

TITLE 7 – ENROLLMENT, COMMITTEES, ELECTIONS AND REFERENDUMS

CHAPTER 7-9 INVESTMENT COMMITTEE

7-9-1 Purpose

The purpose of this Code is to establish a Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians' ("Tribes") Investment Committee as a Standing Committee and set forth its organization, powers and duties.

7-9-2 Authority; Establishment

Article 1, Section 1 and Article VI, Section 2 of the Tribes' Constitution authorizes the Tribal Council to exercise legislative authority. Title 7, Chapter 7-5, of the Tribes' Code authorizes the Tribes' Tribal Council to establish committees to assist the Tribal Council in carrying out its responsibilities to provide quality services to the Tribal membership and to develop, maintain and protect the assets and interests of the Tribes. The Tribal Council hereby exercises its authority and establishes a Tribal Investment Committee.

7-9-3 Membership

The Committee shall consist of four enrolled members of the Tribes and the Tribal Chief Financial Officer (CFO). The Tribal Administrator shall also be a member of the Committee and shall serve without vote.

7-9-4. Appointments and Oath of Office

The Tribal Council shall appoint the members of the Committee. Members of the Committee are required to take and file an oath of office at the first regular Tribal Council meeting following their appointment, administered by the Tribal Chief or Tribal Chairman.

7-9-5 Terms of Office

(a) The term of service for Tribal members shall be for three (3) years. Tribal members initially appointed to the Committee shall be appointed for staggered terms with one (1) serving two (2) years, one (1) for one (1) year and two(2) for three (3) years. Committee members may be re-appointed for one (1) successive term.

(b) The term of office for the CFO and the Tribal Administrator shall be concurrent with their term of employment in their respective positions.

7-9-6 Duties

(a) The Committee shall manage the entire body of assets known as the Tribes' Endowment Trust Investment Fund (Fund). The Committee's actions shall conform to

the Tribal Code that establishes the Fund and to the Investment Policy adopted by the Tribal Council that governs the management of externally invested portions of the Fund.

(b) The Committee shall meet regularly with the Tribes' Financial Advisor and shall make regular reports on the condition of the Fund to the Tribal Council and to the General Council.

7-9-7 Vacancies

A Tribal member appointed by the Tribal Council to fill a vacancy on the Committee shall serve for the remainder of the term of the person originally appointed.

7-9-8 Removal of Committee Members

(a) The Tribal Council may remove any member of the Committee based upon the following:

- (1) For cause, including but not limited to, violating this Code and the Committee's policies or rules.
- (2) Creating a disruptive atmosphere;
- (3) Violating a confidentiality agreement;
- (4) Violating applicable law;
- (5) Breach of their fiduciary duties; or
- (6) Conviction of any felony or a crime involving dishonesty.

7-9-9 Voting

Each Committee member shall have one (1) vote on each matter. Committee members must be present to vote. No proxies are permitted.

7-9-10 Quorum

A majority of the Committee members must be present to constitute a quorum. Committee action is valid only when a quorum exists.

7-9-11 Conflicts of Interest

No Committee member may vote on any action directly involving a member of his or her immediate family. A Committee member may take part in discussion and count toward a quorum regarding action involving a member of his or her family. Immediate family

members include father, mother, adoptive mother, adoptive father, daughter, son, spouse, person in a spousal relationship, brother, sister, stepbrother and stepsister. Committee or family member participation in the Tribes' 401K plan shall not constitute a conflict of interest for purposes of this Chapter.

7-9-12 Compensation

There shall be no compensation paid to Committee members. Authorized travel shall be paid subject to the travel requirements specified by Tribal policy.

7-9-13 Confidentiality

Committee members agree to sign a confidentiality agreement that states that they understand and agree that as a Committee member they must hold as confidential all information learned in the course of their Committee member status concerning the confidential business of the Tribes. Further, as a Committee member, they understand that by signing the confidentiality agreement they will not violate the confidentiality of any person(s) or provide confidential information or documents to anyone not authorized by the Tribes. If it has been determined that a Committee member has violated this confidentiality agreement, that Committee member will be removed as provided for by this Code.

7-9-14 Severability

If a court of competent jurisdiction finds any provision of this Code to be invalid or illegal under applicable federal or tribal law, such provision shall be severed from this Code and the remainder of this Code shall remain in full force and effect.

APPENDIX A
LEGISLATIVE HISTORY AND EDITORIAL CHANGES

INVESTMENT COMMITTEE

LEGISLATIVE HISTORY AND EDITORIAL CHANGES

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the “Investment Committee” Ordinance, Resolution No. 08-062, Ordinance No. 084, in a regular Tribal Council meeting on July 13, 2008. Vote was 5 (for), 1 (against), and 0 abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved the “Investment Committee” Ordinance, Resolution No. 08-048, Ordinance No. 084, in a regular Tribal Council meeting on May 18, 2008. Vote was 4 (for), 0 (against), and 2 abstaining).