

TITLE 1 – GENERAL PROVISIONS

CHAPTER 1-15 EXECUTIVE MANAGEMENT

1-15-1 Authority and Purpose

- (a) The authority for this Code is found in the Tribal Constitution under Article VI, Section 2.
- (b) To provide for continuity in the management of the operational affairs of the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians (Tribes), to set forth the selection of the Tribal Administrator and responsibility and authority of the position as delegated by the Tribal Council (Council).

1-15-2 Background and Intent

- (a) The Council, as the governing body of the Tribes, has determined that the best interests of the Tribes are best served by providing for a position which shall be delegated the responsibility to carry out the executive functions of the Council.
- (b) The Council has determined that it can best carry out its legislative functions on behalf of the Tribes by providing for the delegation of executive functions to subordinates who shall serve the Council.
- (c) It is the intent of the Council that the Tribal Administrator position shall provide effective continuity in management and services to tribal members and shall assist and advise the Council in carrying out its legislative duties.

1-15-3 Employment of the Tribal Administrator

The Council hereby establishes the position of Tribal Administrator. The Tribal Administrator shall be selected by, report to, carry out the executive duties of and serve at the pleasure of the Council. The Council shall determine at the time of selection the qualifications and procedures to be followed for selection, or the following procedures shall be followed:

- (a) The Council will, by resolution, appoint a committee to facilitate advertising and collect and screen applicants.
- (b) The Council may also instruct the committee to interview the final candidates and present recommendations to the Council.
- (c) The Council will interview the final candidate(s) before making a final decision for hiring.

1-15-4 Duties of the Tribal Administrator

The Tribal Administrator shall have the responsibility of implementing the legislative actions of the Council, to provide for the executive functions of the Council and provide for the delivery of services on behalf of the Council. The Tribal Administrator is hereby delegated the authorities as follows:

(a) Administrator's Authorities

- (1) To represent the Tribes by name and title, to negotiate, execute and administer agreements and contracts that have been authorized by the Council.
- (2) To implement by regulation all legislative actions of the Council, except those directly involving Tribal Council procedures, and establish such other regulations as are necessary to effectively carry out the business of the Tribes in an efficient and effective manner.

(b) Managerial Authority

- (1) To exercise direct authority over all work units of the organization, to determine the organizational structure and positions necessary to carry out assigned functions and responsibilities most effectively. To hire, train, promote, assign, compensate, discipline and discharge employees, in accordance with tribal laws.
- (2) To establish subordinate work units and positions to carry out all assigned functions, to delegate authority and responsibility accordingly and to hold subordinates accountable for such delegations.
- (3) To provide overall direction and control of economic and operational affairs of the Tribes for all assigned functions, to ensure appropriate use of tribal assets and resources, to authorize the expenditure of funds consistent with the adopted tribal budget, recommend depositories and banking relationships, and determine operational priorities and carry out short- and long-term planning and program development as established by the Council.
- (4) To provide executive support for all subordinate boards, committees, enterprises and cooperative associations of the Tribes by regulation, review, evaluation and auditing their fiscal affairs.
- (5) To determine the applicability of tribal laws and policies to subordinate organizations, committees and the Tribal Court, and to report to the Council any matters of concern related to such organizations.

(c) Codification of Tribal Laws

To codify all legislative acts of the Council within the Tribal Code.

(d) Maintain Legislative Records

To maintain minutes, resolutions, ordinances and other records of the Council.

(e) Law Policy Review

To review all Tribal laws and policies on a regular basis and recommend additions and changes to the Council.

(f) Emergency Authority

Authority to take such emergency actions as are authorized by law to protect life and property.

(g) Monitor Matters of Concern to the Tribes

Monitor and report on all internal and external matters, including the provision of services by other governments that impact the Tribes.

(h) Assist and advise the Council in carrying out its legislative duties.

(i) Establish Subordinate Work Units

(1) To ensure that employees and the public are informed about the Tribal organization structure, the Tribal Administrator shall publish the Organization Structure of the Tribes at the beginning of each calendar year and at such other times as any material changes in the structure shall occur, provided that the Council shall be notified of the change in the organizational structure at least thirty (30) days in advance of any material change being implemented.

(2) The organization structure shall include the names of all work units, key positions, number of authorized positions for each unit, delegated functions and responsibilities to be carried on by each unit and the lines of authority and accountability.

(3) The Tribal Administrator shall establish a structure according to the following organizational goals:

(A) Focusing resources on direct delivery of services and avoiding unnecessary layers of administration or management.

(B) Responsiveness to the people served and clear lines of accountability and responsibility.

(C) Active, effective and efficient processing of decisions, authorizations, transactions and services.

(D) Efficient use of human and financial resources, integrate programs and services, with effective coordination and avoidance of duplication.

APPENDIX A
LEGISLATIVE HISTORY AND EDITORIAL CHANGES

EXECUTIVE MANAGEMENT

LEGISLATIVE HISTORY AND EDITORIAL CHANGES

The “Executive Management” Code was codified on June 21, 2006, for the Tribal Court Code Book by the Office of Tribal Attorney.

The Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the “Executive Management” Code, Resolution 00-035, Ordinance No. 025, on May 7, 2000, at a regular Tribal Council meeting. Vote was 5 (for), 0 (against), 1 (abstaining).