RESOLUTION NO: 20-019
Date of Passage: March 19, 2020
Subject (title): Declaring State of Emergency due to COVID-19 Pandemic.

WHEREAS: Under Article VI, Section 2 of the Constitution of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians of Oregon ("Constitution"), the Tribal Council is authorized to exercise all legislative and executive authority of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians ("Tribe" or "CTCLUSI"); and

WHEREAS: Under Article VI, Section 4 of the Constitution, all final decisions of Tribal Council shall be embodied in ordinances or resolutions; and

WHEREAS: On February 19, 2020, the Oregon Health Authority identified the first presumptive case of the 2019 novel coronavirus ("COVID-19") in the State of Oregon in Washington County, Oregon;

WHEREAS: The Oregon Health Authority has since that time worked to identify, contact, and test others in Oregon potentially exposed to COVID-19 in coordination with the United States Centers for Disease Control and Prevention ("CDC"); and

WHEREAS: COVID-19, a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person; and

WHEREAS: COVID-19, poses a higher risk to our elders and our community members who have underlying health conditions; and

WHEREAS: The CDC identifies the potential public health threat posed by COVID-19 both globally and in the United States as "high", and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and

WHEREAS: On March 8, 2020, Oregon State Governor Kate Brown declared a state of emergency surrounding the COVID-19 outbreak in Oregon; and
WHEREAS: On March 11, 2020, the WHO declared the COVID-19 outbreak a pandemic; and

WHEREAS: On March 13, 2020, the President of the United States of America Donald Trump declared the COVID-19 outbreak in the United States to constitute a national emergency; and

WHEREAS: The Oregon Health Authority has confirmed localized person-to-person spread of COVID-19 in Oregon State, significantly increasing the risk of exposure and infection to Oregon State's general public and creating an extreme public health risk that may spread quickly; and

WHEREAS: The worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States, Oregon State, and CTCLUSI aboriginal homelands significantly impacts the life and health of our Tribal people and the Tribal economy, and is a public disaster that affects life, health, property or the public peace;

THEREFORE, BE IT RESOLVED, on behalf of the Tribe, the Tribal Council declares a state of emergency due to the threat posed by COVID-19;

BE IT FURTHER RESOLVED, that the Tribal Council Chairman is hereby authorized to execute any and all documents, and take any and all actions, necessary to facilitate the Tribe's access to, and participation in, tribal, state and federal emergency and disaster relief efforts;

BE IT FURTHER RESOLVED, that the Tribal Government Chief Executive Officer is hereby designated as the Tribe's Emergency Program Manager/Emergency Operations Plan Manager ("EPM") under applicable tribal, state and federal law, and she may delegate such authority as appropriate;

BE IT FURTHER RESOLVED, that the EPM is hereby authorized to activate the Tribe’s Emergency Response Team ("ERT"), which shall be comprised of appropriate Tribal Employees, including but not limited to the EPM, the Chief of Police, the Tribal Government CFO, the CEO for the Tribe's gaming operations, and the Director of Health Services;

BE IT FURTHER RESOLVED, that the Tribal Government is hereby designated as the Tribe’s Emergency Management Agency ("EMA"), pursuant to ORS 401.305, and shall perform emergency program management functions within the Tribe’s territorial jurisdiction, and may perform such functions outside the Tribe’s territory, consistent with any mutual aid or cooperative assistance agreement or as requested and authorized by the county or city in whose territorial limits the emergency functions are performed;
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BE IT FURTHER RESOLVED, that the EPM, ERT and EMA shall proceed to implement the Tribe’s Pandemic Influenza Preparation Plan;

BE IT FURTHER RESOLVED, that, the EPM, in consultation with the ERT and Tribal Council, is hereby authorized to modify or deviate from the Plan as appropriate under the circumstances;

BE IT FURTHER RESOLVED, that the ERT shall meet regularly with the EPM to facilitate best use of the Tribe’s resources, including but not limited to use of EMA resources to best protect the Tribe, its members, and local communities located within CTCLUSI ancestral lands;

BE IT FURTHER RESOLVED, that the EPM, in consultation with the ERT and the Tribal Council, is hereby authorized to take all actions necessary to protect the Tribe, its members, and local communities located within CTCLUSI ancestral lands, subject to applicable tribal, state and federal law;

BE IT FURTHER RESOLVED, that the EPM shall regularly brief the Tribal Council on the EMA’s efforts to abate this emergency;

BE IT FURTHER RESOLVED, that, after the date of this Resolution, Tribal Council must approve, by documented voice vote, initiation of, or modification to, complete or partial shutdowns of governmental, enterprise or gaming operations, the terms and conditions of which must be in writing;

BE IT FURTHER RESOLVED, a copy of this resolution shall be provided to the Governor and to the Bureau of Indian Affairs; and

BE IT FINALLY RESOLVED, that this state of emergency, and the actions authorized by this Resolution, shall remain in effect until lifted by Tribal Council Resolution.
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CERTIFICATION: On March 19, 2020, this Resolution was approved at a Tribal Council Meeting held this date, and the vote was:

_____ FOR

_____ AGAINST

_____ ABSTAIN

Mark Petis  
Councilperson - Vice Chairman

Jordan Davis  
Councilperson

CONFEDERATED TRIBES OF COOS, LOWER UMPQUA & SIUSLAW INDIANS  
Councilperson