

RESOLUTION
COLORADO RIVER TRIBAL COUNCIL

A Resolution to Approve Phase Two Measures to Mitigate the Spread of COVID-19 with a "Safer At Home" Order Effective Until September 30, 2020.

Be it resolved by the Tribal Council of the Colorado River Indian Tribes of the Colorado River Indian Reservation, in *special* meeting assembled on August 24, 2020.

WHEREAS, the Colorado River Indian Tribes (hereinafter "CRIT" or "Tribes") is a federally recognized Indian Tribe, duly organized with a tribal governing body known as the Tribal Council according to the provisions contained in the Indian Reorganization Act of June 18, 1934; and

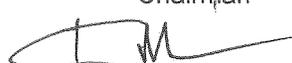
WHEREAS, Article VI, Section 1(v) of the Constitution of the Colorado River Indian Tribes authorizes the Tribal Council to promulgate ordinances and resolutions providing for the administration of the health, education and welfare of members of the tribes.

WHEREAS, the World Health Organization declared a Public Health Emergency of International Concern on January 30, 2020; the United States Health and Human Services declared a Public Health Emergency related to the Coronavirus Disease 2019 (COVID-19) outbreak on January 31, 2020; the World Health Organization officially declared a pandemic due to COVID-19 on March 11, 2020; and the United States declared a National Emergency on March 13, 2020; and CRIT also declared an emergency for the Reservation on March 13, 2020; and

WHEREAS, the Colorado River Indian Tribes approved Resolution No. 54-20 on April 1, 2020 requiring all non-essential businesses to close and all non-essential personnel to stay at home until April 30, 2020 and extended until August 31st, 2020 by Resolution No. 112-20, 99-20, 75-20 and 61-20 necessary to flatten the significant surge of positive COVID-19 cases in the tribal community between May 1st and July 31st, 2020; and

The foregoing resolution was on August 24, 2020 duly approved by a vote of 6 for, 0 against and 0 abstaining, by the Tribal Council of the Colorado River Indian Tribes, pursuant to authority vested in it by Sections 1.v., Article VI of the Constitution and By laws of the Tribes, ratified by the Tribes on March 1, 1975 and approved by the Secretary of the Interior on May 29, 1975, pursuant to Section 16 of the Act of June 18, 1934, (46 Stat. 984). This resolution is effective as of the date of its adoption.

COLORADO RIVER TRIBAL COUNCIL
By 

Chairman
 **ACTING**

Secretary

WHEREAS, the Colorado River Indian Tribes continues to be in a state of emergency and the risk of an outbreak of COVID-19 continues to be a grave danger to the Colorado River Indian Tribal member and non-tribal community; and

WHEREAS, the Colorado River Indian Tribes community has seen reported positive COVID-19 cases begin to flatten in August with only 15 new cases reported between August 1st and August 23rd, 2020; and

WHEREAS, the Tribal Council has also reviewed the COVID-19 case activity within the surrounding communities to determine whether to extend Resolution 54-20, the "Stay at Home" order or to consider entering into a phased re-opening of the tribal economy; and

WHEREAS, the Tribal Council has determined that due to the recent flattening of COVID-19 cases within the tribal and surrounding communities an extension of Resolution 54-20 at this time is not required but certain measures must remain in place to mitigate the spread of COVID-19; and

WHEREAS, in order to begin a phased and safe re-opening of the Tribal economy the Tribal Council is prepared to order Phase 2, "Safer at Home" measures to continue to mitigate and slow the spread of COVID-19 by ensuring safe operation of businesses and other services.

NOW, THEREFORE, BE IT RESOLVED by the Tribal Council of the Colorado River Indian Tribes that the Colorado River Indian Tribes hereby approves a "Safer at Home" Order which requires the following measures remain in place:

- 1) Seasonal residents who reside in any of the Mobile Home, RV Parks, housing developments, or have a homesite lease on the reservation shall be permitted to access their residences after September 8th but only members of the immediate household of the lessee shall be permitted on-site; and
- 2) There shall be no gatherings, public or private, of more than 10 individuals indoors or 25 individuals outdoors and social distancing and the use of face masks is required for all gatherings; and
- 3) Bars, movies theaters, gyms, museums, stadium sport events, day camps (excluding child care) and concerts shall remain closed; and
- 4) Indoor dining may be permitted at no more than 50% capacity and a plan must be submitted for Tribal Council approval detailing standards to maintain Centers for Disease Control ("CDC"), Occupational Safety and Health Administration ("OSHA") and CRIT standards; and

- 5) Churches shall remain closed unless they submit a plan for Tribal Council approval detailing standards to maintain CDC, OSHA and CRIT standards; and
- 6) Schools shall only open for hybrid in-person/virtual learning provided all three benchmarks indicated by the Arizona Department of Health Services for moderate or minimal transmission are met for two weeks prior to beginning in-person learning and a plan is submitted to Tribal Council for approval detailing standards to maintain CDC, OSHA and CRIT standards; and
- 7) Large venues, such as the Blue Water Resort and Casino shall remain closed unless they submit a plan for Tribal Council approval detailing standards to maintain CDC, OSHA and CRIT standards; and
- 8) All plans submitted for Tribal Council approval to re-open shall detail infection prevention measures, including but not limited to the use of face masks, and engineering and administrative controls for social distancing and reduced occupancy requirements, sanitation policies and procedures, screening of staff and patrons for COVID-19 identification and isolation, contact tracing protocol for positive case exposures, and communications, training, and procedures for implementation in accordance with CDC, OSHA, and CRIT standards; and
- 9) A reservation-wide curfew shall remain in effect for all individuals from 10pm to 5am with the exception of travel for essential work or medical care. This provision does not otherwise expand the curfew for minors outlined within Law and Order Code Section 361; and
- 10) All CRIT Tribal Members and the reservation residents are still strongly advised to stay at home whenever possible to maintain the reduction in COVID-19 cases and protect the most vulnerable community members from COVID-19.

BE IT FURTHER RESOLVED that this Resolution shall take effect September 1st, 2020 and shall remain in effect until September 30, 2020, or until Tribal Council, in consultation with public health officials, determines that the threat has decreased or increased and these restrictions can be lifted or Stay at Home orders must be reinstated; and

BE IT FURTHER RESOLVED that the CRIT Incident Command team shall monitor the percent bi-weekly change and 14-day rolling new average of cases reported by the Indian Health Services to determine whether to reinstate Resolution 54-20; and

BE IT FURTHER RESOLVED that if the percent bi-weekly change increases by 8% or more on any day the Tribal Chairman shall immediately re-instate the provisions of the Stay at Home Order, Resolution 54-20, which action shall be ratified at the next available Tribal Council meeting; and

BE IT FURTHER RESOLVED that any business or entity which petitioned to re-open during the pendency of Resolution No. 54-20 and its extensions, shall continue to comply with the plans submitted to Tribal Council and additional Tribal mandates including any more stringent requirements passed by Tribal Council since approval was granted to re-open, such as the face covering requirement; and

BE IT FURTHER RESOLVED that nothing contained herein modifies the face mask requirements mandated by Resolution No. 98-20, which remains in full force and effect until rescinded by Tribal Council; and

BE IT FURTHER RESOLVED that the penalties outlined within Resolution No. 54-20 continue to apply for any violations of this Resolution and Resolution No. 98-20 are explicitly incorporated herein; and

BE IT FURTHER AND FINALLY RESOLVED that the Tribal Council Chairman and Secretary, or their designated representatives, are hereby authorized and directed to execute any and all documents necessary to implement this action.