

# *Pyramid Lake Paiute Tribal Council*

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**RESOLUTION NO.: PL 154-21**  
*Essential Workers Pay Program*

## **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,** pursuant to the Pyramid Lake Paiute Tribe By-Laws, Art. VII, Sec. 2, the Tribal Council has the authority and responsibility to promote the education of the Tribe's children; 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 17, 2020, the Tribal Council passed Resolution No. C03-66-20 which declared a tribal emergency concerning the COVID-19 pandemic; and

**WHEREAS,** due to the continuing COVID-19 pandemic and efforts to recover from the pandemic, on March 11, 2021, President Biden signed into law the American Rescue Plan Act (ARPA), which was intended to provide additional financial relief and support to state, tribal and local governments to continue to respond to, and begin recovery from, the COVID-19 public health emergency and its impact on the economy, public health, state and local governments, individuals, and businesses; and

**WHEREAS,** Title IX, Section 9901 of the ARPA authorized the State and Local Government Fiscal Recovery Fund (FRF) for payments to state and tribal governments for continued expenditures and costs incurred from March 11, 2021 until December 31, 2024 related to responding to and recovering from the COVID-19 public health emergency; and

**WHEREAS,** the Tribe received a total distribution of \$20,018,883.56 from the FRF; and

**WHEREAS,** ARPA FRF funds may be used to continue to respond to public health emergency with respect to the COVID pandemic; and

**WHEREAS,** the Interim Final Rule issued by Treasury acknowledges that tribal governments may use FRF monies, consistent with the statutory permitted uses, to implement projects and programs based on the Tribe's needs and in response to those needs; and

**WHEREAS,** the Interim Final Rule further authorizes the use of FRF for payroll and

covered benefits expenses for public safety and public health employees who are directly responding to or mitigating the COVID-19 public health emergency; and

**WHEREAS,** the salaries and benefits of certain public health and safety employees of the Pyramid Lake Paiute Tribal Government are funded, in whole or in part, by the general revenues of the Tribe; and

**WHEREAS,** the COVID-19 pandemic has had a significant negative economic impact on the Tribe's enterprises and other sources of revenue, including tax revenues, that provide general revenues to fund the Tribe's government; and

**WHEREAS,** to ensure the reliable and consistent funding for the salaries and benefits of certain public health and safety employees whose duties are directly related to the mitigation and response to the COVID-19 public health emergency on the Reservation, the Tribal Executive Team has developed the "Essential Workers Pay Program," which is attached and incorporated by reference, to fund salaries and benefits from the Tribe's FRF allocation; and

**WHEREAS,** the Tribal Council finds it in the best interest of the Tribe and its members to approve the "Essential Workers Pay Program" as necessary to ensure reliable and consistent funding for salaries and benefits for certain public health and safety employees and to allocate funds from the ARPA FRF monies received by the Tribe for the Program.

**NOW THEREFORE BE IT RESOLVED** that the Pyramid Lake Paiute Tribal Council approves the "Essential Workers Pay Program" and the allocation of at least \$2,800,000 from the Tribe's ARPA FRF to implement the "Essential Workers Pay Program"; and

**BE IT FURTHER RESOLVED,** that the Pyramid Lake Paiute Tribal Council reserves the authority to approve, by future resolution, any amendments to the allocation of the Tribe's Fiscal Recovery Funds; and

**BE IT FINALLY RESOLVED,** that the Pyramid Lake Paiute Tribal Council authorizes the Chairwoman 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 *ten (10)*

constituting a quorum were present at a meeting duly held on the 5<sup>th</sup> day of November, 2021, 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