PUEBLO OF SANTA ANA

RESOLUTION OF THE TRIBAL COUNCIL

RESOLUTION NO. 2023-R-26

RE: RESOLUTION APPROVING GOVERNOR'S OFFICE MEMORANDUM NO. 06 PER RESOLUTION NO. 2020-R-14

WHEREAS, the Pueblo of Santa Ana is a federally recognized Indian tribe governed under a traditional form of government, and possessing all the inherent sovereign powers of self-government; and

WHEREAS, the Tribal Council is the duly recognized decision and policy making body for the Pueblo of Santa Ana; and

WHEREAS, in accordance with Resolution No. 2020-R-14 issued on April 3, 2020, the Governor hereby requests to issue Governor's Memorandum No. 06, to be implemented within the boundaries of Santa Ana Pueblo lands, as authorized by the Tribal Council and this Resolution. This Amendment is in response to the current Novel Coronavirus Disease (COVID-19) Public Health Emergency and the associated vaccination initiative of the Pueblo of Santa Ana. The intent and purpose of Governor's Office Memorandum No. 04 is to reissue and/or repeal certain previous provisions set forth in the Resolution, including modified measures intended to further ensure a continued, effective response to the COVID-19 pandemic while reinstating specific access for tribal members and expanded operations of the Pueblo of Santa Ana Tribal Government and Santa Ana Business Enterprises; and

WHEREAS, the rapid spread of COVID-19 has impacted cities, towns, and Native American reservations across New Mexico and remains a threat to the public health of the Pueblo of Santa Ana. According to the Centers for Disease Control and Prevention (CDC), COVID-19 cases and deaths have been reported in all 50 states, and the situation is constantly changing. Because travel increases your chances of getting infected and spreading COVID-19, staying home is the best way to protect yourself and others from getting sick; and

WHEREAS, furthermore, the CDC urges that "limiting face-to-face contact with others is the best way to reduce the spread of COVID-19" and "the more closely you interact with others and the longer that interaction, the higher the risk of COVID-19 spread." The greatest risk to our Santa Ana people is gatherings, especially when non-vaccinated individuals are in attendance. Diligence in limiting gatherings is imperative. The best way to protect you and your family from COVID-19 is to get vaccinated. COVID-19 vaccines have been proven to be safe and effective. Vaccines are effective and offer a lower the risk of contracting, spreading, and becoming seriously ill from COVID-19; and

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NOW THEREFORE BE IT RESOLVED, by the Tribal Council of the Pueblo of Santa Ana that NOTICE IS HEREBY GIVEN, that pursuant to Resolution No. 2020-R-14, and in conjunction with the Pueblo of Santa Ana Governor's Office Memorandum No. 01 of July 10, 2020, all individuals on the Pueblo of Santa Ana shall comply with the following modified provisions:

1. Ongoing COVID-19 safe practices for all Pueblo of Santa Ana residents
2. Modification of Santa Ana Tribal Government Operations
3. Checkpoints and road closures
4. Guidelines concerning death of a resident
5. Traditional and Religious Activities
6. COVID-19 vaccinations
7. General COVID-19 safe practice; and

BE IT FURTHER RESOLVED that the following modified provisions shall serve as a guide for individuals and each head of household who must comply with and enforce this order. Santa Ana Police Department (SAPD), in cooperation with the Pueblo of Santa Ana Emergency Management Department, will monitor activity throughout the duration of the Resolution.

1. **COVID-19 SAFE PRACTICES FOR ALL PUEBLO OF SANTA ANA RESIDENTS AND EMPLOYEES**

A. The Pueblo of Santa Ana will allow tribal members, their spouses, and their children, who are residing off Santa Ana tribal lands, to enter and exit the Pueblo. While there is no longer a restriction on children leaving Pueblo boundaries, parents/guardians are encouraged to maintain Safety Guidelines.

   i. No nonmember will be allowed entry into the Pueblo villages except government employees and officials on official business, employees of the Pueblo and Pueblo entities, vendors, contractors, or others having prior express authorization from the Governors. The Pueblo reserves the right to require COVID-19-safe practices to include vaccinations, temperature check upon entry to government buildings, mask requirements, and presentation of a valid COVID-19 vaccination card.

B. Santa Ana students will continue to attend in-person, hybrid, and/or virtual learning options, following mask mandate/face covering and other COVID-19 Safety Guidelines issued by the school or by the Governor.

C. The Pueblo of Santa Ana Police Department, Fire, and EMS services are reactivated to full operation and service delivery.

D. Food delivery services for elders and children will continue with food handling safety precautions.

E. Non-traditional social gatherings (an assembly or meeting of multiple people from different households), indoor and outdoor, should be limited to family members and social distancing shall be maintained.

F. The following rules for COVID-19 safe practices are additions and replacements for previous subsections in this section:
   i. Mask/face covering mandate: At the discretion of the Governor, mask/face covering is required for all employees and patrons of Tribal Government Operations. Additionally, Tribal members may be required to wear a mask/face covering while in public on Santa Ana lands. Furthermore, mask/face covering maybe required during cultural events at Old Santa Ana. KN95 masks are recommended.
   ii. Tribal members should limit travel to essential purposes only. "Essential travel" is travel that is required to preserve the safety of a Tribal Member and cannot be postponed.
   iii. Work related travel (i.e., conferences, trainings, etc.) for employees of Tribal Government Operations will be considered and approved at the discretion of the Governor.

G. All Tribal members living on and off the Pueblo as well as all Government employees are required to participate in COVID-19 testing as ordered by the Governor. COVID-19 testing locations are as follows:
   i. Santa Ana Tribal Wellness Center
   ii. Santa Ana IHS Clinic (Mon.-Fri.); Register at: (505) 867-2497
   iii. Curative.com (various locations and times available)
   iv. Or find a location nearest you at: https://cvprovider.nmhealth.org/directory.html

H. A curfew of 12:00 a.m. to 6:00 a.m. will no longer remain in place until further notice. Curfew times will be posted on the digital signs at the checkpoint located at the intersection of NM 313 and Dove Rd. The Old Village of Tamaya will also follow the curfew schedule.

2. MODIFIED BUSINESS OPERATION RESTRICTIONS

Tribal buildings are open to the public for in-person business; with the safe practice of social distancing, all policies and procedures remain in effect.

A. Tribal businesses are to operate at limited or reduced capacity as needed.
B. Directors and staff are required to work regular office hours.
C. Government programs and activities will continue to operate at limited or reduced capacity as needed.

3. **CHECKPOINTS AND ROAD CLOSURES**

The intent of this measure is to control access on and off all Santa Ana lands by all persons, with a focus on travelers and non residents who may attempt to enter tribal lands. All access roads into the Santa Ana Pueblo villages will continue to be manned 24 hours a day, 7 days a week, until further notice.

A. The security checkpoint located at the intersection of NM 313 and Dove Rd. on the Pueblo of Santa Ana shall remain in operation and serve as the primary point of access for monitoring authorized individuals who are entering and exiting Santa Ana Pueblo. Individuals are not allowed to enter or exit the Pueblo via Villages of Chicale, Ranchitos, or Rebahene or through any other roads or access points on the Pueblo unless authorized by the Governors.

B. Bullsnake Gate will be open from 5:30 am to 10 pm.

4. **GUIDELINES - DEATH OF A RESIDENT PUEBLO MEMBER, PUEBLO MEMBER RESIDING OFF SANTA ANA BOUNDARIES, A NON-MEMBER RESIDING ON SANTA ANA BOUNDARIES, AND COVID-19 RELATED DEATH**

A. Burials and traditional wakes are allowed with limited capacity. The Governor's Office must be informed of any death and will provide further guidance on current procedures.

5. **TRADITIONAL AND RELIGIOUS ACTIVITIES**

A. Church services can resume in accordance with safety guidelines. All church activities will be determined by the Head Church Official of the Pueblo.

B. All traditional and cultural activities will be determined by Santa Ana Pueblo traditional leadership.

C. Notice will be provided to the tribal community in advance of any scheduled events at Santa Ana Pueblo.

D. Tribal members participating in or viewing other Pueblo's traditional or religious activities must exercise caution and safe practices. It is recommended that tribal Members who participate in outside functions test for Covid-19 if symptoms appear or at the next earliest Pueblo testing event.

6. **COVID-19 VACCINATIONS**

A. COVID-19 vaccinations, including booster vaccinations, are no longer required for all Santa Ana employees. For COVID-19 vaccination information please contact the Pueblo of Santa Ana Emergency Management Department at (505) 771-6397.

B. All unvaccinated tribal members and children participating in programs are no longer required to test weekly and at any other time required.

7. **GENERAL COVID-19 SAFE PRACTICES**

A. As you exit the Pueblo, please use extreme caution and follow COVID-19 safe practices as you attend functions, events or other establishments.

B. It is recommended that tribal Members who participate in outside functions test for Covid-19 if symptoms appear or at the next earliest Pueblo testing event.

C. In general, stay at home: avoid unnecessary travel and always stay at home when you are sick (except for medical emergencies).

D. All Tribal Members are obligated to follow all quarantining, isolation, and testing requirements as outlined in this memorandum, or as required by the Governor's Office, Tribal Leadership, and the Pueblo of Santa Ana Emergency Management Department.

E. Symptoms of COVID-19 can appear 2-14 days after exposure.

F. If you have been exposed to someone with the COVID-19 virus or have tested positive for COVID-19, you are required to immediately contact the Pueblo of Santa Ana Emergency Management Department for guidance.

G. Wear a face covering in all public places (both on and off Santa Ana lands), avoid crowds, and sanitize hands after touching any surface or other individuals.

F. Wash your hands thoroughly and frequently or use hand sanitizer when soap and water are unavailable.

G. Avoid touching your eyes, nose, and mouth with unwashed hands.

H. Arrange for all meetings or visits to take place remotely/virtually whenever possible.

I. Cover your cough or sneeze with a tissue, then throw the tissue in the trash.

J. Clean and disinfect frequently touched objects and surfaces in your home and vehicles.; and

BE IT FURTHER RESOLVED THAT NOTICE IS FURTHER GIVEN, that provisions of this Memorandum shall take effect on May 30, 2023, and shall remain in effect until rescinded or modified by a subsequent memorandum or Executive Order; and

BE IT FURTHER RESOLVED THAT NOTICE IS FURTHER GIVEN, that all Memos and Orders of the Governor of the Pueblo of Santa Ana issued for the health, safety, and welfare of the Pueblo of Santa Ana during the COVID-19 pandemic shall be enforced by the Santa Ana Police Department and the Tribal Officials; and

BE IT FURTHER RESOLVED THAT NOTICE IS FURTHER GIVEN, that the Pueblo of Santa Ana Emergency Management Department and the Pueblo of Santa Ana Police Department and Officials are authorized to isolate or quarantine individuals or groups as necessary to prevent or limit the spread of a threatening communicable disease; and

BE IT FURTHER RESOLVED THAT NOTICE IS FURTHER GIVEN, that, for the reasons set forth above, the Santa Ana Tribal Council hereby authorizes the Pueblo of Santa Ana Prosecutor and the Santa Ana Police Department to charge all criminal offenses applicable for violation of this Order; and

BE IT FURTHER RESOLVED THAT NOTICE IS FURTHER GIVEN, that the Pueblo of Santa Ana Contemporary Tribal Court may enforce the provisions of this Order by imposing civil and criminal penalties and citations. Civil or Criminal prosecution or lawsuits may be filed for violations of this Order in accordance with the Pueblo of Santa Ana Resolution 1993-R- 28 Special Trespass Action Code, or according to the criminal code adopted by the Pueblo of Santa Ana. Prosecution can include, but shall not be limited to, violations of Public Nuisance (NMSA 30-8-1), Disobedience of a Lawful Order of the Court (25 CFR offense can 11.433), and Resisting, Evading, or Obstruction of an Officer (NMSA 30-22-1). Each offense can be charged, and violations may face up to 365 days in jail and up to $5,000.00 in fines; and

BE IT FURTHER RESOLVED THAT NOTICE IS FURTHER GIVEN, that the Pueblo of Santa Ana Traditional Court and Pueblo of Santa Ana Tribal Officials shall enforce the provisions of this Order by imposing temporary or traditional remedies for each violation, which can include, but are not limited to, temporary or permanent banishment or exclusion; and

BE IT FURTHER RESOLVED THAT NOTICE IS FURTHER GIVEN, that any employee of the Pueblo of Santa Ana and Santa Ana Business Enterprises who is in violation of the Executive Order shall be subject to disciplinary action as authorized by each entity's Personnel Policy; and

BE IT FURTHER RESOLVED THAT NOTICE IS FURTHER GIVEN, that other preventive measures will be initiated and enforced in response to any additional public health threat to the Santa Ana community and will be at the discretion of the Santa Ana tribal government and the Emergency Management Department; and

BE IT FINALLY RESOLVED that the Governor of the Pueblo of Santa Ana or his designee is hereby authorized and directed to execute all documents necessary to carry out the intent of this Resolution on behalf of the Pueblo.

CERTIFICATION

I, the undersigned, as the Governor of the Pueblo of Santa Ana, hereby certify that the Santa Ana Tribal Council, at a duly called meeting that was convened with proper notice and was held on the 30th day of May, 2023, at the Pueblo of Santa Ana, New Mexico, a quorum being present, approved the foregoing Resolution by acclamation.

GOVERNOR

Nathan Garcia

ATTEST:

E.J. LUJAN
Councilman (signed and printed name)

Councilman (signed and printed name)

M. Montoya
Councilman (signed and printed name)