

**KASHIA BAND OF POMO INDIANS
OF THE STEWARTS POINT RANCHERIA**

**ECONOMIC DEVELOPMENT COMMITTEE
OPERATING PROCEDURES**

**AS AMENDED AT A SPECIAL COMMUNITY COUNCIL MEETING ON
SUNDAY, JULY 16, 2006**

Section 1. Purpose

These Operating Procedures, which may be referred to as the "EDC Operating Procedures," set forth the mechanisms and guidelines by which the Economic Development Committee will review economic development, investment and other business proposals and opportunities for the Kashia Band of Pomo Indians (Kashia Pomo Tribe), provide assessments, recommendations, strategies and plans to the Business Committee, and prepare requests for proposals and undertake other activities as appropriate under the oversight of the Business Committee.

Section 2. Duties and Authority of the Economic Development Committee

2.1 The EDC shall serve as the principal point of contact and liaison between the Business Committee and individuals, entities, organizations or other parties proposing to lease, develop, construct upon or utilize Reservation land, or to promote, invest and/or participate in Tribal economic development projects.

2.2 Subject to other provisions of these Operating Procedures, and the Kashia Pomo Tribe's Ethics and Conduct Ordinance, the EDC is authorized and directed to:

(A) Work with the Business Committee to define short-term and long-term economic needs of the Kashia Pomo Tribe.

(B) Develop strategies and plans for exploring, evaluating and pursuing economic development opportunities, for presentation to and consideration by the Business Committee and Community Council.

(C) Seek, review, assess and develop recommendations regarding proposals for investment, development, construction, Tribal land utilization projects and land acquisition opportunities that are in the best interests of the Tribe and membership.

(D) Conduct reference checks, background investigations and otherwise assess options and opportunities available to the Tribe.

(E) Communicate all relevant information and recommendations to the Business Committee, including copies of documents, summaries, assessments and recommendations, to assist in Business Committee decision-making regarding whether or not to pursue a particular project, opportunity, strategy or plan.

(F) Assign responsibilities to each Committee member to ensure tasks are completed in a timely manner

(G) Designate a person to speak on behalf of the EDC as directed in connection with the gathering of information, assessment and negotiation of proposals, plans and opportunities for economic development projects, as well as presentations to the Business Committee and the Community Council

(H) Set up meetings between potential investors, development and/or business partners and the Business Committee or Community Council as requested by the Business Committee.

(I) Such other tasks as may be assigned by the Business Committee.

Section 3. Composition and Function

3.1 The EDC shall be composed of up to eight (8) members of the Kashia Pomo Tribe.

- (A) Up to three (3) Business Committee Members and up to five (5) Kashia Pomo Tribal Members may serve on the EDC. Notwithstanding these limits, a Business Committee Member serving on the EDC whose term of office has expired may serve out his/her term on the EDC.
- (B) Anyone who has been convicted of a felony or found by a Tribal Government OR Community Council to have mismanaged or embezzled tribal funds shall not be allowed to sit on any economic or finance committee.
- (C) The EDC shall elect its own Chair and spokesperson.
- (D) EDC Members shall serve four-year terms to ensure continuity of participation and experience.
- (E) The Tribal Administrator, or his or her designee, shall serve as the Secretary of the EDC, and shall be responsible for keeping minutes of all meetings and maintaining organized files containing all information and documents obtained and developed in the course of the EDC's performance of its duties.

3.2 The EDC shall meet bi-monthly as necessary to review proposals and opportunities, discuss and develop strategies and recommendations, and meet with potential investors, developers and others with knowledge, expertise and/or resources that may be of benefit to the Kashia Pomo Tribe.

3.3 Each regular meeting shall consist of an “open” session, in which any and all Tribal Members may participate to discuss general matters of interest related to economic development options and the activities of the EDC, and a “closed” session, during which specific details and confidential information not yet appropriate for public disclosure may be reviewed and discussed. Additional special meetings may be called as necessary to ensure the business of the EDC moves forward in a timely manner. Special meetings may be open or closed as deemed appropriate by the EDC. The reasons for having closed sessions and the importance of confidentiality are addressed in more detail in Section 4 below.

3.4 EDC meetings shall generally be held at the Tribal Office or another mutually agreeable location that ensures an appropriate level of privacy and confidentiality and adequate space to accommodate all those that wish to participate. The EDC shall make an effort to meet at least twice a year at the Stewarts Point Rancheria or a nearby location deemed appropriate by Reservation residents.

3.5 Should an EDC member miss three (3) consecutive meetings without an excused absence, that member shall be removed from the EDC unless the member did not receive reasonable prior notice of the meeting. An excused absence shall mean illness, injury, or family or work related emergency.

3.6 Any vacancy on the EDC occasioned by the death, resignation or removal of a member may be filled through an appointment by the Business Committee, taking into account any recommendations the remaining members of the EDC may wish to provide.

3.7 All actions taken by the EDC shall be by motion approved by a majority vote, or otherwise approved by a majority of the EDC or by consensus, and documented in the minutes of a duly called regular or special meeting, or by phone poll if necessary.

3.8 In no circumstance is any member of the EDC authorized to take action individually, without the approval of a majority of the remaining members of the EDC, on any matter related to any Tribal economic development opportunity, other than initial contact with potential investors, developers or others with expertise or resources that may be of benefit to the Kashia Pomo Tribe. In no event may any member of the EDC, or the EDC collectively without the approval of the Business Committee, represent or purport to bind the Kashia Pomo Tribe to any obligation in any dealings with third parties.

Section 4. Closed Meetings and Confidentiality

4.1 The Business Committee and the EDC recognize that the activities of the Committee provide its members and other persons working with the Committee access to, and require discussion and consideration of, sensitive, proprietary and/or confidential Tribal information and/or documents related to economic development, landholdings, business proposals, plans and related matters (“Confidential Information”) which could be harmful to the interests of the Kashia Pomo Tribe if released to any unauthorized person.

4.2 As a result, meetings of the Economic Development Committee, or portions of meetings during which Confidential Information is reviewed or discussed must be closed to any person that is not a member of the EDC, the Business Committee, an invited project proponent or other person with knowledge or expertise whose participation is requested by the EDC to discuss or assess matters under consideration.

4.3 Further, the EDC as a whole, each member, and any third parties working with the Committee are expected to maintain as strictly confidential any and all Confidential Information received in the course of participation on the Committee; and such information may not be released to, discussed, or in any way shared with any person not authorized by the Business Committee to receive such information. Each member of the EDC and any third parties working with the Committee shall be asked to execute a Confidentiality Agreement to this effect.

4.4 Failure to strictly adhere to the closed meeting and confidentiality requirements set forth above constitutes grounds for removal of any member of the Committee determined by the Business Committee to have violated any of these requirements, in addition to any other penalty defined in the Confidentiality Agreement or as otherwise may be authorized by any law.

Section 5. Ethics and Conduct of EDC Members

5.1 In addition to the conduct requirements set forth above (see, in particular, sections 3.5, 3.8 and 4.3), all members of the EDC are bound to comply with the provisions of the Revised Draft Ethics and Conduct Ordinance attached hereto as Attachment A.

5.2 Although the Revised Draft Ethics and Conduct Ordinance has not yet been adopted by the Community Council, the provisions set forth in Attachment A are hereby adopted by the Business Committee for the specific purpose of applying them to the conduct of the EDC. Until such time as a Grievance Board is appointed, the Business Committee shall serve as the Grievance Board with respect to the application of the provisions of this Draft Ordinance to the EDC and its members.

Section 6. Role of the Business Committee

The Business Committee shall supervise and oversee the activities of the EDC and, in particular, shall:

6.1 Enforce applicable Tribal laws, policies and procedures with respect to the functions of the EDC.

6.2 Assess and attempt to resolve or refer to the Community Council any disputes or conflicts that the EDC is unable to resolve.

6.3 Make recommendations to the EDC with regard to the solicitation of proposals for certain types of development, construction or Tribal land utilization projects that the Business Committee deems appropriate and feasible for the Tribe and its future economy, culture and

tradition.

Section 7. Adoption and Amendment

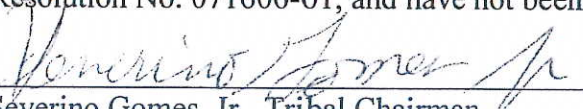
7.1 These Operating Procedures shall be adopted by resolution of the Business Committee, and may thereafter be submitted to the Community Council for formal approval.

7.2 These Operating Procedures may be amended by a majority vote of the Community Council.

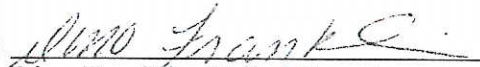
7.3 The EDC does not have the authority to amend, delete or otherwise alter any part of these Operating Procedures without Community Council approval; the EDC may, however, make recommendations regarding specific amendments to the Operating Procedures to make the functioning of the EDC more effective and best serve the needs and interests of the Kashia Pomo Tribe.

Certification of Adoption

The foregoing EDC Operating Procedures have been adopted by the Business Committee of the Kashia Band of Pomo Indians after careful review and consideration and amendment by the Community Council at a duly called meeting on the 16th day of July, 2006, as documented in Resolution No. 071606-01, and have not been altered in any way.


Severino Gomes, Jr., Tribal Chairman

Date: 8-11-06

Attest: 
Dino Franklin, Tribal Secretary

Date: 8-11-06

Certification of Understanding and Agreement to Comply

I, _____, a duly appointed member of the Economic Development Committee, hereby certify that I have read, understand, and agree to abide by the above EDC Operating Procedures.

Signature: _____

Date: _____

Print Name: _____

Date: _____



Kashia Round House
Founded in 1916

Kashia Band of Pomo Indians *of the Stewarts Point Rancheria*

RESOLUTION # 071606-01

ESTABLISHING ECONOMIC DEVELOPMENT COMMITTEE, IDENTIFYING INITIAL MEMBERS, AND ADOPTING OPERATING PROCEDURES

WHEREAS, the Kashia Band of Pomo Indians of the Stewarts Point Rancheria is a sovereign nation recognized by the Department of Interior, Bureau of Indian Affairs, and possessing inherent powers of Tribal self-government; and

WHEREAS, the Business Committee of the Kashia Band of Pomo Indians is the duly elected body, empowered by the Community Council to conduct Tribal affairs on behalf of the people and to protect, promote and foster the well-being of the general membership; and

WHEREAS, on April 12, 2003 the Community Council of the Kashia Band of Pomo Indians of the Stewarts Point Rancheria delegated to the Business Committee the authority to conduct the day-to-day affairs of the Tribal Government, including the authority to negotiate with third parties for purposes of fostering Tribal economic development; and

WHEREAS, the Business Committee finds it is in the best interests of the Tribe to establish and utilize an Economic Development Committee (EDC) to review economic development and investment proposals and options and to advise the Business Committee regarding various aspects of economic development opportunities for the benefit of the Kashia Band membership. To that end, the purposes and functions of the EDC will include:

1. To assist the Tribe in assessing options and developing short-term and long-term strategies and plans for Tribal economic development;
2. To ensure that proposed economic development projects will promote and serve the best interests of the Tribe and its members in accordance with approved strategies and plans;
3. To establish uniform processes to ensure that proposals, opportunities, strategies and plans will be developed, received and thoroughly considered without interference, improper contact, undue influence, or conflict of interest;
4. To provide the Business Committee and the Community Council with an avenue to effectively and expeditiously review proposals and opportunities determined to be in the best economic interests of the Tribe; and
5. To assist the Tribe in advancing economically to provide sources of funding necessary to provide governmental services to its members, including the operation of Tribal programs and other governmental

functions, as well as funds to invest in the necessary infrastructure for the Tribe and its economic development programs.

NOW, THEREFORE, BE IT RESOLVED that the Business Committee hereby establishes the Stewarts Point Economic Development Committee, to be composed initially of a minimum of five and no more than eight members, including up to three members of the Business Committee and up to five other members of the Kashia Band of Pomo Indians. The Business Committee hereby identifies the following individuals who have volunteered to serve on the Economic Development Committee from July 15, 2006 through July 14, 2010:

Severino Gomes, Jr. – Tribal Chairman
Ralph Sepulveda – Tribal Vice Chair
Debra Antone – Member at Large
Betsy Cobarrubia – Tribal Member
Karen Colombana – Tribal Member
Reno Franklin – Tribal Member
Vana Lawson – Tribal Member
Loreena Raab – Tribal Member
Rhoda Parrish – Tribal Member (Alternate)

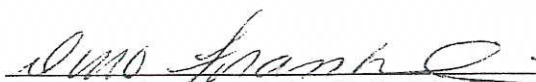
BE IT FURTHER RESOLVED that the Economic Development Committee shall function in accordance with the attached Operating Procedures as amended at a Special Community Council Meeting on Sunday, July 16, 2006, which have hereby been approved by the Business Committee and were submitted and approved as amended by the Community Council on Sunday, July 16, 2006.

CERTIFICATION

This is to certify that the foregoing Resolution was adopted at a duly called meeting of the Stewarts Point Rancheria Business Committee at which a quorum was present on the 16th day of July, 2006, by a vote of 7 for, 0 against, and 0 abstaining.


Severino Gomes, Jr., Tribal Chairman

8-11-06
Date


Attest: Dino Franklin, Tribal Secretary

8-11-06
Date