



# **FORT INDEPENDENCE INDIAN RESERVATION**

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## **RESOLUTION NO. 2020-01 BUSINESS COMMITTEE RESOLUTION**

### **A RESOLUTION OF THE FORT INDEPENDENCE TRIBE TO A DECLARE STATE OF EMERGENCY**

- WHEREAS, the Fort Independence Paiute Tribe (referred to as the "Tribe") is a federally recognized Indian Tribe with the inherent sovereignty to make its own laws and be governed by them; and
- WHEREAS, the Business Committee ("Tribal Council") is the duly elected governing body of the Fort Independence Tribe, empowered pursuant to its inherent sovereign authority and the Articles of Association to represent the Tribe and act in all matters that concern the health, safety and general welfare of the Tribe; and
- WHEREAS, in December 2019, an outbreak of respiratory illness due to a novel coronavirus, known as "COVID-19," was first identified in Wuhan, Hubei Province, China, and has spread outside of China, impacting all 50 states within the United States and the State of California; and
- WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist in California as a result of the threat of COVID-19 which as impacted all sectors of California; and
- WHEREAS, the Fort Independence is actively participating in conference calls with the United States and the State of California, the Centers for Disease Control and Prevention, local governments, health facilities and health care providers on or near the Fort Independence Reservation to prepare and protect the Tribal members and their families and Reservation residents, employees and the public from COVID-19; and
- WHEREAS, as of March 17, 2020, 6 p.m. Pacific Daylight Time, there are a total of 598 positive cases and 13 deaths in California (including one non-California resident). Approximately 11,900 people are self-monitoring, across 49 local health jurisdictions, after returning to the U.S. from travel; and
- WHEREAS, on March 16, 2020 Inyo County Public Health Officer, Dr. James Richardson, declared a local health emergency; and
- WHEREAS, there is no current confirmed case of COVID-19 in Inyo County, however, our area is experiencing a heightened number of people reporting cold and flu-like symptoms and Dr. Richardson anticipates cases of coronavirus (COVID-19) in the Eastern Sierra in the immediate future; and
- WHEREAS, experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require

hospitalization, particularly individuals who are elderly, those with compromised immune systems, or those who already have underlying chronic health conditions such as diabetes, heart disease, obesity and lung disease; and

WHEREAS, it is imperative for the Tribe to prepare for and respond to suspected or confirmed COVID-19 cases within the Fort Independence Reservation and surrounding areas, to implement measures to protect the public health and slow the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization; and

WHEREAS, the Fort Independence Indian Reservation is a small, rural community where many residents are impoverished, elderly, live in small homes with overcrowding and without reliable modes of transportation and as there is no medical care on the Reservation or in the neighboring town of Independence. An outbreak would disproportionately affect our community and spread quickly to through the Fort Independence Reservation and surrounding community which constitutes an immediate and imminent threat to the health and safety of all residents in Inyo County creating a ongoing state of public health emergency; and

WHEREAS, if COVID-19 spreads onto the Fort Independence Reservation at a rate comparable to the rate of spread in other local jurisdictions within the State of California, the number of persons requiring medical care will exceed locally available resources, and controlling outbreaks minimizes the risks to the public, maintains the health and safety of the people of the Fort Independence Tribe, and limits the spread of infection in our communities and within the healthcare delivery system; and

WHEREAS, the United States Government has a trust responsibility with the Fort Independence Reservation and has failed to provide any supplies, aid, or financial resources to the Fort Independence Reservation to prevent and/or adequately respond to COVID-19 and therefore the Fort Independence Business Committee requests the immediate mobilization of all resources, local, county, state and federal to assist the Tribe to successfully respond to COVID-19; and

WHEREAS, on this date, the Fort Independence Tribe has activated its emergency plan to protect the health and safety of the Fort Independence Reservation and its Tribal and community members and to receive assistance from all agencies including the United States Government, the United State Department of Homeland Security, the United States Federal Emergency Management Agency, the Department of the Interior, the Department of Health and Human Services, the state of California and County of Inyo and any other appropriate governmental agency; and

WHEREAS, the Fort Independence Business Committee, in its capacity as the official governing body of the Tribe and pursuant to its inherent sovereignty and constitutional authority under the Articles of Association, finds it necessary to declare a State of Emergency to exist on the Fort Independence Reservation in order to minimize the threat of potential outbreak and spread of COVID-19 onto the Fort Independence Reservation, to make Tribal, County, State and Federal resources available, to help formalize emergency actions

already underway within the Tribal Government and assist the Tribe to prepare for the potential outbreak and spread of COVID-19; and

NOW THEREFORE, BE IT RESOLVED, that the Business Committee in its capacity as the official governing body of the Tribe and pursuant to its inherent sovereignty and constitutional authority under the Articles of Association, finds it necessary to declare a State of Emergency that exists on the Fort Independence Reservation in order to minimize the threat of potential outbreak and spread of COVID-19 onto the Reservation, to make all resources available, to help formalize emergency actions already underway within the Tribal Government and assist the Fort Independence Tribe to prepare for the potential outbreak and spread of COVID-19.

#### CERTIFICATION

THIS IS TO CERTIFY THAT THE ABOVE BUSINESS COMMITTEE RESOLUTION, 2020-01 WAS ADOPTED BY THE FORT INDEPENDENCE BUSINESS COMMITTEE AT A DULY CALLED MEETING OF WHICH A QUORUM WAS PRESENT, HELD ON MARCH 18, 2020, BY A VOTE OF 3 FOR, 0 AGAINST, & 0 ABSTENTIONS.

THIS RESOLUTION IS HEREBY CERTIFIED AS AUTHENTIC AND HAS NOT BEEN CHANGED OR AMENDED IN ANY WAY.



\_\_\_\_\_  
Carl Dahlberg, Chairman

03/18/2020

\_\_\_\_\_  
Date



\_\_\_\_\_  
Jack Bracken, Secretary/Treasurer

03/18/2020

\_\_\_\_\_  
Date