

**REDDING RANCHERIA  
TRIBAL GOVERNMENT POLICIES**

**Chapter TP 1-000**

**Tribal Government**

**May 14, 2008**



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SECTION 1: PURPOSE

To set forth the expectations, goals and values of Tribal Government of the Redding Rancheria upon which Tribal Government shall base all efforts and actions in carrying out the business of government on behalf of the Tribe.

To set forth the guiding philosophy by which the Tribal Government shall base all efforts and actions in carrying out the business of government on behalf of the Tribe, to outline the organization of the Tribal Government, and to establish standards and procedures for conducting of Tribal Government business.

SECTION 2: BACKGROUND AND INTENT

The Redding Rancheria, a body of people bound by common culture and heritage, and vested with the inherent right of sovereign self-government, subject to and limited only by the laws of the United States of America, has declared and established itself as a government. These bonds stem from certain bands of the Yana, Pit River and Wintu Indians, bound by a common land base and identity stemming from treaties and interactions with the Federal Government over 150 years.

From time immemorial, the ancestors of Pit River, Wintu and Yana people occupied the northern California lands in the shadow of Mt. Shasta and Mt. Lassen. They lived in harmony with nature and practiced their culture and traditions, speaking their own language and exercising their own laws, free of rule from any but those of the creator. As western migration occurred, the people suffered disease, extermination, assimilation and many horrific acts at the hands of the newcomers. Treaties were negotiated, but never ratified, and the people were essentially homeless. Finally, in 1922 the Federal Government reserved a small piece of land near Redding which would become the Redding Rancheria. The people would live there and manage their own lives, until 1959, when the Federal Government terminated the Redding Rancheria in an effort to eliminate Indians. But the people would not give up their heritage and continued to assert their rights. In 1983, the Redding Rancheria people won a battle for their existence in federal court and their rights restored. A modern constitution was put in place by the people in 1989 to ensure that the Tribe would develop a strong and stable government to protect the Redding Rancheria's sovereignty and to develop the Rancheria for the welfare of its members, both present and future.

The Tribal Council is delegated the responsibility, through the constitution, to:

- “1) To secure our rights and powers inherent in our sovereign status.
- 2) To protect our lands and all other resources of our members.

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- 3) To promote the general welfare of our people by protecting all the rights of the Redding Rancheria members according to the laws of the United States Government.
- 4) To preserve and develop our land base, culture, and identity.
- 5) To ensure that self-government does not infringe on the individual rights of any Redding Rancheria member.
- 6) To provide for peace and order, community education, and the social needs of the members.
- 7) To promote and develop economic endeavors for all Redding Rancheria members.”

All governmental powers and authority are derived from and are explicitly for the purpose and benefit of the Tribe.

The Tribal Council recognizes that the Redding Rancheria must be ever vigilant in protecting its inherent sovereignty. The development of effective and responsive government, enactment of effective laws and regulations, implementing policies, and making provisions to ensure that the Tribal Council can carry out all of its duties are very important obligations and responsibilities.

To establish effective governmental functions to exercise these inherent rights of self-government, the Redding Rancheria has established a representative form of government, setting forth a governing body made up of elected members of the Tribe, to be known as the "Tribal Council." The Tribal Council has been delegated broad governing responsibilities and powers subject only to powers of referendum of the membership. Among these responsibilities are the responsibilities to establish goals, make and enforce laws, and manage the economic affairs of the Tribe. To accomplish these responsibilities the Tribal Council is empowered to hire employees, appoint committees, charter subordinate organizations, establish a tribal court, employ legal council and other parties to assist the Tribal Council in carrying out the responsibilities of government.

The Tribal Council recognizes its ultimate responsibilities to protect the sovereign rights and promote tribal goals.

Therefore, in order to ensure that the Tribal Council and all who assist the Tribal Council can work cooperatively and effectively toward the achievement of tribal goals, the Tribal Council has determined that it is appropriate to establish common expectations, goals and values to guide the actions of members of the Redding Rancheria, Tribal Council members, employees, committee members and all others working on behalf of the Tribe.

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The Tribal Council hereby declares that, in all matters, the expectations set forth by this policy shall be considered guiding principles of Tribal Government and all who serve it.

Furthermore, it is the intent of the Tribal Council to clearly set forth the organizational components, provide clear direction and authorities to each workunit, and to establish consistent and effective procedures for carrying on the work of Tribal Government.

SECTION 3: DEFINITIONS (Reserved)

SECTION 4: DELEGATED AUTHORITY (Reserved)

SECTION 5: AUTHORIZED PROGRAMS AND SERVICES (Reserved)

SECTION 6: TRIBAL GOVERNMENT FOUNDATIONAL PRINCIPLES

(a) Tribal Vision

Through a collective process involving tribal member, staff and community input, the following vision was developed to describe the desired future for the Tribe:

Redding Rancheria is a sovereign nation where pride in tribal culture, history and identity is evident internally and in larger community. Redding Rancheria is a leader in the constructive development of its people, the larger Indian community and the Redding region. The strength of our community lies in the honor of our elders, the health of our families and the self-reliance of our members. Members see tribal resources as opportunities to become educated, contributing members and leaders of the community. Our community nurtures its youth and prepares them for the future tribal and community leadership with skills for a changing world. Redding Rancheria leads by example in community involvement and stewardship of the land. Diverse economic investments provide a secure future for the Tribe and contribute to a vibrant local economy. Members are actively involved in the development of the Tribe and are leaders and innovators in governmental affairs and community development.

(b) Tribal Government Mission

In all matters which come before the government of the Redding Rancheria, the primary mission of Tribal Government is to:

- (1) Exercise, protect and enhance the sovereign right of self-government of the Redding Rancheria;

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- (2) Promote a lasting cultural and community identity and traditions for all members of the Tribe; and
- (3) Increase the social and economic opportunities available to members of the Tribe without interfering with or reducing existing personal and property rights of the members.

(c) Tribal Government Role

In carrying out the mission, the role of the government of the Redding Rancheria shall be:

- (1) To create and execute policies and laws that govern the Tribe and its members in the interest of self-determination, protection of rights and privileges, and the preservation of the Redding Rancheria identity, subject to the reserved powers of the General Membership.
- (2) To respect and enhance the social well-being of all of its members by acknowledging the uniqueness of the cultural and historical heritage of its people, and by providing the means for its members individually and collectively to experience those traditions.
- (3) To foster a healthy and safe environment wherein each individual can understand and enjoy diverse opportunities and community support while achieving personal self-fulfillment.
- (4) To generate sources of revenue to ensure the Tribe's self-determination in establishing priorities and delivering services, and to provide opportunities to tribal members to attain their highest level of economic well being.
- (5) To obtain lands and resources for the Tribe to ensure for the present and future generations' lands of cultural, historical and economic value on which to:
  - (A) Build a homeland on which to live, gather and exercise tribal sovereign rights of self governance;
  - (B) Locate longstanding tribal government administration; and
  - (C) Create economic development opportunities to enhance the lives and opportunities of the Redding Rancheria people.

(d) Guiding Values

All actions of the Tribal Government and all who serve it shall be guided by the following values:

- (1) The common culture and heritage which bind the Redding Rancheria people together are the basis of the Tribe and its government. Strengthening of these ties protects the long term integrity of the Tribe.
- (2) Rights and freedoms of all members of the Tribe are to be equal and shall be respected and protected.
- (3) **All Tribal members are entitled to a voice in Tribal Government. All people of the Redding Rancheria are expected to be informed about, participate in and contribute to Tribal government. Tribal Government is guided by the will of the membership. An informed membership will ultimately guide the most successful achievement of tribal goals.**
- (4) The health, education and general well being of the Redding Rancheria people is of greatest importance to Tribal Government.
- (5) All people of the Redding Rancheria are expected to respect, listen to and help one another.
- (6) The benefits of the Tribal Government shall accrue to all of the Redding Rancheria people without regard to location or economic status.
- (7) The needs and rights of present and future generations shall be considered in all decisions of Tribal Government.
- (8) Tribal lands are essential to the exercise of self-government, economic self-sufficiency and tribal heritage.

(e) Guiding Principles

In accordance with the mission, roles and values of the Tribe, the Redding Rancheria people are entitled to a government which is responsive to their needs and carries out its responsibility in a highly professional matter. In accordance with this expectation, the Tribal Council declares these principles to be followed in the conduct of the Tribal Government:



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(1) Citizen Involvement

Each member of the Tribe has a responsibility to understand, participate in and support the Tribal Government. Tribal Government has a responsibility to establish methods to facilitate tribal member input and involvement. In accordance with this responsibility, Tribal Government shall:

- (A) Provide information and educational opportunities to help tribal members understand the business of Tribal Government, its structure and processes, and all matters that affect Tribal Government.
- (B) Facilitate participation and input from tribal members in Tribal Government.
- (C) Seek to develop future tribal leaders to continue the work of the Tribal Government in the future.

(2) Community Development

The building blocks of the Redding Rancheria are self-reliant individuals and strong families. Additionally, a strong sense of tribal community is required to enhance tribal culture and identity. Therefore, the Tribal Government shall take actions which will:

- (A) Enhance the development of independent and self-reliant individuals;
- (B) Foster healthy dependence upon family and community by individuals and families;
- (C) Foster tribal community gatherings and a strong and healthy tribal identity; and
- (D) Preserve and enhance the culture and heritage of the Redding Rancheria.

(3) Tribal Government Effectiveness

The members of the Redding Rancheria have the right to expect that the Tribal Government makes efficient use of resources, sets examples for tribal members and carries out its mission in a highly

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professional and effective manner. Therefore, Tribal Government and all who work in it shall:

- (A) Uphold the highest standard of ethical conduct in all matters related to tribal business;
- (B) Work cooperatively with all other individuals, governments and institutions in the promotion of tribal goals;
- (C) Coordinate all available resources and services to the maximum extent possible to achieve that the highest potential benefit accrues to the Tribe and its members;
- (D) Apply currently accepted technical standards in all work to ensure that products and services delivered are of highest quality;
- (E) Consider the cultural and spiritual values of the Redding Rancheria people in all actions and decisions;
- (F) Foster and maintain effective relations with the Federal, state and local governments and other entities to promote the social and economic well being of the membership and to ensure that they effectively carry out their obligations to the Redding Rancheria and its members;
- (G) Seek to put in place effective laws and policies and to follow them; and
- (H) Effectively integrate all efforts and balance priorities to ensure the best possible application of available resources.

SECTION 7: TRIBAL GOVERNMENT ORGANIZATION AND ROLES

(a) Tribal Government Organization

The Tribal Government organization shall consist of the voting membership, Tribal Council and all subordinate boards, committees, officials, employees and organizations chartered or appointed by the Tribal Council or any designee thereof.

(b) Tribal Council Responsibility

The Tribal Council is responsible for all Legislative, Judicial and Executive

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functions of the Redding Rancheria. The Tribal Council shall appoint and employ such subordinate employees, committees and boards as are reasonable and necessary to assist in carrying out its responsibility.

(c) Tribal Government Roles

The following roles shall be assigned by the Tribal Council for the overall management of the affairs of the Tribe:

(1) Public Policy and Legislation

The Tribal Council is responsible to carry out all legislative authority not reserved to the General Council. The Tribal Council shall reserve for itself all necessary legislative authority to establish public policy and to enact laws to carry out the duties of Tribal Government and to regulate the affairs of the membership, where appropriate, and any other authorities not specifically delegated by tribal law. The Tribal Council shall enact a policy by which to guide its conduct of business and that of its members.

(2) Judicial

Pursuant to the provisions of the Tribal Constitution, the Tribal Council shall enact an policy to establish a tribal court, a position of Chief Judge and such associates and assistants as are deemed appropriate. The Chief Judge shall be appointed by and report to the Tribal Council, promulgate rules of pleading and practices and procedures of the Tribal Court as provided by such policy.

(3) Executive

To assist in carrying out the executive functions of the Tribal Council, the Tribal Council shall establish the position of Chief Executive Officer, and shall delegate by policy to such position the responsibility to assist the Tribal Council in its work, to implement tribal laws and carry out administrative functions of the Tribal Government. The Chief Executive Officer shall report to and serve at the pleasure of the Tribal Council.

(4) Policy Advisory

To afford maximum participation and input from the tribal members in the Tribal Government, provide for increased tribal member knowledge of tribal business and ensure ongoing knowledge of

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tribal needs and opportunities, the Tribal Council shall appoint such advisory committees for any area of concern for which there shall be either temporary or ongoing need for such committees to advise the Tribal Council. The Tribal Council shall enact a general policy which shall provide for the chartering and operation of committees. Advisory committees shall serve at the pleasure of and report to the Tribal Council in accordance with the provisions of their charter.

(5) Economic Enterprise

Whenever the Tribal Council deems it appropriate for the purpose of meeting important tribal goals, the Tribal Council shall charter subordinate organization and boards for the purpose of carrying out business development and management activities outside the Tribal Government structure. Such boards shall be appointed by and report to the Tribal Council as provided by the provisions of their charter.

(6) Other Important Purposes

Other subordinate organizations may be chartered to carry out any functions necessary to accomplish tribal goals, whenever it is deemed by the Tribal Council that the activity to be carried on by such organization is of sufficient importance as to require such separation from the day-to-day affairs of Tribal Government. Such subordinate organizations shall be chartered by and shall report to the Tribal Council.

## SECTION 8: TRIBAL POLICY MANAGEMENT STANDARDS

The policies of the Tribal Organization shall be organized in and maintained according to the following standards:

(a) Components of Tribal Policy

Tribal policies shall be separated into the following components, with each subsequent level designed to carry out responsibility and authority flowing from and passing through the next higher level:

(1) Tribal Organic Documents

The organic documents of the Redding Rancheria shall include the Constitution of the Redding Rancheria and any future organizing documents adopted by the membership. The Constitution sets out

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the policies of the membership and confers governing powers to the Tribal Council.

(2) Tribal Council Ordinances and Resolutions

(A) All final decisions of the Tribal Council on matters of general and permanent interest to the members of the Tribe shall be embodied in ordinances and approved by a vote of the General Membership.

(B) All final decisions of the Tribal Council on matters of temporary interest or relating especially to particular individuals shall be embodied in resolutions.

(3) Tribal Government Policies

All matters of governmental direction, standards of operation and conduct and guidance regarding the operation of Tribal Government and programs shall be embodied in Tribal Government Policies, which shall be adopted by resolution.

(4) Administrative Rules

Implementing rules for tribal ordinances and policies shall be established by the Chief Executive Officer, including policies established in the absence of Tribal Council guidance to regulate the activities of tribal government employees.

(5) Operating Procedures

Procedures and guidelines shall be established by managers, directors and supervisors and approved by the Chief Executive Officer to guide tribal operations.

(6) Department Procedures

Procedures and guidelines established by managers, directors and supervisors to guide the day-to-day operations of tribal staff shall be contained in manuals, which shall include forms and information to facilitate efficient operations and continuity of services.

(7) Tribal Court Opinions

Written opinions of the Tribal Court.

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(b) Policy Maintenance Standards

Policies of the Redding Rancheria shall be maintained in accordance with the following standards:

- (1) All policies of the Redding Rancheria shall be maintained collectively within a central policy library. Portions of such library shall be available at other locations as appropriate to their use.
- (2) Policies within the central library and at other separate locations shall be maintained in a current state at all times.
- (3) Policies shall be protected to maintain their integrity for reliance thereon by the tribal organization.
- (4) Policies within the central library shall be made available for viewing by any member of the Tribe, upon any reasonable request, and by any employee or other person authorized by the Chief Executive Officer.

(c) Policy Format

Standard formats shall be adopted for policies where appropriate to ensure efficient access and reference. All policies shall meet the following standards:

- (1) A common numbering system shall be utilized which shall provide for organization of policies to separate policy provisions for ease of reference and understanding.
- (2) All policy components shall be appropriately cross referenced.
- (3) To the extent practical, explanatory notes and text shall be made available within the policy library to assist in understanding by persons who utilize the library.
- (4) A common style and format shall be adopted for all policies to guide the development and maintenance of the tribal policies.

## SECTION 9: LEGISLATIVE PROCEDURES

Whenever the Tribal Council is considering any proposed Ordinance or a major revision of an existing Ordinance, the Chief Executive Officer shall ensure that:

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- (a) Such policy shall be made available for viewing by tribal members and input shall be sought. Notice shall be made of availability of such proposed Ordinance. Such notice shall include:
  - (1) The purpose of such proposed Ordinance;
  - (2) The major provisions of such proposed Ordinance;
  - (3) Information on how tribal members may view or obtain copies of such proposed Ordinance; and
  - (4) A solicitation of comments and recommendations on such proposed Ordinance.
- (b) Such Ordinance shall be presented at not less than one General Membership meeting and tribal members shall be afforded an opportunity to comment and make recommendations on such proposed Ordinance. Such meetings shall be held in accordance with the Tribal Constitution.
- (c) Within 30 days after enactment of any Ordinance or major revision to any existing ordinance, notice shall be provided to all tribal members. Such notice shall consist of:
  - (1) The purpose of such Ordinance;
  - (2) The major provisions of such Ordinance; and
  - (3) Information on how tribal members may view or obtain copies of such Ordinance.
- (d) Any proposed Ordinance or major amendment to an existing ordinance shall include a statement of "purpose" of the Ordinance which shall describe briefly the end to be achieved by the enactment of such Ordinance. In addition a proposed background statement and statement of intent, there shall be included a historical perspective on the issues being considered and the intent of the Ordinance to address such issues. It is intended that such purpose and background statements shall clearly communicate to both present and future members the need for such Ordinance.
- (e) Technical amendments to existing ordinances shall be adopted by resolution.

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- (f) For purpose of tribal records, Ordinances and amendments thereto shall be enacted by resolution and submitted for approval by vote of the General Membership.
- (g) If an emergency situation arises that requires immediate action, the Tribal Council may by resolution waive such portions of subsection (a) through (f) as it deems appropriate.

#### SECTION 10: REGULATING PROCEDURES

Administrative Rules shall be promulgated by the Chief Executive Officer to implement all laws of the Tribal Council and to guide the conduct of tribal business as appropriate. The following procedures shall be followed in the publication of Administrative Rules (Rules):

- (a) Not less than 30 days prior to publishing final Rules the Chief Executive Officer shall:
  - (1) Provide proposed Rules to the Tribal Council, and
  - (2) Notice shall be given to tribal members, employees and any other parties which may be affected by such Rules which shall indicate the subject matter of proposed Rules, where copies may be viewed and where to submit comments.
- (b) Input of interested parties shall become a matter of record and shall be considered in developing Rules.
- (c) Based upon Tribal Council direction and input from interested parties, the Chief Executive Officer shall finalize the proposed Rules, which shall be effective upon publication.
- (d) Within 30 days after publishing Rules, notice shall be given to all tribal members, employees and other interested parties of the publication of final Rules. Such notice shall include instruction on how to view and obtain copies of such Rules.
- (e) Rules not established in compliance with this procedure are invalid, except as otherwise provided in (g) below.
- (f) Rules established pursuant to this procedure shall have the force of law.
- (g) The Tribal Council may, by resolution, waive any of the requirements in (a) through (f) above when the immediate publication of rules is considered vital to the interests of the Redding Rancheria.



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SECTION 11: SEVERABILITY

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

Legislative History:

Originally Adopted by Tribal Council Resolution dated October 21, 1997.

Amended by Tribal Council Resolution #018-04-11-07 dated April 11, 2007.

Amended by Tribal Council Resolution #034-05-14-08 dated May 14, 2008.