

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

ORDINANCE 14

**AMENDED AND RESTATED REVENUE ALLOCATION
ORDINANCE**

(Approved by General Council on 9/21/19)

SECTION 1. INTRODUCTORY PROVISIONS

- 1.1. Authority. This Ordinance is enacted under the inherent sovereign authority of the Kashia Band of Pomo Indians of the Stewarts Point Rancheria and in accordance with Article 5, Section 1(l), (o) and (p) and Article 6, Section 2 of the Tribe's Constitution.
- 1.2. Policy. The Kashia Band of Pomo Indians, through its General Council, has authorized the establishment of one or more Tribal entities to operate consumer lending and related businesses on behalf of and for the benefit of the Tribe and its members ("Tribal Businesses"). It is the policy of the Tribe to ensure revenues generated by these business activities are used to support essential Tribal Government operations, provide critical health and welfare programs to Tribal Members, and invest in economic development opportunities to contribute to the long-term self-sufficiency of the Tribe.
- 1.3. Purpose. By adopting this Ordinance, the Tribe intends to formalize a plan for the allocation of Tribal Business revenues both for general Tribal purposes and for the benefits of Tribal members.
- 1.4. Scope. The provisions of this Ordinance are intended to and shall apply to all net revenues generated by Kashia Services as well as the net revenues of any and all other Tribal Business(es) established and operating in accordance with Ordinances 12 and 13.

SECTION 2. DEFINITIONS

As used in this Ordinance, the following terms have the following meanings, unless the context clearly requires otherwise.

- 2.1 “Commission” means the Kashia Lending Commission established and operating in accordance with Ordinance 12.
- 2.2 “General Council” means the governing body of the Tribe composed of all Tribal Members aged 18 and over.
- 2.3 “Revenues” means revenues generated by all Tribal Business operations and distributed to the Tribe at the end of each calendar month or other applicable period of accounting or disbursement. This amount will generally be calculated as gross revenue less operating expenses; however, Tribal Council may approve an operating budget for a Tribal Business, on a case by case basis, that authorizes certain amounts of revenue to be reinvested to grow a Tribal Business and/or to pay down debt.
- 2.4 “Tribal Business” means a wholly owned Tribal consumer lending or related business established and operating in accordance with Ordinance 12 and Ordinance 13, as may be amended from time to time by the General Council.
- 2.5 “Tribal Council” means those officials elected by the voting membership of the Tribe that exercise the executive powers of the Tribe under the direction of the General Council.
- 2.6 “Tribe” means the Kashia Band of Pomo Indians of the Stewarts Point Rancheria, a federally recognized Indian tribe.

SECTION 3. ALLOCATION PLAN

- 3.1. Allocations. The Tribe hereby allocates its Tribal Business Revenues to the following purposes:

- (a) **Tribal Government Operations. (27%)**

(1) Commission Operating Expenses. Seven percent (7%) of Revenues shall be allocated to supplement regulatory fees collected by the Tribe to cover Commission operating expenses authorized under approved operating budgets, including such things as Commissioner and staff compensation and related expenses, equipment and supplies, legal and/or professional support, and fees for background checks. In the event the amount

allocated to this category either exceeds or is inadequate to cover approved operating expenses in a given month, the Tribal Council may exercise its authority under Section 3.2 to transfer funds into or out of this category, as appropriate.

(2) *Other Government Operations.* Twenty percent (20 %) of Revenues shall be used to fund other Tribal government operations, services, and administration, including, without limitation, any or all of the following: Tribal government offices, human resources, insurance costs, establishment of a 401k for program for Tribal employees, grant matching funds, grant writing, Tribal public works, and administrative costs associated with Tribal enrollment, housing, health, Indian Child Welfare Act and other family services, and cultural programs, Reservation facilities maintenance and cleanup, Tribal library and media center, Tribal recreation program, Tribal daycare, Tribal justice system, and Tribal police and fire department.

(b) Tribal Programs. (53%)

(1) *Senior Services.* Fifteen percent (15%) of Revenues shall be used to develop Senior Services, including but not limited to, health care, housing, utility assistance, emergency assistance and senior activities.

(2) *Veterans Services.* Ten percent (10%) of Revenues shall be used to develop Veterans Services, including but not limited to, health care, housing, education, job and placement training.

(3) *Youth Services.* Eight percent (8%) of Revenues shall be used to develop Youth Services, including but not limited to tutoring assistance, school supplies, school programs, health programs, cultural programs, gym clothes, shoes, sports, modern books, cultural books, basket classes, fishing, learning how to build fires, cooking classes, hiking trails on Tribal lands, baseball fields, camping, and learning cultural law.

(4) *Other Programs.* Twenty (20 %) of Revenues shall be used for other programs to enhance the general welfare of the Tribal community through provision of community services and programs, including but not limited to, social welfare, tuition assistance and associated education expenses, housing, health and nutrition, child care, emergency funds for such things as transportation, temporary housing and food assistance, planning and environmental protection.

(c) **Tribal Economic Development. (20%)**

(1) ***Examples of Authorized Uses.*** Twenty percent (20 %) of Revenues shall be used to promote Tribal economic development, including, but not limited to, developing and/or expanding Tribal businesses, and investments in land, business opportunities, goods and services that may provide employment and financial returns for the Tribe and its members.

(2) ***Tribal Policy.*** The investment policy of the Tribe shall be weighted toward investments that provide for the long-term security of the Tribe, and the Tribal Council shall be authorized to make multi-year appropriations from funds dedicated to this category to facilitate long-term investments and projects.

3.2. **Tribal Council Authority.** The Tribal Council shall have the authority to transfer not more than twenty-five percent (25%) of the funding in any category described in Section 3.1, to any other category described in that Section if the Tribal Council determines that the funding in the category from which the money is being taken is not necessary for the stated purposes and the funding is required for the category into which the money is being transferred. Otherwise, the purposes and proportions for the expenditure of Revenues may be changed only with the approval of the General Council.

3.3. **Accounting.** The Tribal Council shall ensure that an accounting is made within 30 days after each distribution of Revenues from any Tribal Business to the Tribe, and that the appropriate percentages of such Revenues are earmarked and set aside for the expenditures described in Section 3.1 above.

SECTION 4. NO WAIVER OF SOVEREIGN IMMUNITY

Nothing in this Ordinance shall provide or be interpreted so as to provide a waiver of the sovereign immunity from suit of the Tribe or its governmental offices, agents, employees or businesses.

SECTION 5. EFFECTIVE DATE; EFFECT

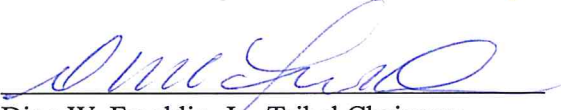
This Ordinance shall take effect on the date of approval by the General Council, and shall remain in effect and govern allocations and expenditures of all Tribal Business Revenues until amended or repealed by the General Council. Upon approval by the General Council, this Ordinance shall supersede and replace all prior ordinances approved by the General Council governing the allocation of Tribal Business revenues.

SECTION 6. AMENDMENT

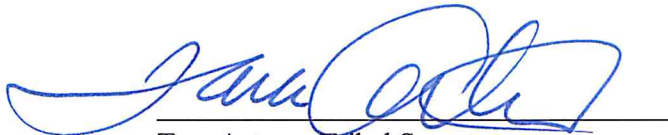
This Ordinance may be amended or repealed by a majority vote of the General Council at a duly called meeting at which a quorum is present.

CERTIFICATION

We, the undersigned members of the Tribal Council of the Kashia Band of Pomo Indians of the Stewarts Point Rancheria, hereby certify that the foregoing Amended and Restated Revenue Allocation Ordinance was approved by the General Council at a duly called special meeting at which a quorum was present on September 21, 2019, by a vote of 41 for, 1 against, and 1 abstaining.


Dino W. Franklin, Jr., Tribal Chairman

ATTEST:


Tara Antone, Tribal Secretary