



Draft Community Council Guidelines

**San Francisco
Tlingit and
Haida
Community**

**A Political
Subdivision of
the
Central Council of Tlingit and Haida
Indian Tribes of Alaska**

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GOVERNANCE GUIDELINES OF THE SFTH COMMUNITY COUNCIL

The San Francisco Tlingit and Haida Community Council (SFTHCC), a political subdivision of the Central Council of the Tlingit and Haida Indian Tribes of Alaska (CCTHITA), has adopted these governance guidelines to assist it in observing governing processes that best serve the interests of the SFTHC and its members. These guidelines are intended to serve as best practices that guide the Community Council's conduct of its business, not as a set of legally binding obligations. They should be interpreted in the context of the SFTHC *Constitution*, CCTHITA Constitution and Statutes, SFTHCC resolutions, and other applicable governing legal documents. The SFTHC and CCTHITA Constitutions are the only Tribal organic documents that may legally limit the authority and power of the Community Council. (Unless otherwise noted, all references in the guidelines to "directors" or "Community Council" indicate all members of the Community Council of the CCTHITA, including a youth council member.)

I. Mission of the SFTH Community Council

The mission of the SFTH Community Council is to enhance the governance of the Community and provide oversight of the performance of program and business activities of the Community Council. The members of the Community Council are responsible to the Community and to the CCTHITA for overseeing Community Council practices so as to hold them accountable for the pursuit of the Community mission.

In fulfilling its responsibilities, the Community Council performs the following principal functions:

- A. Establishing policies and procedures intended to ensure lawful and ethical conduct of the Community members and officers.
- B. Developing, evaluating, and implementing best practices.
- C. Approving strategic plans, including financial objectives and the maintenance of the general operating budget.
- D. Providing oversight of Community Council activities by monitoring, protecting, and safeguarding of Community assets, effectiveness, efficiencies and reputation through such oversight activities as the Community Council may deem necessary.
- E. Evaluating and improving Community Council activities.
- F. Setting policies for the Community Council, consistent with the Constitution and resolutions.
- G. Representing the Community in appropriate venues and forums.

These activities are performed in cooperation and collaboration with the CCTHITA through the Office of the President.

II. Legal and Ethical Conduct

The Community Council is responsible for establishing policies and procedures to ensure that Community activities are conducted in a legal and ethical manner. In fulfilling this responsibility, the Community Council may consult with the CCTHITA through the Office of the President. The Community Council monitors compliance with applicable auditing and accounting principles. Although the Community Council itself deals with conflicts of interest, the Community Constitution determines appropriate and permitted action.

III. The Community Council

The SFTHC Constitution in Article II Section 1 establishes the Community Council. The Community Council is comprised of the seven Council members elected by eligible voters among Community members in the CCTHITA election ballot for Delegates to the Tribal Assembly in accordance with the CCTHITA Rules of Election, with the seven nominated candidates receiving the highest number of votes elected to the Community Council. In an election, Community Council members are duly elected and seated immediately upon CCTHITA certification of the election. The Community Council may appoint youth ambassadors appointed by affirmative majority vote in a number determined by the Community Council, who shall serve a term of two years. The Community Council Emeritus is an ex-officio member without voting privileges elected by affirmative 2//3 majority vote by the Community Council, who shall serve an unspecified term that may be limited by affirmative 2/3 majority vote of the Community Council.

The CCTHITA ballot that elects SFTHC Council members under the CCTHITA Rules of Election, the nominated candidates receiving the highest number of votes corresponding to the number of Delegates allocated to the Community are elected to serve as Community Delegates to the CCTHITA Tribal Assembly.

IV. Powers

The Community Council possess the powers specified by the SFTHC Constitution Article III Sections 1 and 2.

V. Officers

The SFTHC Constitution provides in Article II for the officers of the Community Council. The Community Council officers of President, Vice President, Treasurer, and Secretary (Recording and Corresponding/Newsletter) are elected by affirmative majority vote among the duly elected and seated Community Council members at the first meeting following certification of election, and no later than 30 days thereafter. The President serves as the chair of meetings of the Community Council. A portion of any Community Council meeting may be chaired by an officer. If the President is unavailable the Vice President will assume the chair. It is the responsibility of the President to ensure all activities relative to a well-run meeting are in order. The President is also responsible for making sure sufficient resource material and/or persons are available to the Community Council for making sound business judgments. The President is authorized to speak on behalf of the Community Council on all matters relative to the Community and its members.

VI. Officers: Secretary

The Recording Secretary is responsible for ensuring that all legal and policy documents are properly executed. This includes, but is not limited to, the signing of resolutions and minutes of meetings. The Corresponding / Newsletter Secretary is responsible for media communications. The same Council member may serve as both Recording and Corresponding / Newsletter Secretary.

VII. Youth Representative

The appointed youth representative shall have all privileges of participation in Community Council meetings and activities, except he/she does not have voting privileges. He/she is authorized to receive any information made available to other Community Council members, except when explicitly stated to the contrary by a majority vote of the Community Council on a case-by-case basis. The youth representative serves for a two-year term.

VIII. Community Council Emeritus

The Community Council may appointment oa Community Council Emeritus who is a current or past member of the Community Council who has demonstrated outstanding loyalty and service to the Community for a substantial amount of time. The Community Council Emeritus is a lifetime appointment. The Community Council Emeritus has all privileges of meeting attendance and participation, except the right to vote.

IX. Meetings

Meetings shall be called as regular or special meetings in accordance with the SFTHC Constitution Article II Section 3.

- A. The quorum of all meetings is participation of any three Community Council members and the President, or four Community Council members.
- B. Agendas will serve as a guide to all meetings, and once adopted may only be amended by a majority vote of members present.
- C. The President will chair all meetings, or the Vice President in the absence of the President; may temporarily designate an acting chair in order to debate a question; and may appoint an acting chair for any or all of a meeting.
- D. The chair may vote as a voting Council member when the vote is by ballot; or may vote either to break or cause a tie, or to either cause or block the attainment of a necessary two-thirds majority, or to attain a majority of Council members necessary to decide a question.
- E. The President as chair or the acting chair will appoint a parliamentarian for each meeting.
- F. Motions may be made only by voting Council members. Motions in a regular meeting may be on any topic and/or issue. However, motions in a special meeting must be relative to the issue or topic before the Community Council as determined by the agenda.

X. Notice of Meetings

Official notices of meetings will be given via email, text, and/or facsimile, in accordance with the preference of each Council member. Notices must be given to all Council members in a timely manner consistent with the following guidelines:

- A. Initial meetings of a duly elected and seated Council will meet to elect officers as close as possible to the term of SFTH Community Delegates, and not later than twenty-one days following Central Council certification of the Council member election.
- B. Regular meetings are scheduled or rescheduled by Community Council resolution. Notice of date changes to rescheduled regular meetings must be distributed at least seven days prior to the meeting.
- C. Special meetings are at the call of the Chair or by the call of four or more Community Council members joining together to call a meeting by writing in email, text, and/or facsimile. Notice must be distributed to all Council members at least seven days prior to the meeting. The purpose of the meeting may be changed only if all Council members are present.

XI. Community Council Meeting Protocols

- A. ***Selection of agenda items for Community Council meetings.*** The President proposes the agenda for each Community Council meeting. Prior to the start of a meeting, each Council member may submit additions for the agenda to include any matter that the Community Council member reasonably believes should be on the agenda.

The SFTHC Constitution Article II Section 3 provides for the order of business

during the regular meetings as follows:

1. Reading of the previous meeting minutes;
2. Reports of Officers and, if any, committees;
3. Old business or unfinished business;
4. New business; and
5. Good and welfare.

The President's report and Treasurer's report, and Adjournment, are special orders with a designated time for each.

- B. ***Community Council materials distributed in advance.*** Seven (7) working days prior to each Community Council meeting, the President shall distribute to each Community Council member a proposed agenda for the meeting, along with advance copies (to the fullest extent possible) of any written materials to be discussed.
- C. ***Executive sessions of the Community Council.*** The President or a majority of the Community Council may convene, as appropriate, executive sessions of the Community Council to discuss any sensitive matter(s).

At the end of each Community Council meeting, the entire Community Council may meet in executive session. The Community Council will meet in executive session when dealing with any and all confidential matters, including discussions on the President's evaluation and compensation. Any member who believes an executive session of the Community Council is desirable on any subject can so indicate to the President and such a session shall be held.

At the conclusion of each executive session, the Community Council will "rise and report" back into regular session for all action items of the executive session that need formal action

XII. Committees

- A. The SFTHC Constitution Article III Section 1(i) establishes authority for the establishment of committees to the Community Council. The Community Council may create, discharge, or revise the mission of any committee at any time.
- B. The President shall submit a list of appointments and their chairs for all committees to the Community Council.

XIII. Requirement of Attendance at Community Council Meetings

There are no requirements for Community Council members to attend meetings. It is the responsibility of each Community Council member to attend meetings on a regular basis.

XIV. Conflicts of Interest

A member's other relationships including business, family, or other governments, may occasionally give rise to a potential for a material personal, self-dealing interest on a particular issue involving the Community Council. The Community Council (after consultation with counsel, if necessary) determines on a case-by-case basis whether such a conflict of interest exists. The initial determination of a potential conflict may be delegated through an affirmative majority vote the Community Council to the President. The Community Council will take appropriate steps to identify such potential conflicts and to assure that all members voting on an issue are recused with respect to

that issue.

XV. Former President’s Advisory to the Community Council

Former Presidents of the tribe are eligible for serving in an advisory capacity to the Community Council. They may be invited to all Community Council and delegate meetings.

XVI. Term of Office

The Community Council and its Officers is an elective office with term set by the SFTHC Constitution Article I Section 2. The term of each Council member is two years.

XVII. General Principles

It is important and helpful for Community Council members to have general guidelines to follow or refer to as they represent the Tribe and its citizens in meetings, forums and hearings. It is not the intent of this policy to dictate what must be said or how to say it; rather, the principles outlined below set some general standards of participation while reminding each member of standing policies.

- A. A Tribal Assembly action on a policy issue, or an Community Council action on a policy issue when the Tribal Assembly is not in session, is the official position of the Tribe on that particular issue. All statements or votes, in meetings where an Community Council member has a vote, must be in support of or complements that position.
- B. It is a reasonable expectation for an Community Council member representing the Tribe to know the position of the Community Council or, in not knowing, consult with the Community Council through a meeting or a teleconference meeting, before making official statements on topics and issues of importance.
- C. Whenever possible or practicable, the Community Council shall represent the Tribe, or, when in the interests of the Tribe, the Community Council may approve a resolution appointing an individual to represent the Tribe. At a minimum, the President of the Tribe will make a letter or similar writing of appointment for the member in advance of participation.
- D. The Community Council shall provide testimony to public hearings, or in the instance another is appointed by the Community Council to represent the Tribe, he/she will work cooperatively with the Tribal administration who will be writing the testimony.

XVIII. Consultation and Advice

The Constitution Article III Section 1(h) authorizes the Community Council to engage with outside entities to further the interests of the SFTH Community. The Community Council shall determine such representation upon the recommendation of the President or any member of the Community Council.

- A. All recommendations to participate should be put in the form of a recommendation stating:
 - 1. Why it is important for the Community Council to participate;
 - 2. Who should attend;
 - 3. Whether travel is required or a written submission is sufficient; and
 - 4. The content of oral and written testimony.

- B. Every effort will be made to have recommendations to participate in a conference, meeting, hearing or public forum on the agenda of a regularly scheduled meeting of the Community Council.
- C. Where notice of a meeting requiring travel is insufficient to place on the agenda of the next regular meeting, every effort will be made to conduct a teleconference on the recommendation.
- D. In the event it is not possible to decide at a regular meeting nor through a teleconference meeting, a poll will be taken of each Community Council member asking for their vote: for or against.

XIX. Appointment Process

The President has the authority to appoint and notify the Community Council of such appointments. For the purpose of this policy the method of appointment adopted by the Community Council shall provide for broad participation of Community Council members in hearings, meetings, boards, commissions, committees, and Native organization boards and councils that promote the Tribe’s interests.

- A. The process of appointment following an election of the Community Council shall be as follows:
 - 1. Community Council members shall indicate their interest in participating.
 - 2. If there are only as many people interested in participating as there are no positions open for participation, those members are selected without objection.
 - 3. Should there be more members interested in participating than there are positions available, the Community Council will reach a consensual and mutual agreement.

XX. Parameters of Participation

It is generally understood and accepted that Community Council members selected to represent the Community Council in hearings, meetings and conferences are encouraged to speak, including their own personal feelings and convictions provided they are not in conflict with Community Council policies or positions. This includes: making personal statements on a topic; voting within a group on a topic; voting for an individual within a group who will be designated to carry out additional duties after the meeting; or statements to the public media.

Exceptions are:

- A. When speaking or voting is contrary to resolutions or policies adopted by the Tribal Assembly and/or the Community Council in a regular or special meeting;
- B. Comments are contrary to the dignitary and decorum expected of the SFTH Community and its people;
- C. Comments, statement or voting obligates money and/or other resources of the Community that were not authorized by the Community Council; and/or
- D. Comments or voting purposely alienate the Community Council from its friends and allies.
- E. Community Council members are not allowed to use their position or status for

endorsements for self-dealing purposes, other than in resumes or biographies, without approval of all Community Council members.

XXI. Reports and Reporting

The reporting of activities of a participating Community Council member to the President, the Community Council or the Tribal Assembly is encouraged. An agenda item may be included on the agenda of the next Community Council meeting to provide time for a verbal report.

Any written reports may be disseminated at the request of the participant, the Community Council or the President. Every effort will be made to minimize the cost of dissemination. All requests for dissemination shall specify whom the information should be disseminated to, including:

- A. Other Community Council members;
- B. Delegates;
- C. Community members; or
- D. Central Council Executive Council members.

Without specific directions it is assumed that dissemination is meant only to the Community Council members.

Note: The Community Council reviews these guidelines bi-annually and reserves the right to amend by an affirmative, majority vote at any time.