

COQUILLE INDIAN TRIBAL CODE

Chapter 142

Part 1 – Community Development

Executive Management

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142.010 General

1. Purpose

To provide for continuity of management of the operational affairs of the Coquille Tribe, to set forth the selection of the Executive Director, Chief Financial Officer, and Tribal Attorney and the responsibility and authority of these positions delegated by the Tribal Council.

2. Background and Intent

The Tribal Council as the Governing Body of the Coquille Tribe has determined that the interests of the Tribe shall be best served by providing for a Executive Director position which shall be delegated the responsibility to carry out certain executive functions of the Tribal Council. The Tribal Council has also determined that the interests of the Tribe shall be best served by providing for a Chief Financial Officer position to carry out other executive functions of the Tribal Council, and a Tribal Attorney to provide legal advice and representation to the Tribal Council, the Tribal government and other Tribally-owned entities.

In that Tribal Council members are elected by the General Membership and subject to change on a cyclical basis, it is the judgment of the Tribal Council that the executive functions of the Tribal Council should be vested in an employee of the Tribal Council, who shall not be subject to election.

Further, the Tribal Council has determined that it can best carry out its legislative functions on behalf of the Tribe by providing for the delegation of Executive functions to subordinates who shall serve the Tribal Council.

It is the intent of the Tribal Council that the Executive Director, Chief Financial Officer, and Tribal Attorney positions shall provide for effective continuity of management and services to the members of the Tribe and shall assist and advise the Tribal Council in carrying out is powers and duties.

3. Definitions (reserved)

142.020 Jurisdiction (RESERVED)

142.100 Employment of the Executive Director, Chief Financial Officer, and Tribal Attorney

The Tribal Council hereby establishes the positions of the Executive Director, Chief Financial Officer, and Tribal Attorney. The Executive Director, Chief Financial Officer, and Tribal

Attorney shall be selected by, report to, carry out the specified duties and serve at the pleasure of the Tribal Council.

142.150 Duties of the Executive Director

Unless the Tribal Code or resolution provides otherwise, the Executive Director shall have the responsibility to implement the legislative actions of the Tribal Council, to provide for the executive functions of the Tribal Council and to provide for the delivery of services on behalf of the Tribal Council. The Executive Director is hereby delegated the authority that follows:

1. Executive Authority

To represent the Coquille Indian Tribe by name and title in order to implement agreements and contracts which have been approved by the Tribal Council.

2. Regulating and Policymaking Authority

(a). To implement by regulation all legislative actions of the Tribal Council when necessary and to establish such other regulations as are necessary to effectively carry out the business of the Coquille Tribe in an efficient and effective manner.

(b). To adopt policies addressing recommended and required internal operating practices of the Tribal government; *provided*, that no portion of any such policy shall be enforceable if it conflicts with any other provision of Tribal law.

3. Managerial Authority

(a). To exercise direct line authority over all Tribal Administration departments and programs, to determine the organizational structure and positions necessary to carry out assigned functions and responsibilities in the most effective manner, and to hire, train, promote, assign, compensate, discipline and discharge employees, in accordance with Tribal laws.

(b). To establish departments and positions to carry out all assigned functions, to delegate authority and responsibility accordingly, and to hold subordinates accountable for such delegations.

(c). To provide overall direction and control of affairs of the Tribal Administration for all assigned functions, to ensure appropriate use of tribal assets and resources, to authorize the expenditure of funds consistent with Tribal budget, to negotiate and execute approved contracts and agreements, recommend depositories and banking relationships, and determine operational priorities.

4. Emergency Authority

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

5. Monitor Matters of Concern to the Tribe

Monitor and report on internal and external matters, including the provision of services by other governments, which impact the Tribe and to recommend plans and strategies to achieve tribal goals.

6. Establish Subordinate Work Units

(a). In order to ensure that employees and the public are informed about the tribal organizational structure, the Executive Director shall publish the organizational structure of the tribal organization at the beginning of each calendar year and at such other times as any material changes in the structure shall occur, provided that the Tribal Council shall be notified of the change in the organizational structure at least 30 days in advance of any material change being implemented;

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

(c). Any changes made by the Executive Director in the organizational structure must be consistent with the Tribe's Five Year Strategic Plan, absent a showing of good cause to the contrary.

7. Other Duties

To perform such other duties as assigned by the Tribal Council.

142.160 Duties of the Chief Financial Officer

Unless the Tribal Code or resolution provides otherwise, the Chief Financial Officer shall have the responsibility of managing all Tribal financial systems and procedures for the Tribe, consistent with the Fiscal Management Ordinance, Coquille Indian Tribal Code Chapter 160.

142.170 Duties of the Tribal Attorney

Unless the Tribal Code or resolution provides otherwise, the Tribal Attorney shall have the responsibility for the following:

1. Codify all duly enacted ordinances and resolutions within the Tribal Code;
2. Review all Tribal laws and regulations on a regular basis and recommend changes to the Tribal Council or Executive Director;
3. Provide the Tribal Council, the Tribe and Tribally-owned entities with legal advice when requested;
4. Direct and manage the work of attorneys hired by the Tribal government; and
5. Other duties as assigned by Tribal Council.

142.190 Severability

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

COQUILLE INDIAN TRIBE
Chapter 142
Executive Management

History of Amendments to Chapter 142 Executive Management Ordinance:

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