TITLE 1 – GENERAL PROVISIONS

CHAPTER 1-9 TRIBAL COUNCIL

1-9-1 Authority and Purpose

(a) This ordinance is authorized by CLUSI Const., Art. VI, Section 2.

(b) This ordinance is intended to set forth uniform policies and procedures to promote effective performance of the responsibilities of the Tribal Council, to facilitate orderly and productive meetings and effort in conducting Tribal business and to establish clear expectations for the Tribal Council.

1-9-2 Commencement of Term of Office

Newly-elected or appointed Tribal Council members shall assume office upon certification of the vote as provided for in this Code. At the next scheduled Tribal Council meeting following the election or appointment due to a vacancy, the Chair of the Election Board shall administer a Ceremonial Oath of Office to each newly elected or appointed Tribal Council member, as follows:

> "I, ___name___, do solemnly swear that I will uphold the Constitution and laws of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians of Oregon, that I will serve the Tribes to the best of my ability, that I will work for the entire membership of the Tribes, that I will responsibly represent the Tribes, that I will carry out the directions of the Tribal Council, that I will declare when a conflict of interest could affect the performance of my duties on behalf of the Tribes, and that I will perform all duties required of me by the Constitution and laws of the Tribe."

1-9-3 Vacancies

(a) When a Vacancy May Occur

A Tribal Council position may become vacant in the following ways:

(1) Death, disability or resignation of a Tribal Council member;

(2) Failure of a Tribal Council member to attend three (3) consecutive regular meetings of the Tribal Council, unless his or her written excuse is accepted by a majority vote of the other members of the Tribal Council; [CLUSI Const. Art. IX, Section 1(b)]

(3) Removal of a Tribal Council member pursuant to CLUSI Const., Art. X, Section 1; or

(4) Recall of a Tribal Council member pursuant to CLUSI Const., Art. X, Section 2.

(b) Filling Vacancies

In the event a Tribal Council position becomes vacant, the position shall be filled by a majority vote of the Tribal Council from names of qualified individuals nominated by Tribal Council members. The person elected to fill the vacancy will complete the unexpired portion of his or her predecessor in office. [CLUSI Const. Art. IX, Section 1(a)]

1-9-4 Officers of the Tribal Council

(a) Election of Officers

The members of the Tribal Council shall elect from its members a Chairperson and a Vice Chairperson. [CLUSI Const. Art. IV, Section 1] Officers shall be nominated by Tribal Council members and elected by a majority vote of the Tribal Council.

(b) Terms of Office

Except as provided in CLUSITC 1-9-4(c) below, the officers of the Tribal Council shall serve from the time of their election as officers until the expiration of their current term on the Tribal Council.

The officers of the Tribal Council are hereby assigned the following duties and responsibilities:

(1) The Chairperson shall:

(A) Represent the Tribes before the General Council, Tribal employees, other governments and entities, the media and the public at large;

(B) Call for and preside over all meetings of the Tribal Council, General Council and other meetings deemed necessary to conduct Tribal business;

(C) Set the agenda for all meetings of the Tribal Council;

(D) Communicate and coordinate with the Chief Executive Officer and Tribal Attorney and communicate directions from the Tribal Council;

(E) Perform other duties appropriate for the office as directed by the Tribal Council or General Council.

(2) The Vice-Chairperson shall assist the Chairperson in the performance of the duties of that office and carry out the duties of the Chairperson in his or her absence.

(c) Removal from Office of a Tribal Council Officer

(1) A Tribal Council officer who fails to perform the duties of the office may be removed from office upon a majority vote of the other members of the Tribal Council.

(2) A Tribal Council member may initiate a removal procedure by motion. If the motion obtains a second, the Tribal Chairperson will place the matter on the agenda of the next regular Tribal Council meeting. The matter will be considered in a public meeting unless the Tribal Council member who is the subject of the motion requests that it be considered in executive session. The Tribal Council member who is the subject of the motion for removal will be provided the opportunity to respond to the motion orally, in writing, or both before the Tribal Council acts on the motion.

(3) An action to remove a Tribal Council member from office shall follow the procedures set forth in the CLUSI Constitution.

1-9-5 Expectations of Tribal Council Members

All Tribal Council members are expected to comply with the CLUSI Constitution and all applicable provisions of this Code, and at all times act ethically, impartially and in the best interest of the Tribes as a whole. The Tribal Council shall adopt a policy establishing Rules of Procedure and a Code of Conduct for Tribal Council members, with which each Tribal Council member will comply.

1-9-6 Conflicts of Interest

No Tribal Council member shall vote in any matter wherein he or she or a member of his or her immediate family—parents, children, spouses, brothers, and sisters—has a direct personal interest, including but not limited to employment contracts, project funding, appointments to Tribal committees or removal from the Tribal Council. [CLUSI Const. Art. VI, Section 4(i)] Whenever a Tribal Council member believes that a potential conflict of interest exists other than the disabling conflicts described above, the member shall declare the conflict at the start of the discussion of the appropriate agenda item. Once the conflict is declared, the Tribal Council member may participate in the discussion of and vote on the matter.

1-9-7 Tribal Council Meetings

(a) Regular Meetings

(1) The Tribal Council will meet at 10:00 a.m. on the second Sunday of each month. Meeting schedules shall be set annually. In the event of any conflict or

inability to hold a regular meeting, or have a quorum, public notice shall be issued following the requirements of any current Tribal Laws in Ordinance and Code.[CLUSI Const. Art. VI, Section 4(a)]

(2) The Tribal Council will hold a second regular meeting monthly, which will serve as a business meeting of the Council. The business meeting will be held at 6:00 p.m. on the last Wednesday of each month or at another time set by the Tribal Chairperson.

(3) The Tribal Chairperson shall set the agenda for each regular meeting. The agenda shall include any item submitted upon the written request of two (2) or more members of the Tribal Council made at least ten (10) days before the scheduled meeting date. Items may be added to the agenda at a Tribal Council meeting upon the approval of at least three (3) members, but must receive at least five (5) votes in favor to decide any business related to such item. [CLUSI Art. VI, Section 4(c)]

(4) An agenda and notice of the meeting place shall be published in the Tribal newsletter or local newspapers at least five (5) days prior to the scheduled meeting date. [CLUSI Art. VI, Section 4(a)]

(5) Tribal Council members may participate and vote in a regular or business meeting by, or conduct a regular or business meeting through, use of any means of communication by which all Tribal Council members participating may simultaneously hear each other during the meeting. Participation in a regular or business meeting during a Tribal Council by these means will constitute presence in person at the meeting. Any meetings that are conducted in this manner must be recorded in such a way that all Tribal Council members will generally be understood by a person listening to that recording.

(b) Special Meetings

(1) Special meetings of the Tribal Council may be called by the Chairperson. In addition, three (3) members of the Tribal Council may cause a special meeting to be called by making a written request of the Chairperson. No special meeting may be held without 24 hours' notice to each Tribal Council member unless such notice is waived in writing. [CLUSI Const. Art. VI, Section 4(e)

(2) The Tribal Chairperson shall set an agenda for each special meeting as provided by Tribal Council policy. The Tribal Council may discuss any matter at a special meeting, but may act only on items included on the meeting's agenda. [CLUSI Const. Art. VI, Section 4(e)]

(3) Notice of a special meeting need not be given to Tribal members, however, the Tribal Chairperson shall report on all decisions made at a special meeting at the next regular Tribal Council meeting. [CLUSI Const. Art. VI, Section 4(e)]

(4) Tribal Council members may participate and vote in a special meeting by, or conduct the meeting through, use of any means of communication by which all Tribal Council members participating may simultaneously hear each other during the meeting. Participation in a special meeting by these means will constitute presence in person at the meeting. Any meetings that are conducted in this manner must be recorded in such a way that all Tribal Council members will generally be understood by a person listening to that recording.

(c) Public and Executive Sessions

(1) Except as expressly provided in the CLUSI Constitution or this Code, the Tribal Council shall take action only in a public meeting.

(2) All personnel matters and all matters relating to the internal activity of Tribal Council members shall be discussed or decided only in executive session. [CLUSI Art. VI, Section 4(d)]

(3) Upon motion, and subject to the following procedures, the Tribal Council may recess at its discretion to discuss any matter in executive session. [CLUSI Art. VI, Section 4(d)]

(A) A motion calling for executive session shall identify the general subject matter to be discussed in executive session.

(B) During an executive session, the Tribal Council may exclude from the meeting room all persons except members of the Tribal Council and those persons requested by the Tribal Council to be present to assist with matters to be discussed or decided.

(C) A report of the matters discussed or decided in an executive session shall be included in the minutes of the public meeting.

(d) Quorum and Voting

Four (4) members of the Tribal Council shall constitute a quorum. Matters of business shall be decided by majority vote of the Tribal Council members present, unless otherwise required by the CLUSI Constitution or Code. Voting shall be by roll-call and recorded in the minutes. In the absence of a quorum, the Tribal Council may discuss matters but may take no action. [CLUSI Const. Art. VI, Section 4(b)]

1-9-8 Addressing the Tribal Council

Except as otherwise provided in the CLUSI Constitution or Code or by Tribal Council policy or action, all Tribal Council meetings are open only to Tribal members, their family and guests, and to Tribal staff. Only enrolled Tribal members may address the Tribal Council during a meeting. The Tribal Council welcomes constructive input from Tribal members present. All Tribal members addressing or wishing to address the

Tribal Council shall comply with the Rules of Procedure and Code of Conduct adopted by the Tribal Council.

1-9-9 Rules of Procedure and Code of Conduct

The Tribal Council may adopt Rules of Procedure and a Code of Conduct on any matter relevant to the subject matter of this Code. Any Rules of Procedure or Code of Conduct adopted by the Tribal Council shall comply with the CLUSI Constitution and Code, and will be followed by the Tribal Council and by all persons attending a Tribal Council meeting, including Tribal staff, Tribal members, news media and visitors.

1-9-10 Tribal Council Member Employment

A Tribal Council Member may not also serve as: Chief Executive Officer or Chief Financial Officer for the Tribal government, or their assistants; Chief Executive Officer or Chief Financial Officer for any of the economic enterprises of the Tribes, or their assistants; Human Resources Director, or; Chief Executive Officer of the Tribe's Gaming Commission.

1-9-11 Severability

If any provision of this Code is found to be invalid under applicable law, that provision shall be severed from this Code and the remainder of the Code shall remain in full force and effect.

1-9-12 Sovereign Immunity

Nothing in this Code shall be construed to have waived the sovereign immunity of the Tribes, any Tribal entity, department or program, or any Tribal official or employee, except as specifically and explicitly described herein.

APPENDIX A

LEGISLATIVE HISTORY AND EDITORIAL CHANGES

TRIBAL COUNCIL

LEGISLATIVE HISTORY AND EDITORIAL CHANGES

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved emergency amendments to Code 1-9 (Tribal Council) to address corrections that reflect approved changes to the Constitution on an emergency basis at a single meeting by Resolution 26- 100 on a Meeting held May 21, 2026. Ordinance O49F was adopted by this action. Vote was 7 (for), 0 (against), 0(absent) and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved amendments to Code 1-9 (Tribal Council) to address an emergency at a single meeting by Resolution 20-056 on a Special Meeting held July 12, 2020. Adding section 1-9-7(a)(5) with a unanimous vote of Council, Ordinance O49E was adopted by this action. Vote was 7 (for), 7 (against), 7 (absent) and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians adopted Ordinance No. 049F in a Special Tribal Council meeting on April 4, 2019. Vote was 5 (for), 1 (against), 1 (absent) and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved amendments to Code 1-9 (Tribal Council) final approval by Resolution 19-030 on April 4, 2019. Vote was 5 (for), 1 (against), 1 (absent) and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved amendments to Code 1-9 (Tribal Council) First Reading by Resolution 19-016 on February 15, 2019. Vote was 7 (for), 0 against), 0 (absent) and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians adopted Ordinance No. 049E in a Tribal Council meeting on May 10, 2018. Vote was 5 (for), 1 (against), 0 (absent) and 1 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved amendments to Code 1-9 (Tribal Council) Second Reading by Resolution 18-027 on May 10, 2018. Vote was 5 (for), 1 (against), 0 (absent) and 1 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved amendments to Code 1-9 (Tribal Council) First Reading by Resolution 18-024 on April 11, 2018. Section 1-9-10; Tribal Council Member Employment, removed, subsequent numbering changed. Vote was 4 (for), 2 (against), 0 (absent) and 1 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the revisions to Code 1-9 (Tribal Council) by Ordinance No. 049D on November 13, 2016. Vote was 6 (for), 0 (against), 1 (absent) and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the revisions to Code 1-9 (Tribal Council) by Ordinance No. 049C on July 12, 2015. Vote was 7 (for), 0 (against), 0 (absent) and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians adopted Ordinance No. 049B in a Tribal Council meeting on September 11, 2011. Vote was 7 (for), 0 (against) and 0 (absent).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians amended the Tribal Council Ordinance, No.049, and renumbered it No. 049A, at a regular Tribal Council meeting on July 11, 2004, with Resolution #04-053. The word "Tribal" was added before Council throughout the entire document. 1-9-1(b) "The purpose of this Code is" was added. 1-9-4(a)(1) – Beginning of Terms was eliminated and (or Tribal Council until an election board is established) was also eliminated. The sentence "No council member shall be a tribal employee during his or her term of office." was removed in 1-9-4. "Travel Policy", "Severability", and "Sovereign Immunity" were renumbered. Changes were made in 1-9-9(c) "Car Rentals". Sections 1-9-10 Prohibition of Tribal Council Members Salary Wages for Performance of Tribal Council Duties and 1-9-11 Tribal Council Member Employment were added.

The Tribal Council of the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians amended Ordinance No. 024 and renumbered it Ordinance No. 049, at a regular council meeting, with Resolution #02-056, dated August 11, 2002, as follows:

1-9-4 (a) Beginning of Terms: (whole section replaced as below:)

> Beginning of Terms: New Tribal Council members shall assume office upon certification of the vote by the election board (or Tribal Council until an election board is established). Certification shall occur within twenty-four (24) hours from the time of the election. At the next scheduled Tribal Council meeting following the election, the Election Board chairman shall administer a Ceremonial Oath of Office to each newly elected Tribal Council member. The Oath shall be as follows:
>
> (Oath of Office)
>
> No Council member shall be a tribal employee during his or her term of office.

The Tribal Court codified the "Tribal Council Code" in December 2001.

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the "Tribal Council" Ordinance, Resolution No. 00-034, Ordinance No. 024, at a regular Tribal Council Meeting on May 7, 2000.

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