

CHAIRMAN'S ORDINANCE OF THE HOOPA VALLEY TRIBE
HOOPA VALLEY INDIAN RESERVATION
HOOPA, CALIFORNIA

Title 18

ORDINANCE NO: 1-80 AMENDMENT NO. 3

DATE APPROVED: November 24, 2020

SUBJECT: ESTABLISHING DUTIES, RESPONSIBILITIES AND SALARY OF TRIBAL
CHAIRMAN

WHEREAS: The Hoopa Valley Tribe adopted a Constitution and Bylaws on June 20, 1972, which was approved by the Commissioner of Indian Affairs on August 18, 1972, and confirmed and ratified by the United States Congress on October 31, 1988; and

WHEREAS: Article XI, Section 1, Constitution and Bylaws of the Hoopa Valley Tribe states that "the Chairman shall preside over all meeting of the Tribal Council and the Tribe's general membership. He shall perform all duties of the Chairman and exercise any authority delegated to him by the Tribal Council. The specific duties and responsibilities of the Chairman and other members of the Council shall be spelled out in appropriate ordinance of the Tribal Council. The Chairman shall vote only in case of a tie"; and

WHEREAS: Due to the ever increasing and expanding operations and interests of the Hoopa Valley Tribal Council it is appropriate at this time to define in an enactment of a permanent nature the duties, responsibilities and salary of the position of Chairman of the Hoopa Valley Tribe.

NOW THEREFORE BE IT RESOLVED: That the duties, responsibilities and powers of the Tribal Chairman shall include, but not be limited to, those items established within Article XI, Section 1 of the Constitution and Bylaws of the Hoopa Valley Tribe. Such other duties, responsibilities and powers delegated to the Tribal Chairman by the Hoopa Valley Council are:

1. The Tribal Chairman shall act as the Chief Administrator for the Hoopa Valley Tribe and all Tribal Employees by being responsible to and for the Hoopa Valley Tribe's membership and employees through maintenance and direction of daily Tribal activities and business;
2. Keeps the Hoopa Valley Tribal Council informed of activities through quarterly reports. The Chairman upon receipt of monthly reports submitted to him by managers, shall condense their contents; and add his comments and recommendations which may involve corrective actions. This shall be submitted to the Tribal Council quarterly in writing;
3. Makes recommendations and special reports in connection with any projects to be developed by the Council;
4. Takes part in or has input into studies for economic and social development of the Hoopa Valley Tribe makes appropriate recommendations to the Tribal Council regarding their feasibility;

5. Answers and investigates, or appoints staff to do so, complaints or concerns registered by Hoopa Valley Tribal members;
6. Maintains and familiarizes himself or herself with services available through the Bureau of Indian Affairs, the Indian Health Service and any other agencies related to Indian Affairs;
7. Coordinates efforts, possibly directs, and monitors persons rendering professional services to the Hoopa Valley Tribe;
8. Review budget expenditures, encumbrances and compares them with appropriations from reports prepared by fiscal staff to ensure that expenditures are in conformance with appropriations and applicable law(s);
9. Meets with managers and directors of programs/departments of the Hoopa Valley Tribe on a regular basis to ensure awareness of department and entity activities, concerns and progress;
10. Accomplishes in writing directives of the Council, including employment and termination directives by the Council, by attending to those items referred to the Chairman and directing appropriate managers to accomplish items directed to them. Monitors status of progress on Council directives in accordance with the intent of said directives to ensure completion;
11. Acts as the political leader for the Hoopa Valley Tribe in matters of local, state, and federal interventions, and/or interactions. Issues public and/or political statements in accordance with the position of the Council with prior consent of the Council. In situations where issuance of a statement is urgent the Council may be polled for concurrence;
12. Strives to enhance the public awareness, image and credibility of the Hoopa Valley Tribe within the reservation and elsewhere;
13. Keeps abreast of all legislation pending on both state and national levels pertinent to Indian matters and to the Hoopa Valley Tribe, specifically;
14. Acts as the liaison, or designates a representative of the Hoopa Valley Tribe to and with the Bureau of Indian Affairs, Indian Health Services, and other agencies, offices or government bodies;
15. Coordinates activities and information with all Council members;
16. Travels as requested or required to carry out the desires and priorities of the Hoopa Valley Tribe. Chairman's travel shall be listed as a separate budget line item and travel costs shall not exceed the annual budgeted amount without prior approval of the Council. All travel by the Chairman shall be consistent with Tribal ordinances regarding travel and expense reimbursement. Travel exceeding four days away from the reservation must receive prior Council approval and in all instances of absence from the office for one day or more the Chairman shall inform the Vice-Chairman to be available to act in his absence;

BE IT FUTHER RESOLVED: That the Tribal Chairman shall have the authority to expend funds identified in accordance with the Budget Ordinance up to and including \$2,500 per transaction.

BE IT FUTHER RESOLVED: That there shall be a limit of one (1) political appointment to be made by the Chairman and confirmed by Tribal Council. The term of the Chairman's political appointee shall be co-terminus with that of the Chairman. The Chairman shall have authority to contract with the political appointees for a salary that is approved by the Tribal Council and consistent with the budget amount identified for that purpose. Nothing herein shall prohibit the Chairman from terminating a political appointment, with or without cause, during the term of the Chairman.

BE IT FURTHER RESOLVED: That a fixed annual compensation for the Tribal Chairman is set at a rate consistent with the annual amount budgeted for this line item, and

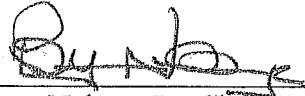
BE IT FURTHER RESOLVED: That should the Tribal Chairman neglect or refuse to carry out the duties and responsibilities as outlines in this ordinance, the Tribal Council, upon submission of appropriate written justification, may act to decrease the annual compensation of the Chairman provided that before any vote is taken, the Chairman shall be provided with the written justification for such action at least five (5) days before the meeting of the Council to consider the matter and he shall have an opportunity to answer any and all points contained in said written justification.

BE IT FURTHER RESOLVED: The Tribal Chairman shall be authorized to approve purchases and/or contracts of less than seven thousand four hundred and nighty-nine dollars and nighty-nine cents (\$7,499.99) (either as a single contract or in aggregate) as is deemed in the best operating interests of the Hoopa Valley Tribe without approval by the Tribal Council.

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 24th day of November 2020; and that this Ordinance was duly adopted by a vote of four (4) in favor with three (3) opposed and zero (0) abstaining; and that since approval, this Ordinance has not been rescinded, amended or modified in any form.

DATED THIS TWENTY-FOURTH DAY OF NOVEMBER 2020



Byron Nelson, Jr., Chairman
Hoopa Valley Tribal Council

ATTEST:



Amber Turner, Executive Secretary
Hoopa Valley Tribal Council