



RESOLUTION NO. C09-236-20

RESOLUTION OF THE PASCUA YAQUI TRIBE APPROVING AND AUTHORIZING THE CONSTRUCTION OF A NEW HEALTH CLINIC IN GUADALUPE, ARIZONA.

WHEREAS, the Tribal Council is the duly constituted governing body of the Pascua Yaqui Tribe (the “Tribe”) by authority of the Constitution of the Tribe; and

WHEREAS, the Tribal Council is authorized to enter into contracts on behalf of the Tribe, to appropriate tribal funds for public and governmental purposes serving the general welfare of the Pascua Yaqui Tribe and to develop and adopt ordinances and resolutions to protect and promote the general welfare of the Pascua Yaqui people (Constitution of the Pascua Yaqui Tribe, Article VI, Section 1(a), (d) and (o)); and

WHEREAS, the Tribe’s Health Services Division recommends constructing and establishing a new health center clinic in Guadalupe, Arizona, in order to better serve the members of the Tribe who reside in and around that tribal community; and

WHEREAS, the Tribal Council desires to construct a new health clinic in Guadalupe, Arizona, in order to better serve the tribal members in that tribal community, and finds that constructing and establishing a new clinic is in the best interest of the Tribe; and

WHEREAS, the Pascua Yaqui Tribe intends to make expenditures with respect to the expansion of the Tribe’s Health Programs through the construction of the new health clinic in Guadalupe, including related parking, road, sewer, water and utility improvements and other infrastructure (collectively, the “Project”), and officially intends to reimburse itself for certain capital expenditures from the proceeds of any indebtedness incurred from financing the Project; and

WHEREAS, the new facility in Guadalupe will enable the Tribe’s Health programs to add billable services, which will assist in providing funds for the cost of the facility, and is consistent with the mission of the Health Services Division.

NOW THEREFORE BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE PASCUA YAQUI TRIBE that it hereby: (1) approves and authorizes the construction of the Guadalupe Clinic Facility and authorizes the Health Services Division to proceed with design, with the expectation of a design build project in order to permit the facility to be completed as soon as practical, with expected costs not to exceed \$10 million; and (2) appropriates from available Health Service Fund balances, up to \$2.5 million, for commencing the project, and authorizes borrowing of up to \$7.5 million for the project, with such amount(s) to be reduced by New Market Tax Credits, if available; (3) declares its official intent to use proceeds of the debt to reimburse itself for certain capital expenditures; (4) approves that this resolution shall take effect from and after its adoption; and (5) authorizes the Chairman or his/her successor to execute documents in furtherance of the Guadalupe Clinic Facility construction project, and to take any and all necessary and proper action to execute, implement and enforce this Resolution.

PAGE 2

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**APPROVING THE GUADALUPE HEALTH CLINIC CONSTRUCTION PROJECT,
AND AUTHORIZING APPROPRIATIONS AND BORROWING FOR THE PROJECT.**

CERTIFICATION

THE FOREGOING RESOLUTION was, on **September 23, 2020**, duly adopted by a vote of **NINE** in favor, **ZERO** opposed, and **ZERO** abstaining, by the Tribal Council of the Pascua Yaqui Tribe pursuant to authority vested in it by Article VI, Sections 1(a), (g) and (o) of the Constitution of the Pascua Yaqui Tribe, as adopted on January 26, 1988 and approved by the Secretary of Interior on February 8, 1988 pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



CHAIRMAN OF THE PASCUA YAQUI TRIBE



SECRETARY OF THE PASCUA YAQUI TRIBE

