

Pyramid Lake Paiute Tribal Council

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RESOLUTION NO.: PL 127-22
ARPA State Small Business Credit Initiative

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,** pursuant to the Pyramid Lake Paiute Tribe By-Laws, Art. VII, Sec. 1, the Tribal Council has the authority to determine just cause for aid and assistance to tribal members; and
- WHEREAS,** the COVID-19 pandemic continues to persist, creating economic development and negative economic impacts, including lost jobs, on the Pyramid Lake Paiute Tribe, its Tribal members, tribal member small business and tribal enterprises; and
- WHEREAS,** the American Rescue Plan Act (ARPA), enacted on March 11, 2021, amended the State Small Business Credit and Jobs Act of 2010 (SSBCI) to allocate over \$700 million to Tribal Governments for the purpose of establishing and implementing small business credit support programs that promote small business creation, job creation and other economic benefits to the Tribe and its members; and

WHEREAS, the Department of Treasury which administers the SSBCI funding has allocated \$855,909.00 to the Tribe to develop and implement small business credit support programs for tribal member owned businesses and tribal enterprises; and

WHEREAS, the Tribal Council finds that it's in the best interest of the Tribe, its tribal members who own or seek to start up small businesses, tribal owned enterprises and other small business that serve the Pyramid Lake Paiute Reservation and employ tribal members, that the Tribe submit an application to the Department of Treasury to seek the funding allocated to the Tribe; and

WHEREAS, to promote efficient oversight and administration of the Tribe's SSBCI funding and programs, the Tribal Council finds that it's in the best interest of the Tribe to authorize the Business Office, an office within the tribal government, to be the implementing entity that will implement and administer the Tribe's SSBCI programs.

NOW THEREFORE BE IT RESOLVED that the Pyramid Lake Paiute Tribe Tribal Council hereby approves the Pyramid Lake SSBCI Loan Participation Program, as described in Attachment A and incorporated herein; and

BE IT FURTHER RESOLVED that the Tribal Council authorizes and designates the Business Office to be the Implementing Entity for the Tribe for purposes of implementing, overseeing and administering the Tribe's SSBCI funding and programs, including the authority to alter or amend the SSBCI Loan Participation Program as may be necessary to fully implement the Tribe's SSBCI funding allocation; and

BE IT FURTHER RESOLVED that the Tribal Council hereby delegates the authority to the Business Officer to submit the SSBCI application to Treasury and obligate the Tribe with respect to the SSBCI program requirements, provided that the Tribal Council retains the sole right and authority to waive the Tribe's sovereign immunity; and

BE IT FURTHER RESOLVED that the Tribal Council authorizes the Business Officer to accept the Nation's SSBCI funding from the Department of Treasury, to sign the Allocation Agreement, to communicate with the Department regarding the Tribe's SSBCI programs and to file reports with Treasury on behalf of the Tribe; and

BE IT FURTHER RESOLVED that the Tribal Council authorizes the Business Officer to enter into any outside contracts or agreements necessary to implement the SSBCI program, including, but not limited to, agreement with lenders, consultants, and advisors, as may be needed for the efficient operation of the SSBCI program, provided that the Tribal Council retains the sole right and authority to hire legal counsel and waive the Tribe's sovereign immunity; and

BE IT FINALLY RESOLVED that the Tribal Council authorizes the Tribal Chairwoman to take all actions and sign any documentation necessary to implement this resolution.

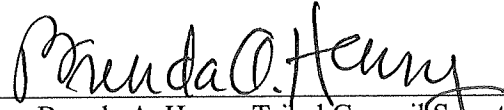
C E R T I F I C A T I O N

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 ten (10),

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constituting a quorum were present at a meeting duly held on the 21st day of October 2022, was adopted by the affirmative vote of nine (9) FOR and zero (0) 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