

WHEREAS, pursuant to the Pyramid Lake Paiute Tribe Constitution, Art. VI, Sec. 1(f), the Tribal Council has the authority to "administer any funds or property within the control of the tribe, to make expenditures from available funds for public purposes, including salaries or other remuneration of tribal officials or employees, such salaries or remuneration to be paid only for services actually authorized in a regular and legal manner and actually rendered"; and

WHEREAS, pursuant to the Pyramid Lake Paiute Tribe Constitution, Art. VI, Sec. 1(f) all such "expenditures shall be by resolution duly approved by a majority vote of the council, and the amounts so expended shall be a matter of public record at all times"; and

WHEREAS, pursuant to the Pyramid Lake Paiute Tribe Constitution, Art. VI., Sec. 1(m) the Tribal Council has the authority to "adopt resolutions regulating the procedure of the council itself and of other tribal agencies and tribal officials of the reservation"; and

WHEREAS, on November 16, 1990, the United States Congress enacted Public Law 101-618, Title II, the Truckee-Carson -Pyramid Lake Water Rights Settlement Act ("Act"); and

WHEREAS, Section 208 (a) (3) (A) of the Act provides that the principle and interest amount for the Pyramid Lake Paiute Economic Development Fund shall be made available to the Pyramid Lake Paiute Tribe ("Tribe") for tribal economic development only in accordance with a plan developed in consultation with the Secretary of the Interior ("Secretary"); and

WHEREAS, on January 17, 2018, after a full public process the Pyramid Lake Paiute Tribal Council adopted Amended Volume #2 of the Pyramid Lake Economic Development Plan as recommended by the Economic Development Committee; and

WHEREAS, on February 16, 2018, the Pyramid Lake Paiute Tribal Council through Resolution No. 11-18 adopted Option A of Volume #2 of the Amended Pyramid Lake Economic Development Plan, and allows the withdrawal of 50% of the interest

earned by the Economic Development Fund for Tribal Governmental purposes consistent with and pursuant to Section 208 (a) (3) (A) of the Act; and

WHEREAS, on December 19, 2019, a novel coronavirus now known as COVID-19 was first detected in China and has now spread globally; and

WHEREAS, on March 12, 2020, Governor Steve Sisolak by Executive Order issued a Declaration of Emergency for the State of Nevada; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency regarding the COVID-19 virus pursuant to Sec. 501(6) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"); and

WHEREAS, on March 16, 2020, Chairman Anthony Sampson, pursuant to Tribal Council Resolution No. PL 37-16, declared a tribal emergency concerning the COVID-19 pandemic; and

WHEREAS, on March 16, 2020, the State of Nevada ordered the closure of all schools grades kindergarten through 12th; and

WHEREAS, on March 17, 2020, the Tribal Council passed Resolution No. C03-66-20 which declared a tribal emergency concerning the COVID-19 pandemic; and

WHEREAS, on March 20th, 2020, the Tribal Council closed Pyramid Lake and public access to Pyramid Lake for permitted recreational activities; and

WHEREAS, Chairman Sampson issued a Stay at Home Order effective April 3rd, 2020, which is set to expire May 18, 2020; and

WHEREAS, on March 18th, 2020, the Chairman closed the Tribe's public services, such as the community center, the senior center, the museum, and childcare centers; and

WHEREAS, on April 27th, 2020, the Tribal Council passed a motion with an effective date of May 4th, 2020 to furlough at least 36 tribal government employees; and

WHEREAS, due to the COVID-19 public health emergency, tribal owned businesses have been economically harmed from reduced revenues, loss of sales, loss of markets, and other negative impacts resulting in a 30% revenue reduction to the tribal government; and

WHEREAS, the COVID-19 public health emergency has resulted in a substantial reduction in the Tribe's government revenues, programs and services, jobs and wages that cannot be recovered; and

WHEREAS, the Tribal Council finds it in the best interest of the Tribe and its members to request a withdrawal from the Tribe's Economic Development Fund to provide funding for critical tribal government services and protect tribal government employment.

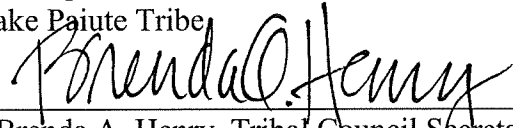
NOW THEREFORE BE IT RESOLVED, that the Pyramid Lake Paiute Tribal Council rescinds Resolution No. 070-20, enacted on June 19, 2020; and

BE IT FURTHER RESOLVED, that the Pyramid Lake Tribal Council authorizes the Tribal Chairman to re-submit a request to the United States Department of Interior to withdraw \$2,014,094.77 from interest earned in the Economic Development Fund for Tribal Government purposes consistent with and pursuant to the Tribe's Approved Economic Development Plan and Section 208(a)(3)(A) of the Act; and

BE IT FINALLY RESOLVED, that the Pyramid Lake Paiute Tribal Council authorizes the Chairman to sign all documents and take any necessary and proper action to carry out the intent of this Resolution.

CERTIFICATION

It is hereby certified that the foregoing resolution of the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, composed of ten members, of whom nine (9) constituting a quorum were contact during a POLL VOTE duly held on the 4th day of August, 2020 was adopted by the affirmative vote of seven (7) FOR and one (1) AGAINST, with zero (0) ABSTENTIONS; pursuant to the authority contained in the Constitution and By-laws of the Pyramid Lake Paiute Tribe



Brenda A. Henry, Tribal Council Secretary
Pyramid Lake Paiute Tribal Council