

**RESOLUTION OF THE HOOPA VALLEY TRIBE
HOOPA VALLEY INDIAN RESERVATION
HOOPA, CALIFORNIA**

RESOLUTION NO: 23-27

DATE APPROVED: March 2, 2023

SUBJECT: A Resolution of the Tribal Council to (1) Approve and Authorize the Use of Video Conferencing for the Open Session of Regular Meetings and Special Meetings of the Tribal Council; and (2) to Approve and Authorize the Establishment of a Procedure to Attend the Open Session of Regular Meetings and Special Meetings of the Tribal Council via Video Conferencing; and (3) to Approve and Authorize the Establishment of a Code of Conduct for Attendees of the Open Session of Regular Meetings and Special Meetings of the Tribal Council via Video Conferencing

WHEREAS: The Hoopa Valley Tribe ("Tribe") adopted the Constitution and Bylaws of the Hoopa Valley Tribe, Hoopa Valley Indian Reservation ("Constitution") on June 20, 1972, as amended, which was approved by the Commissioner of Indian Affairs on August 18, 1972 and ratified by Act of Congress on October 31, 1988, and 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 Tribe's jurisdiction extends to all lands within the exterior boundaries of the Hoopa Valley Indian Reservation- as established by Executive Order of June 23, 1876- and to such other lands as may hereafter be acquired by or for the Tribe ("Reservation"); and

WHEREAS: The Hoopa Valley Tribal Council ("Tribal Council" or "Council") is the governing body of the Tribe pursuant to Article V, Section 1 of the Constitution; and

WHEREAS: The Council consists of a chairman and seven (7) other members each representing a district of the Reservation and elected at large, and where the Vice-Chairman is elected by the Council from within its own membership as set forth in Article V of the Constitution; and

WHEREAS: The Tribal Council has the authority to promulgate and enforce ordinances governing the conduct of members and nonmembers of the Tribe pursuant to Article IX(k); and

WHEREAS: Pursuant to Article XI, Section 1, the Chairman presides over all meetings of the Tribal Council and of the Tribe's general membership; and

WHEREAS: Regular meetings of the Tribal Council are held twice a month according to Article XII, Section 1 of the Constitution; and

WHEREAS: Special meetings may be called by written notice pursuant to Article XII, Section 1 of the Constitution, and when so called, the Tribal Council has the power to transact business as in regular meetings; and

WHEREAS: Regular meetings of the Tribal Council, as well as special meetings, consist of an Executive Session and an Open Session; and

WHEREAS: The Tribe's membership is permitted to and can attend the Open Session in-person, and the Tribal Council believes it is important to hold regular meetings and special meetings open to the public; and.

WHEREAS: Individuals who are not Tribal members but who are employed by the Tribe, Tribal Department, or Tribal entity are considered "authorized attendees"; additionally, individuals who properly bring a matter before the Tribal Council or who are requested to appear at the Open Session are also considered "authorized attendees"; and

WHEREAS: The Tribal Council desires that the membership and authorized attendees have greater access to the Open Session and, believes that remote attendance via video conferencing should be made available for Tribal members who are unable to or cannot attend the Open Session in-person; and

WHEREAS: In furtherance of this objective, the Tribal Council has determined it is in the best interest of the Tribe that the Tribal membership and authorized attendees are permitted to attend the Open Session remotely by means of video conferencing; and

WHEREAS: The Tribal Council utilizes "Zoom", a video conference platform that can be used through a computer or mobile app allowing users to connect to video conference meetings online; and

WHEREAS: "Zoom" has been found to be vulnerable to certain cyber-attacks, such as the unwanted and disruptive intrusion by an uninvited individual attendee to a video conference meeting (known as "Zoom bombing") which became prevalent nationwide during the COVID-19 pandemic; and

WHEREAS: The Tribal Council has determined it is necessary to establish procedures for a Tribal member's or authorized attendee's remote attendance via Zoom to the Open Session to promote the integrity of the participant's identity, to promote a productive Open Session, and to minimize the possibility Open Session disruptions by means of Zoom bombing.

NOW THEREFORE BE IT RESOLVED, that the Hoopa Valley Tribal Council approves and authorizes the use of video conferencing, such as Zoom, for the Open Session of regular meetings of the Tribal Council and the Open Session of special meetings when called.

BE IT FURTHER RESOLVED, that the Hoopa Valley Tribal Council approves and authorizes the remote attendance of a Tribal member, or authorized attendee who is not a Tribal member, to the Open Session of regular meetings and special meetings via video conferencing, such as Zoom.

BE IT FURTHER RESOLVED, that the Hoopa Valley Tribal Council approves and authorizes the establishment of the following procedure for a Tribal member's or authorized attendee's remote attendance to the Open Session of a regular meeting or special meeting via video conference, such as Zoom, as follows:

1. A video conference link will be generated for each Open Session of a regular meeting or special meeting, and provided to the Tribe's membership and authorized attendees.
2. The video conference link is intended for the Tribal member's or authorized attendee's use only.
3. When using Zoom, Tribal members and authorized attendees joining the Open Session meeting will be placed in the "waiting room".

4. The Executive Secretary, or a designee, will act as the Verifier. The Verifier will ask each individual participating in the meeting remotely to identify their name and enrollment number and/or birth date. If using Zoom's video capability, the Verifier may request the individual to show their face to the Verifier.
5. If an individual's identity cannot be reliably verified, then the individual will be removed from the remote/video conferencing for that Open Session.
6. The Tribal member attendee must have their name displayed on the screen when attending the video conference Open Session. An authorized attendee, must display their name and place of business or agency of affiliation.
7. A Tribal member or attendee may display a professional and appropriate profile picture when the video function is not in-use.
8. When speaking, the Tribal member or authorized attendee should have their face visible on the screen if using Zoom's video capability. If a Tribal member or authorized attendee does not display their screen showing their face, then the Tribal member or authorized attendee must provide good cause. The Tribal Council will determine whether good cause exists.

BE IT FURTHER RESOLVED, that the Hoopa Valley Tribal Council approves and authorizes the establishment of the following Code of Conduct for a Tribal member's or authorized attendee's remote attendance to the Open Session of a regular meeting or special meeting via video conference, such as Zoom, as follows:

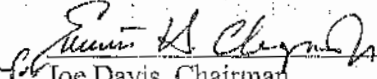
1. Tribal members and authorized attendees acknowledge that the video conference link is intended for the Tribal member's or authorized attendee's use only.
2. Tribal members and authorized attendees agree to be considerate and respectful when speaking.
3. Tribal members and authorized attendees agree to display their name and face when participating via teleconference to facilitate discussion, engagement, and to assist in authenticating the participant's identity.
4. Tribal members and authorized attendees agree to keep audio muted when the participant is not speaking.
5. Tribal members and authorized attendees agree to use the "raise hand" feature for permission to speak and to "lower hand" when done speaking.
6. Unacceptable behavior that violates the Code of Conduct is as follows:
 - a. Intentionally talking over or interrupt others;
 - b. Engaging in biased, demeaning, intimidating, coercive, or harassing or hostile conduct or commentary;
 - c. Engaging in stalking or unwelcome or surreptitious photography, screenshots, or recording of individuals or the Open Session; and
 - d. Intentionally disrupt the meeting, that includes but is not limited to "Zoom-bombing", intentional and sustained disruption either by audio or visual means, or engage in harm or threats of harm of any kind.
7. Tribal members and attendees acknowledge that the Tribal Council reserves the right to excuse and remove participant(s) who are not adhering to this Code of Conduct at any time during the meeting.

[CERTIFICATION ON NEXT PAGE]


CERTIFICATION

I, the undersigned, as Chairman of the Hoopa Valley Tribal Council, do hereby certify that the Hoopa Valley Tribal Council is composed of eight members of which eight (8) were present, constituting a quorum, at a Regular Meeting thereof, duly and regularly called, noticed, convened and held this 2nd day of March 2023; and that this resolution was duly adopted by a vote of seven (7) in favor with zero (0) opposed and zero (0) abstaining, and that said resolution has not been rescinded or amended in any way.

Dated this second day of March 2023.



Joe Davis, Chairman
Hoopa Valley Tribal Council

ATTEST: 

Amber Turner, Executive Secretary
Hoopa Valley Tribal Council