



SAN FRANCISCO COMMUNITY COUNCIL OF TLINGIT & HAIDA INDIANS
CENTRAL COUNCIL OF TLINGIT & HAIDA INDIAN TRIBES OF ALASKA

COUNCIL REGULAR MEETING AGENDA

December / 11 / 2022 | 6pm PT | Teleconference [Register in advance for this meeting:
[https://us06web.zoom.us/meeting/register/tZYudeyhqjMoHdBtNXst167rWcjOtVhuMVC2](https://us06web.zoom.us/join/https://us06web.zoom.us/meeting/register/tZYudeyhqjMoHdBtNXst167rWcjOtVhuMVC2)]

6:00pm CALL TO ORDER

6:00pm ROLL CALL

<u>Council Members</u>	<u>Officers</u>	<u>Attendance</u>
Will Micklin	President	Present / Absent / Excused
Vacant	Vice President	
Laurie Kozisek	Treasurer	Present / Absent / Excused
Donavin Hannon	Secretary	Present / Absent / Excused
DonnaRae James-Hannon	Member	Present / Absent / Excused
John (Jay) Silva	Member	Present / Absent / Excused
Natalie Suan	Member	Present / Absent / Excused

6:00pm QUORUM Present/Absent

6:05pm Approve Draft Agenda

6:05pm Approve Minutes of previous meeting of November 13, 2022

6:10pm SFTHC Public Testimony

6:25pm REPORTS

President's Report – consideration of Resolution 22-02

Treasurer's Report – review of U.S. Bank account past statements and Council authorizations

Correspondence / Newsletter Report - None

Committee Reports - None

6:45pm OLD BUSINESS

- *Resolution 22-03*
- *SFTHCC Guidelines*
- *Rules of Order for Electronic Meetings*
- *Tlingit & Haida American Recovery Plan Act (ARPA) funds for SFTHC*
 - *Tlingit & Haida American Recovery Plan Act (ARPA) funds for SFTHC*
 - *SFTHCC 100 mile map*
 - *SFTHCC Enrollment CA County Map*
 - *Tlingit & Haida SFTHC CA Office*
- *SFTHC Council Member/Vice President Vacancy*

7:05pm NEXT MEETING

7:05pm GOOD OF THE ORDER

7:10pm ADJOURN



SAN FRANCISCO COMMUNITY COUNCIL OF TLINGIT & HAIDA INDIANS

CENTRAL COUNCIL OF TLINGIT & HAIDA INDIAN TRIBES OF ALASKA

COUNCIL REGULAR MEETING MINUTES

November / 13 / 2022 | 6pm PT | Teleconference

6:06pm CALL TO ORDER

6:15pm ROLL CALL

<i>Council Members</i>	<i>Officers</i>	<i>Attendance</i>
Will Micklin	President	Present
Vacant	Vice President	
Laurie Kozisek	Treasurer	Present
Donavin Hannon	Secretary	Present
DonnaRae James-Hannon	Member	Present
John (Jay) Silva	Member	Present
Natalie Suan	Member	Present

6:15pm QUORUM Present

6:20pm Approve Draft Agenda – m/s approved

6:30pm Ratify Minutes of previous meeting of May 9, 2022 (Meeting Minutes previously approved)
– m/s approved

6:40pm REPORTS

President's Report

Treasurer's Report

Correspondence / Newsletter Report

Committee Reports

7:00pm OLD BUSINESS

- *SFTHCC US Bank Accounts – SFTHC Council is requesting U.S. Bank to approve account access for duly elected and seated Council Treasurer and Council Members in support.*
- *Without objection, the following Old Business agenda items were postponed to a time certain of the next SFTHC Council meeting (Dec 11, 2022) for Council action:*
 - *Resolution 22-02*
 - *SFTHCC Guidelines*
 - *Rules of Order for Electronic Meetings*
 - *CCTHITA American Recovery Plan Act (ARPA) funds for SFTHC*
 - *CCTHITA American Recovery Plan Act (ARPA) funds for SFTHC*
 - *SFTHCC 100 mile map*
 - *SFTHCC Enrollment CA County Map*
 - *CCTHITA CA Office*
 - *Council Vacancy*

7:15pm NEXT MEETING – m/s approved - December 11, 2022 at 6pm by Zoom

7:20pm GOOD OF THE ORDER

7:20pm ADJOURN



PRESIDENT'S REPORT
SFTHC COUNCIL MEETING DECEMBER 11, 2022

1. U.S. Bank Account Proceeds. The San Francisco Community Tlingit and Haida Community (SFTHC) Council in its November 13, 2022 meeting discussed our inability to persuade or compel the U.S. Bank representatives to release the SFTHC Council accounts to the control of the Treasurer due to U.S. Bank's perception that a dispute existed about the authority of the duly elected and seated Council Treasurer to transfer control from the prior Council Officers (term 2000 to 2022) to the current Council Officer (term 2022 to 2024). The former Council Officers have not assisted in this transition. The SFTHC Council Treasurer and President continued efforts with the U.S. Bank representatives by providing documents and relevant citations of authority evidencing the SFTHC Council is a political subdivision of the Central Council of Tlingit and Haida Indian Tribes of Alaska (Tlingit & Haida), a federally recognized Indian Tribe, and the SFTHC Constitution vests sole authority over such accounts with the duly elected and seated Council Treasurer. The Tlingit & Haida General Council contacted the U.S. Bank representative, and the U.S. Bank disclosed that all SFTHC Council accounts were closed and payment of all proceeds issued to the former SFTHC Council President.

I request the SFTHC Council immediately approve Resolution SFTHCC 22-02, *SFTHC Council Directives Concerning Treasurer Authority and Its U.S. Bank*, as a directive to immediately effect the deposit of these account proceeds to an account under management of Tlingit & Haida and the control of the SFTHC Council Treasurer.

2. a. Rules of Election. The SFTHC Council Resolution 22-02 specifies the Tlingit & Haida Rules of Election for SFTHC Delegate and Council Member elections to those provisions applicable to the Community Council as required by the SFTHC Constitution.

b. Rules of Order. The SFTHC Council Guidelines and Rules of Order for Electronic Meetings adopts rules of order (parliamentary procedure) not covered by the SFTHC Constitution that contribute to the good order of all SFTHC Council meetings and activities.

c. Tlingit & Haida ARPA Funds Allocated for SFTHC Benefits. Tlingit & Haida allocated approximately \$2.4 million to be expended by Tlingit & Haida for the benefit of SFTHC citizens upon approval by the Tlingit & Haida Executive Council of a plan developed in collaboration between Tlingit & Haida and the SFTHC Council, and compliant with the use of funds guidelines/requirements of the American Recovery Plan Act (ARPA).

d. SFTHC Council Vacancy. The SFTHC Council will develop plans to fill the vacancy caused the resignation of the Council Member/Vice President.



SAN FRANCISCO COMMUNITY COUNCIL OF TLINGIT & HAIDA INDIANS

CENTRAL COUNCIL OF TLINGIT & HAIDA INDIAN TRIBES OF ALASKA

Resolution SFTHCC 22-02

Title: SFTHC Council Directives Concerning Treasurer Authority and Its U.S. Bank Account Proceeds

WHEREAS, the San Francisco Tlingit & Haida Community (SFTHC) is a political subdivision of the Central Council of Tlingit and Haida Indian Tribes of Alaska (Tlingit & Haida), a federally recognized tribe with more than 34,000 citizens; and

WHEREAS, under Article II Section of the SFTHC Constitution, the Community Council is the governing body of the Community; and

WHEREAS, under Article III Section 1 and 2 of the SFTHC Constitution, the Powers the Community Council are defined; and

WHEREAS, Article IV Section 5 of the SFTHC Constitution reserves to the SFTHC Council Treasurer the authority to “preserve and safeguard all funds” of the SFTHC or Council and the duty to report on all receipts and disbursements the amount and nature of all funds; and

WHEREAS, the SFTHC Council in its meeting of November 13, 2022, determined to (1) close all U.S. Bank accounts, and (2) the Treasurer convey the proceeds of all accounts to the Tlingit & Haida account opened to receive SFTHCC funds, with the Council Members requested to assist the Treasurer; and

WHEREAS, the SFTHC Council Treasurer and President contacts with U.S. Bank representatives were rebuffed with refusals to comply with the lawful instructions of the SFTHC Council and Officers and instead contact the SFTHC Council former President and Treasurer; and

WHEREAS, the SFTHC Council President provided the U.S. Bank representative with documents and oral assurance that the former SFTHC Council Member and Officers from any prior Council possessed no authority to access, possess, distribute, or in any way claim any interest in the SFTHC Council U.S. Bank accounts, and only the duly elected and seated Treasurer possessed such privileges; and

WHEREAS, the U.S. Bank representative agreed to speak with the Tlingit & Haida General Counsel and informed her that the SFTHC Council bank accounts were now closed and a check for the proceeds of accounts conveyed to the possession of the former SFTHC Council President of the immediate past Council term, and to seek the funds from that person without further involvement by U.S. Bank.

NOW THEREFORE BE IT RESOLVED, that the SFTHC Council hereby affirms that only the duly elected and seated Council Member and Treasurer possesses authority to access or possess SFTHC Council U.S. Bank account proceeds, or any other assets of the SFTHC Council; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the SFTHC Council hereby instructs former SFTHC Council President Mr. Jay Silva convey the proceeds or promise of payment of the U.S. Bank accounts that may be in his possession or control to the SFTHC Council Treasurer or collaborate with the Treasurer to cause the deposit of these proceeds to the Tlingit & Haida account pursuant to SFTHC Council directive, and failure to comply with the Council directive will cause the Council to refer a failure to comply to the Tlingit & Haida President and General Counsel for remedy.

ADOPTED this 11th day of December 2022, by the San Francisco Tlingit & Haida Community Council, by a vote of ___ yeas, ___ nays, ___ abstentions and ___ absences.

CERTIFICATION

Will Micklin, President

ATTEST

Donavin Hannon, Secretary



Resolution SFTHCC 22-03

Title: Affirmation of Rules of Election and Adoption of Parliamentary Authority and Procedure

WHEREAS, the San Francisco Tlingit & Haida Community (SFTHC) is a political subdivision of the Central Council of Tlingit and Haida Indian Tribes of Alaska (Tlingit & Haida), a federally recognized tribe with more than 34,000 citizens; and

WHEREAS, under Article II Section of the SFTHC Constitution, the Community Council is the governing body of the Community; and

WHEREAS, under Article III Section 1 and 2 of the SFTHC Constitution, the Powers the Community Council are defined; and

WHEREAS, under Article II Section 1 and 2 of the SFTHC Constitution, the election of the Community Council is in accordance with the Tlingit & Haida Rules of Election, with election in the same election as Delegates from the SFTHC to Tlingit & Haida and terms corresponding to the terms of Delegates; and

WHEREAS, Article II Section 3 of the SFTHC Constitution provides for the meetings of the Community Council; and

WHEREAS, the Community Council desires to clarify its Rules of Election and adopt its parliamentary authority and procedure for the conduct of meetings consistent with the SFTHC Constitution.

NOW THEREFORE BE IT RESOLVED, that the Community Council hereby affirms the Tlingit & Haida Rules of Election are applied to the Community Council elections by deeming “Delegate” to mean “Council member” in all provisions applicable to the SFTHC in Rule 1, Rule 4, Rule 5, Rule 6, Rule 7, Rule 8, Rule 9, Rule 10, Rule 11, Rule 12, Rule 13, Rule 14, Rule 15, Rule 16, and Rule 18.

BE IT FURTHER RESOLVED, that the Community Council hereby affirms the Tlingit & Haida Rules of Election applied to the Community Council elections provides for Council member terms to begin new terms and end current terms on the date of Tlingit & Haida certification of the Community Council election.

BE IT FINALLY RESOLVED, that the Community Council hereby affirms parliamentary authority and procedure for Community Council meetings is Robert’s Rules of Order in its current and latest edition.

ADOPTED this 11th day of December 2022, by the San Francisco Tlingit & Haida Community Council, by a vote of ___ yeas, ___ nays, ___ abstentions and ___ absences.

CERTIFICATION

Will Micklin, President

ATTEST

Donavin Hannon, Secretary



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**

Adopted: May 2022

Table of Contents

I.	Mission of the CCTHITA Community Council.....	4
II.	Legal and Ethical Conduct	4
III.	The Council	5
IV.	Powers	5
V.	Officers: Community Council – The President and Vice Presidents.....	5
VI.	Officers: Secretary.....	5
VII.	Youth Representative	6
VIII.	Community Council Emeritus.....	6
IX.	Meetings	6
X.	Notice of meetings.....	6
XI.	Relationship to the President and Other Senior Managers	7
	A. Acting as a Resource for Management.....	7
	B. Formal Evaluation of the President	7
XII.	Review of Goals and Accomplishments of Senior Managers	8
XIII.	Compensation of the President.....	8
XIV.	Succession Planning and Management Development	8
XV.	Service on Outside Board, Councils and Commissions.....	8
XVI.	Strategic and Business Plans	8
XVII.	Community Council Meeting Protocols.....	8
XVIII.	CCTHITA Committees	10
XIX.	Community Council Access to CCTHITA Employees.....	10
XX.	Rotation of Community Council Chariman	11
XXI.	Assessing the Community Council’s Performance	11
XXII.	Requirement of Attendance at Community Council Meetings.....	11
XXIII.	Conflicts of Interest	11
XXIV.	Size of the Community Council.....	11
XXV.	Former President’s Advisory to the Community Council.....	12
XXVI.	Term of Office.....	12
XXVII.	Orientation of New Community Council Members	12
XXVIII.	Community Council Compensation Policy	12
XXIX.	Political Stances	12

XXX.	General Principles	13
XXXI.	Consultation and Advice.....	13
XXXII.	Appointment Process.....	14
XXXIII.	Parameters of Participation.....	14
XXXIV.	Reports and Reporting.....	15
XXXV.	Costs Associated with Participation	15

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.



Community Council Parliamentary Rules for Regular and Special Community Council Meetings

Introduction

The San Francisco Tlingit and Haida Community Constitution in Article II Section 3 authorizes the Community Council to hold regular or special meetings to transact any business or take any action within the powers of the Community (see Article III Powers of the Community Council, Sections 1 & 2).

“The Community Council shall hold such regular meetings, at such times and places, as it shall by resolution provide. Special meetings may be called by written notice signed by the President or by a majority of the members of the Community Council, and at such meetings the Community Council may transact any business and take any action within its powers...”

The Constitution authorizes the Community Council to “transact any business or take any action” outside of Council meetings.

“...Whether assembled or not, a majority of the members of the Community Council can transact any business or take any action within the powers of the Community Council; provided, that before the Community Council shall take action when not assembled, a reasonable effort shall be made to advise and consult each member and provision shall be made for evidencing the concurrence of the majority in writing or writings which shall be transmitted to the Secretary of the Community Council for preservation in its records...”

The residency of SFTH Community members occurs throughout the State of California and beyond. Central Council of Tlingit and Haida Indian Tribes of Alaska records in 2022 listed over 1,400 tribal citizens in California, with over 500 in southern California, over 550 in the greater Bay Area to Sacramento, and over 225 in northern California. This dispersion throughout California is reflected in the Community Council members. In order to promote the long-standing goal of the Community Council to encourage Community member participation in Community affairs and governance, and to enable participation of Council members wherever they reside, the Community Council adopts parliamentary rules to transact business at “electronic meetings,” in which some or all of the members communicate through electronic means such as the Internet or by telephone. The COVID-19 pandemic accelerated this transition to electronic meetings.

The Community Council adopted Robert’s Rules of Order as parliamentary authority and procedure for the conduct of Community Council meetings. Herein the Community Council adopts parliamentary authorization of such electronic meetings, under the authority and

limitations of the SFTHC Constitution, from Robert's Rules of Order's *Electronic Meetings* [RONR (12th ed.), section 9:30-36], wherein the Community Council adopts additional rules to govern the conduct of that type of meeting.

These rules are designed for allowing the Community Council to make use of the following types of electronic communication to conduct meetings, respectively:

- A. Full-featured Internet, or combination Internet/telephone, meeting services that integrate audio (and optionally video), text, and voting capabilities.
- B. Telephone meetings, with Internet services for conducting secret votes and sharing documents.
- C. A speakerphone in the meeting room to allow members who are not physically present to participate by telephone.
- D. Telephone meetings without Internet support (and without any central meeting room).

The Community Council will make use of available Internet meeting services with integrated audio (and optionally video), text, and voting capabilities as the usual meeting method, with in- person meetings when ordered by the board or all of its members.

Each Council member, using his or her own computer or other device, can view the current list of all participants—with an indication of which member has the floor or which members are seeking recognition by the chair—and can seek recognition, submit motions in writing, view the text of pending motions, vote, and view the results of a vote. The sample rules given below require that anonymous voting be supported (in other words, that a member who is properly logged in to a meeting can cast an “electronic ballot” that does not identify that member's vote as belonging to him or her), and they also assume that non-anonymous votes can be taken, as well.

Audio transmissions can be integrated directly via the Internet, so that participants listen and speak through microphones and speakers or headsets at their computers or other devices. Alternatively, there might be a conference call, with access codes for the participants, that is dialed into by ordinary telephone but is also linked to the Internet meeting interface, so that participants speak and listen by telephone, but use the Internet service (which remains aware of the identity of each caller) for all other features. If the participants have webcams for transmitting live video, a portion of the screen might show their faces, or else (perhaps depending on the total number of participants) just those of the chair and/or the person speaking in debate or presenting a report.

The meeting chair or secretary has access to a control panel, which enables them to perform their duties during the meeting, such as ensuring that the text of the pending question is properly displayed, assigning the floor to a member, opening and closing the polls for taking a vote, controlling the camera view, etc.

The Community Council herein authorizes the Council to meet by use of an electronic meeting through internet and/or telephonic service with features like those described above by adding the following sections the Robert's Rules of Order parliamentary authority and procedure previously adopted as rules for electronic meetings.

Clarification of SFTHC Constitution Article II Section 3 Regular and Special Meetings

Article I – Regular and Special Meetings

Section 1. Electronic Services. In accordance with the San Francisco Tlingit and Haida Community Constitution Article II Section 3, regular and special meetings of the Community Council shall be held with the assistance of internet services and/or telephonic services for conference calls, or in-person meetings with internet services and/or telephonic services. The Community Council meetings held with the assistance of electronic services shall be subject to all rules of the Constitution or adopted by the Board, to govern them, which may include any reasonable limitations on, and requirements for, Community Council members' participation. Any such rules adopted by the Board shall supersede any conflicting rules in the parliamentary authority, but may not otherwise conflict with or alter any provision of the Constitution.

Section 2. Rules for Internet Services in Regular of Special Council Meetings.

1. **Login information.** The Corresponding Secretary shall send by e-mail, text, or facsimile, to every member of the Community Council, at least seven days before each regular or special Community Council meeting, the time of the meeting, the URL and codes necessary to connect to the Internet meeting service, and, as an alternative and backup to the audio connection included within the Internet service, the phone number and access code(s) the member needs to participate aurally by telephone, and documentation of any business item to be discussed. The Corresponding Secretary shall also include a copy of, or a link to, these rules.
2. **Login time.** The Recording Secretary shall schedule Internet meeting service availability to begin at least 15 minutes before the start of each meeting.
3. **Signing in and out.** Members shall identify themselves as required to sign in to the Internet meeting service, and shall maintain Internet and audio access throughout the meeting whenever present, but shall sign out upon any departure before adjournment.
4. **Quorum calls.** The presence of a quorum shall be established by audible roll call at the beginning of the meeting. Thereafter, the continued presence of a quorum shall be determined by the online list of participating members, unless any member demands a quorum count by audible roll call. Such a demand may be made following any vote for which the announced totals add to less than a quorum.
5. **Technical requirements and malfunctions.** Each member is responsible for his or her audio and Internet connections; no action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting.
6. **Forced disconnections.** The chair may cause or direct the disconnection or muting of a member's connection if it is causing undue interference with the meeting. The chair's decision to do so, which is subject to an undebatable appeal that can be made by any member, shall be announced during the meeting and recorded in the minutes.
7. **Assignment of the floor.** To seek recognition by the chair, a member shall use the appropriate icon or other method to signal to the chair a request for recognition. Upon assigning the floor to a member, the chair shall clear the online queue of members who had been seeking recognition. To claim preference in recognition, another member who had been seeking recognition may promptly seek recognition again, and the chair shall recognize the member for the limited purpose of determining whether that member is entitled to preference in recognition.
8. **Interrupting a member.** A member who intends to make a motion or request that under

the rules may interrupt a speaker shall use the designated feature for so indicating, and shall thereafter wait a reasonable time for the chair's instructions before attempting to interrupt the speaker by voice.

9. **Motions submitted in writing.** A member intending to make a main motion, to offer an amendment, or to propose instructions to a committee, shall, before or after being recognized, post the motion in writing to the online area designated by the Recording Secretary for this purpose, preceded by the member's name and a number corresponding to how many written motions the member has so far posted during the meeting (e.g., "SMITH 3: "; "FRANCES JONES 2: "). Use of the online area designated by the Recording Secretary for this purpose shall be restricted to posting the text of intended motions.
10. **Display of motions.** The Recording Secretary shall designate an online area exclusively for the display of the immediately pending question and other relevant pending questions (such as the main motion, or the pertinent part of the main motion, when an amendment to it is immediately pending); and, to the extent feasible, the Recording Secretary, or any assistants appointed by him or her for this purpose, shall cause such questions, or any other documents that are currently before the meeting for action or information, to be displayed therein until disposed of.
11. **Voting.** Votes shall be taken by the available and appropriate voting feature of the internet meeting service, e.g. chat feature. When required or ordered, other permissible methods of voting are by electronic roll call or by audible roll call. The chair's announcement of the voting result shall include the number of members voting on each side of the question and the number, if any, who explicitly respond to acknowledge their presence without casting a vote. Business may also be conducted by unanimous consent.
12. **Video display.** The chair may cause or order the Recording Secretary, or their assistants may cause a video of the chair to be displayed throughout the meeting, and may also cause display of the video of the member currently recognized to speak or report, although bandwidth limitations may cause any participant to disable the video display.
13. **Forced disconnections.** The chair may cause or order the Recording Secretary to disconnect or mute a connection if a connection or a Council member, Community member, or guest, is causing undue interference with the internet videoconference call. The chair's decision to do so, which is subject to an undebatable appeal that can be made by any member, shall be announced during the meeting and recorded in the minutes.

Section 3. Rules for Telephonic (i.e., teleconference) Services in Regular or Special Council Meetings.

1. **Login information.** The Corresponding Secretary shall send by e-mail, text, or facsimile, to every member of the Community Council, at least seven days before each regular or special Community Council meeting, the time of the meeting, the phone number and unique access code that that member needs to connect to the telephone conference call, and documentation of any business action to be discussed. The Corresponding Secretary shall also include a copy of, or a link to, these rules.

2. **Call-in time.** The Recording Secretary shall schedule a telephone conference call, using a free service that provides each user a unique access code, to begin 15 minutes before the start of each meeting.
3. **Technical requirements.** For the purposes of electronic ballot voting and file sharing, members shall maintain Internet access during the meeting.
4. **Arrival announcements.** Members shall announce themselves at the first opportunity after joining the telephone conference call, but may not interrupt a speaker to do so.
5. **Departure announcements.** Members who leave the telephone conference call before adjournment shall announce their departure, but may not interrupt a speaker to do so.
6. **Quorum calls.** The presence of a quorum shall be established by roll call at the beginning of the meeting and on the demand of any member. Such a demand may be made following the departure of any member, or following the taking of any vote for which the announced totals add to less than a quorum.
7. **Obtaining the floor.** To seek recognition by the chair, a member shall address the chair and state his or her own name.
8. **Motions submitted in writing.** Members may submit motions to the chair in writing by uploading them to the file-hosting service and notifying the chair of the URL or download link needed to access the file.
9. **Voting.** All votes shall be taken by roll call, unless required under the rules or ordered by the Board to be taken by ballot. When a vote is taken by roll call, only the number of votes on each side and the number of members present but not voting shall be entered in the minutes, unless the Board orders a fully recorded roll-call vote. Ballot votes shall be taken electronically, as follows: The Recording Secretary shall post the question using the online survey tool, and the chair shall then alert the members that the polls are open, providing any additional information that members need to cast their votes online. The polls shall be closed not less than two minutes after they have been opened by the chair. Business may also be conducted by unanimous consent.
10. **Technical malfunctions.** Each member is responsible for his or her connection to the telephone conference call and to the Internet; no action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting.
11. **Forced disconnections.** The chair may cause or order the Recording Secretary to disconnect or mute a connection if a connection, a Council member, a Community member, or a guest, is causing undue interference with the telephone conference call. The chair's decision to do so, which is subject to an undebatable appeal that can be made by any member, shall be announced during the meeting and recorded in the minutes.

Section 4. Rules for Combined Electronic and In-Person Regular or Special Council Meetings. Pursuant to the SFTHC Constitution Article II Section 3, the Community Council holds regular meetings by adoption of a resolution, or special meetings called by the President or a majority of the Community Council members by a written notice. In-person regular or special meetings shall be approved by a majority of the Community Council members, and subject to these rules for electronic regular or special meetings held by the Community Council. In-person

meetings permit a majority of Community Council members to be physically present while any other Council members not physically present participate by internet services and/or telephonic services.

1. **In-Person Meetings.** In-person regular or special Community Council meetings may be held by a majority of Community Council members at a central location, and any Council members who are not present in-person shall have the right to participate by internet service or telephonic service, subject to the rules in sections 1 to 3 above and this section 4.
2. **Login information.** The Corresponding Secretary shall send by e-mail, text, or facsimile, to every member of the Community Council, at least fourteen days before each meeting, the time and location of the meeting and the applicable URL and logon information or phone number and any access code needed to connect to the internet service and/or telephonic service conference call. The Corresponding Secretary shall also include a copy of, or a link to, these rules.
3. **Call-in time.** The Recording Secretary shall schedule an internet service and/ telephonic service conference call, using equipment provided by the Society or a free service, to begin 15 minutes before the start of each meeting.
4. **Meeting-room equipment.** The society shall provide a speakerphone at each meeting, which the Recording Secretary shall connect to the internet service and/ or telephonic service conference call at least 5 minutes before the start of the meeting.
5. **Arrival announcements.** Council members who participate in the meeting electronically shall announce themselves at the first opportunity after joining the conference call, but may not interrupt a speaker to do so.
6. **Departure announcements.** Council members who leave the conference call or the meeting room before adjournment shall announce their departure, but may not interrupt a speaker to do so.
7. **Quorum calls.** The presence of a quorum shall be established by roll call at the beginning of the meeting and on the demand of any member. Such a demand may be made following the departure of any member or following the taking of any vote for which the announced totals add to less than a quorum.
8. **Obtaining the floor.** To seek recognition by the chair, a member shall address the chair and state his or her own name.
9. **Motions submitted in writing.** Council members who participate in the meeting electronically may not submit motions in writing during the meeting, but are entitled to make motions orally. Council members may, however, submit motions in writing by sending them at least one day before the meeting to the Corresponding Secretary, who shall send any such pre-submitted motions by e-mail to all members in advance of the meeting and shall provide copies to the members present in person at the meeting.
10. **Voting methods.** All votes shall be taken by roll call. Unless the Community Council orders a fully recorded roll-call vote, only the number of votes on each side and the number of members present but not voting (including members participating by phone) shall be entered in the minutes. Business may also be conducted by unanimous consent.

11. **Loss of meeting-room connection.** Any business transacted while the meeting-room speakerphone is disconnected from the telephone conference call is null and void, except that the members present in the meeting room at such a time may take those actions that are in order in the absence of a quorum.
12. **Other technical malfunctions and requirements.** Each Council member is responsible for his or her connection to the telephone conference call; no action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting.
13. **Forced disconnections.** The chair may cause or order the Recording Secretary to disconnect or mute a connection if a connection, a Council member, a Community member, or a guest, is causing undue interference with the telephone conference call. The chair's decision to do so, which is subject to an undebatable appeal that can be made by any member, shall be announced during the meeting and recorded in the minutes.

Section 5. Rules for Council Meetings. The Constitution in Article II Section 3 authorizes the Community Council to "transact any business or take any action" outside of Council meetings. The Community Council will transact business or take action concerning urgent matters that require the consideration of the Community Council between regular or special meetings by request of the President. Such consideration will be conducted in communications via email, text, facsimile, or telephone, shall be considered under Robert's Rules of Order, and shall be open for Council member motions and/or voting for a minimum of four calendar days. Business transacted or actions taken shall be recorded by the Secretary, and shall be considered for ratification by the Community Council at the next regular or special meeting under special orders.

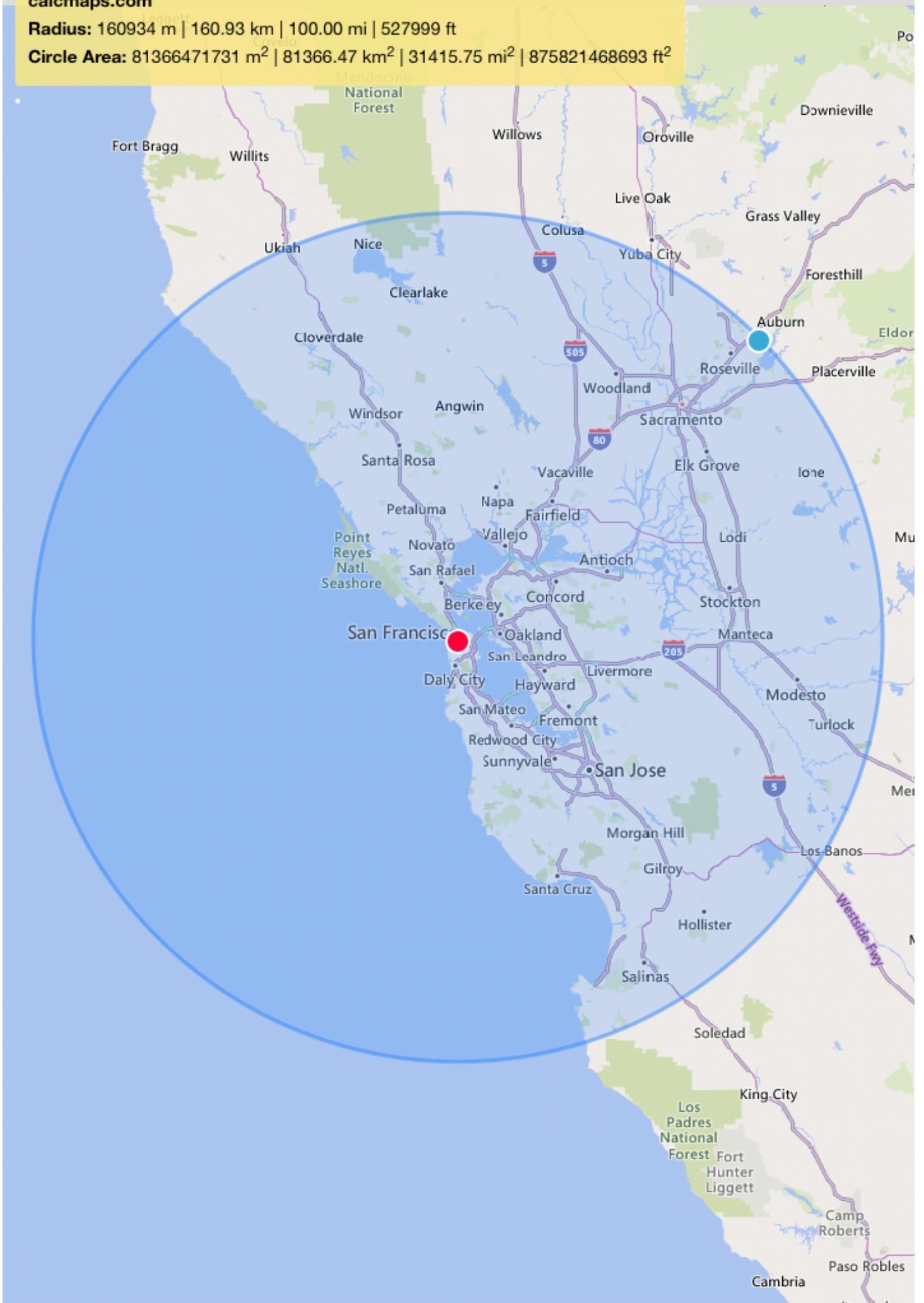
Row Labels	Sum of Amount
Administrative	387,947
Anchorage	2,748,910
Backpack Program	332,197
Broadband	2,328,091
Comm Navigator	515,421
Connectivity Navigator	25,000
Craig	488,147
Elders Boxes	12,098
Food Security	710,989
Haines	185,955
Hydaburg	306,181
JTHCC	143,038
Juneau	31,370
Kake	314,250
Ketchikan	310,500
Klawock	316,000
Office Space	15,060,924
Petersburg	136,136
PPE	147,214
Premium Pay	205,832
PS	177,957
Rescue Programs	21,004,738
SBG	5,000,236
Sitka	544,250
Software	389,184
Teleworking	532,393
TFYS	90,573
Tourism	135,250
Tutor	41,493
Vaccination Incentive	99,931
Veterans Navigator	16,883
Washington (Seattle)	655,458
Wrangell	263,750
Yakutat	65,000
(blank)	
Grand Total	53,723,296

Category	Budget	Summary	Variance
Anchorage	3,245,012	2,748,910	496,103
Angoon	325,431		325,431
Craig	488,147	488,147	0
Haines	488,147	185,955	302,192
Hoonah	488,147		488,147
Hydaburg	325,431	306,181	19,250
Juneau	6,173,892	31,370	6,142,521
Kake	488,147	314,250	173,897
Kasaan	162,716		162,716
Ketchikan	1,301,724	310,500	991,224
Klawock	488,147	316,000	172,147
Klukwan	162,716		162,716
Metlakatla	325,431		325,431
Pelican	1,780,573		1,780,573
Petersburg	325,431	136,136	189,295
San Francisco	2,431,435		2,431,435
Saxman	162,716		162,716
Seattle	6,011,176	655,458	5,355,718
Sitka	976,293	544,250	432,043
Wrangell	488,147	263,750	224,397
Yakutat	325,431	65,000	260,431
Broadband	13,482,143	2,328,091	11,154,052
Household	40,446,429	21,336,935	19,109,494
Economic	26,964,286	5,135,487	21,828,799
Infrastructure	39,098,214	15,060,924	24,037,290
JTHCC	2,696,429	143,038	2,553,391
Staff	1,348,214	387,947	960,267
Subtotal	151,000,000	50,758,328	100,241,673
TMHS Tutor	200,000	41,493	158,507
Comm Nav	7,181,130	515,421	6,665,709
CBS	1,301,250		1,301,250
ACP Nav	520,332	25,000	495,332
Teal Nav	273,126		273,126
TFYS	255,519	90,573	164,946
Veterans	105,000	16,883	88,117
Other		2,275,599	-2,275,599
Subtotal	9,836,357	2,964,968	6,871,389
Total	160,836,357	53,723,296	107,113,062
Award	165,840,018		

calcmaps.com

Radius: 160934 m | 160.93 km | 100.00 mi | 527999 ft

Circle Area: 81366471731 m² | 81366.47 km² | 31415.75 mi² | 875821468693 ft²







SAN FRANCISCO COMMUNITY COUNCIL OF TLINGIT & HAIDA INDIANS

CENTRAL COUNCIL OF TLINGIT & HAIDA INDIAN TRIBES OF ALASKA

VIA FACSIMILE:

eduran@kira.com

November xx, 2022

Elias Duran, Manager - Property Management
KIRA Services LLC
A subsidiary of Tlingit Haida Tribal Business Corp
2631 Channel Dr
Juneau, Alaska 99801

Mr. Duran,

The San Francisco Tlingit and Haida Community Council herein provides its recommendation to the Central Council Executive Council for expenditure of the American Rescue Plan Act (ARPA or Rescue Act) funds for acquisition of real property for use as the T&H California office. As you know, these Rescue Act funds must be used in strict compliance with the use of funds guidelines provided by the Department of Treasury Interim Final Rule, as well as in the statute itself. SFTHCC believes eligible uses for the COVID-19 American Rescue Plan Act (ARPA) for State and Local Fiscal Recover Funds (SLFRF) that pertain to Tribes include Tlingit & Haida purchase of real property with a substantial portion of the Rescue Act funds with the intent to lease this facility as the SFTHCC California office for T&H programs using 105(l) lease rent for operations and maintenance. We believe this initiative would result in sustained benefit to the SFTHC T&H citizens. The opportunity became feasible when the Department of Interior accepted the Central Council 105(l) leasing proposal for its self-governance compact. The 105(l) lease rent would be paid for Central Council staff occupying the purchased facilities during business hours, and SFTHCC using the facilities during non-business hours.

Please find below a discussion of our proposed real property acquisition and use evaluation criteria that are: location; airport access; acquisition costs; online services; sustainability; and facility features.

An initial consideration is the **location** best suited for a facility to best serve SFTHC members, and for Central Council staff to carry out their activities. Two considerations arise in this evaluation. First, the **100 miles radius** for Community Council mandatory enrollment. If a Tlingit & Haida citizen resides within 100 miles of a Community Council Chapter, they must enroll in that Chapter. That the SFTHC real property purchased would be within this radius would demonstrate compliance with the Rescue Act use of funds in the purchase of real property

to support tribal governance. Please find attached a map of the 100 mile radius extending from an approximate mid-point in San Francisco.

A second consideration is **SFTHC population locations**. California is a large state, and SFTHC members are spread throughout the State, however, there are areas of density that would indicate a preference for siting the real property purchase. Please find attached a map of the state of California depicting the number of tribal citizens in each county. The number of SFTHC members within the 100 mile radius is 550.

Please also note two other population densities of tribal citizens. In Northern California are 141 (Del Norte, Humboldt, Mendocino, Tehama, Shasta, Siskiyou, Trinity, Glenn, Butte, and Plumas). In Southern California are 480 (San Diego, Riverside, Orange, Los Angeles, San Bernardino, Ventura, and Santa Barbara).

While Sacramento County enjoys the second highest T&H citizen population (second to Los Angeles County), the greater Sacramento area is difficult to reach (traffic congestion and limited alternative road routes) from the greater Bay Area counties of Santa Cruz (27), Santa Clara (51), Alameda (92), Contra Costa (41), Solano (40), San Mateo (46), and San Francisco (39) [total of 336].

Access to a **major airport** is also a consideration. The Sacramento International Airport is located approximately 8 miles north of the City of Sacramento.

Property acquisition costs are a key consideration. Property costs in general in the counties of San Francisco and San Mateo are prohibitively expensive. Sacramento, Alameda and Contra Costa counties are relatively less expensive in comparison.

Therefore, based on these broad attributes, we believe a facility in Sacramento County, or alternatively in Alameda County or Contra Costa County, would benefit SFTHC's T&H citizens.

Please refer back to the California County map of T&H citizens by residency. The 480 T&H citizens in the southern California counties and the 141 T&H citizens in the northern California counties. SFTHC Council believes the T&H California office should emphasize virtual outreach to and contacts with T&H citizens to ensure all T&H citizens wherever they reside in California enjoy the same level of access to T&H programs, functions, services, and activities. The T&H California office should be acquired and designed for operation with these **online capabilities** as its priority.

The T&H California Office must also be **sustainable**. We recommend outreach to California tribal and inter-tribal organizations operating programs identical or similar to those intended for the benefit of SFTHC T&H citizens with the intent of discussing the supplementation or extension of program services by T&H program staff for California tribal citizens with appropriate compensation. We believe the additional revenues would ensure the sustainability of the T&H California office. Such potential programs include ICWA, TANF, Tribal Court peacemaking, and others.

Finally, we recommend potential facilities be evaluated for acquisition based on the following property features:

- High speed broadband services – broadband services to conduct business online.
- Electric service – an electrical panel of at least 200 amps to accommodate power demand.
- Road access – reliable and safe road access from major streets and highways.
- Parking – parking at the facility and public parking nearby is a key consideration.
- Security – external locks and area lighting.
- Meeting area – a large area within the facility for a large gathering.
- Kitchen facilities – kitchen facilities for food preparation and storage.

We hope this information is helpful in determining potential locations for acquisition of a real property of interest.

Sincerely,

Will Micklin, President
San Francisco Community Council
Tel: (619) 368-4382
Email: wmicklin@ccthita-nsn.gov

#	Community	Project Name
1	Anchorage	Tutors
2	Anchorage	Sealaska Sockeye Salmon Distribution
3	Anchorage	Turkey & Rice
4	Anchorage	Broadband & Technology Feasibility Study
5	Anchorage	Housing Stability & Eviction Prevention Program
6	Anchorage	Direct Support for Household with COVID
7	Anchorage	Domestic Violence Shelter Support
8	Anchorage	Homeless Shelter Support
9	Anchorage	Supplemental Support for Small Businesses Economically Impacted by COVID-19
10	Anchorage	Supplemental Assistance to Households for Food
11	Anchorage	Supplemental Assistance to Households for Oil or Gas
12	Anchorage	Assistance to Local Non-Profit Restricted to Helping Household or Individuals Economically Impacted by COVID-19
13	Anchorage	Food Distribution- Herring Roe
14	Angoon	Supplemental Household Relief
15	Craig	Supplemental Household Relief
16	Craig	Supplemental Utility Assistance to Households (Diesel or Propane)
17	Craig	Nonprofit Support - Early Education Financial Assistance
18	Craig	Nonprofit Support - ANS Camp 19
19	Craig	Traditional & Customary Food Security
20	Haines	Nonprofit Support - ANB Hall Renovations
21	Haines	Supplemental Household Relief Assistance
21	Haines	Economic Needs Survey
22	Haines	Supplemental Household Relief Assistance 2.0
24	Hydaburg	Supplemental Citizen Relief Program

#	Community	Project Name
25	Hydaburg	Early Education Assistance for the ȷantsii Náay Haida Immersion Program
26	Hydaburg	Support of Hydaburg EMS
27	Hydaburg	Elders Meal Program
28	Juneau	Governmental Lost Revenue for JTHCC
29	Juneau	Food Distribution
30	Juneau	Building Upgrades - Infrastructure
31	Juneau	Supplemental Resident Household Relief
32	Juneau	Supplemental Elder Citizen Relief
33	Juneau	Tutoring for Juneau Students
31	Juneau	Burial Expenses Assistance Program
32	Juneau	Food Security Assistance
33	Juneau	Communication Strategy
34	Juneau	Additional Building Renovation Costs
38	Kake	Food Distribution
39	Kake	Supplemental Resident Household Relief
40	Kake	Supplemental Individual Non-Resident Relief
41	Kake	Food Distribution- Herring Roe
39	Kake	Supplemental Household Relief Resident Round 2
43	Kasaan	Education and Retraining Center Operations
44	Ketchikan	Local Non-Profit Support - Domestic Violence Shelter
45	Ketchikan	Local Non-Profit Support - Homeless Shelter
46	Ketchikan	Local Non-Profit Support Restricted to Providing Food Assistance
47	Ketchikan	Local Non-Profit Support - Veterans
48	Ketchikan	Local Non-Profit Support - Youth Substance Misuse Prevention
49	Ketchikan	Supplemental Citizen Relief Program

#	Community	Project Name
50	Klawock	Supplemental Household Relief Assistance
51	Petersburg	Food Distribution
52	Petersburg	Life Skills Program
53	Petersburg	Supplemental Assistance to Resident Households
54	Petersburg	Supplemental Assistance to Non-Resident Households
55	Petersburg	Supplemental Assistance to Non-Resident Students
54	Petersburg	Supplemental Assistance to Resident Households 2.0
57	San Francisco	Sealaska Sockeye Salmon Distribution
63	Seattle	Supplemental Household Relief Assistance
59	Seattle	Sealaska Sockeye Salmon Distribution
60	Seattle	Food Distribution- Herring Roe
61	Seattle	Food Distribution - Halibut
62	Seattle	Community Needs Assessment
60	Seattle	Household Assistance Elders and Vets
61	Seattle	Incentive for Community Needs Assessment
65	Sitka	Supplemental Household Relief Assistance
66	Sitka	Burial Assistance
67	Sitka	Nonprofit Support - Domestic Violence
68	Sitka	Nonprofit Support - ANS/ANB
69	Sitka	Tribal Household Medical Relief
70	Sitka	Elders Assistance - Individuals
71	Sitka	Veteran's Assistance - Individuals
72	Sitka	Cultural Scholarship for Food Security & Sovereignty - Individuals
73	Wrangell	Support of Wrangell Tourism Improvements – Totem Poles

#	Community	Project Name
74	Wrangell	Supplemental Assistance to Non-Resident Households
75	Wrangell	Direct Support for Households with COVID
73	Wrangell	Supplemental support for Wrangell Resident Households 2.0
77	Yakutat	Supplemental Citizen Relief Program
78	Yakutat	Nonprofit Support - ANB Hall

CONSTITUTION
of the
SAN FRANCISCO COMMUNITY
OF THE TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA

PREAMBLE

We, the members of the San Francisco Community of the Tlingit and Haida Indians Tribes of Alaska (hereafter "Community"), which Community is entitled to elect delegates to the Central Council of the Tlingit and Haida Indian Tribes of Alaska (hereafter "Central Council"), in order better to provide for the organization of the Community, both generally and as a constituent part of the Central Council, and in order to promote the objectives of the Central Council and the welfare of ourselves and our posterity, do ordain and establish this Constitution.

ARTICLE I

Membership

Section 1

Full Member -- The Full Members of the Community with the right to vote shall be those persons whose names are included on the official voting list of the Community prepared in accordance with Rule 5 of the Rules for the Election of Delegates to the Official Central Council of the Tlingit and Haida Indian Tribes of Alaska (hereafter "Rules of Election"), as may be amended.

Section 2

Associate Member -- Associate Members shall be (1) the husband or wife of a Full Member or (2) a person with Alaska Native blood who is either a shareholder in any corporation created under the Alaska Native Claims Settlement Act or an enrolled member of a federally recognized Indian Tribe or Village located in Alaska. Associate Members may not vote or hold elective office, but may serve on any committee, participate in any other Community activity, and enjoy all other privileges and benefits of membership in the Community.

Section 3

Honorary Member -- Honorary membership may be conferred by the membership on any person who by qualification of excellence and merit is entitled to this honor.

Section 4

Dues -- Membership dues shall be \$5.00 per year for every member, payable on September 1 of each year. Dues shall be used, in part, to defray the cost of the Newsletter.

ARTICLE II

Community Council

Section 1

The governing body of the Community shall be a council composed of seven persons called "Council

Members” who shall be elected in accordance with the Rules of Election by the Full Members of the Community and shall be named the San Francisco Community Council of the Tlingit and Haida Indian Tribes of Alaska (hereafter “Community Council”). The Community Council shall consist of a President, Vice-President, Secretary, Newsletter Secretary, Treasurer, and the appropriate number of additional Council Members to total seven persons. The President, Vice-President, Secretary, Newsletter Secretary, and Treasurer shall also be known as the executive officers of the Community Council and the Community. The same person may be elected to the offices of Secretary and Treasurer or Newsletter Secretary and Treasurer. Each executive officer and additional Council Member on the Community Council shall be elected by a majority of the Full Members who vote at a given election.

Section 2

The terms of members of the Community Council shall be two years, or until their successors are elected and seated, and shall correspond as nearly as practicable to the terms of delegates from the Community to the Central Council. A person may hold the offices of member of the Community Council and delegate to the Central Council at the same time. The members of the Community Council shall be elected at the same elections as delegates to the Central Council. Delegates to the Central Council shall be elected in accordance with the Rules of Election.

Section 3

The Community Council shall hold such regular meetings, at such times and places, as it shall by resolution provide. Special meetings may be called by written notice signed by the President or by a majority of the members of the Community Council, and at such meetings the Community Council may transact any business and take any action within its powers. At all meetings of the Community Council a quorum shall consist of a majority of the members of the Community Council and no business may be transacted unless a quorum is present. Whether assembled or not, a majority of the members of the Community Council can transact any business or take any action within the powers of the Community Council; provided, that before the Community Council shall take action when not assembled, a reasonable effort shall be made to advise and consult each member and provision shall be made for evidencing the concurrence of the majority in writing or writings which shall be transmitted to the Secretary of the Community Council for preservation in its records. The order of business during the regular meetings shall be as follows: (a) Reading of the previous meeting minutes, (b) Reports of Executive Officers and Standing Committees or special committees, (c) Old business or unfinished business, (d) New business, and (e) Good and welfare.

Section 4

One-fourth or more of the Full Members of the Community by petition in writing may demand an election to vote on the recall of any member of the Community Council. Such petition may be filed with any member of the Community Council who shall immediately notify the other members of its receipt. Upon receiving such notice the Community Council shall assemble without delay to examine the petition. In addition, the Community Council may recommend to the Community that a Council Member be removed from office for any of the following reasons: (a) failure to satisfy the requirements for holding office as provided herein; (b) absence without good reason from three consecutive Community Council meetings for which proper notice was given; (c) gross misconduct in office, neglect of duty or conviction of a felony after his or her election; or (d) physical or mental incapacity to perform his or her duties. If the Community Council finds that a petition has been executed by one-fourth or more of the Full Members of the Community and that five of the seven Council Members have voted to recommend removal of a Council Member, the Community Council shall give notice to the concerned Council Member and call a special election with notice of at least 30 days at which time the Full Members of the Community can vote for or against the recall of the Council Member who is the subject of the petition or recommendation. Such an election shall be conducted as nearly as practicable in accordance with the Rules of Election referred to in Article I of this Constitution; provided, that the voting roll of the Community last compiled shall be used without opening to receive applications for registration. The affirmative vote of a majority of those eligible to vote in the election shall be required to effect the recall of the Council Member concerned.

ARTICLE III

Powers of Community Council

Section 1

Subject to applicable laws and regulations of the United States and to the Constitution and resolutions of the Central Council of the Tlingit and Haida Indians Tribes of Alaska, the Community Council shall have full powers necessary and convenient to govern, conduct and manage the affairs and property of the Community. Without limitation of the foregoing, the Community Council shall have the following powers:

- (a) To acquire and dispose of property, real and personal, for and on behalf of the Community by any and all means, for such consideration and upon such terms as it shall decide;
- (b) To negotiate and enter into contracts for and on behalf of the Community with persons and entities of every kind and description, public and private;
- (c) To borrow and raise money by all lawful means, and to pledge the credit of the Community;
- (d) To employ lawyers and other persons to render professional, technical and other services of every kind and description to the Community;
- (e) To authorize the advance, expenditure, use, investment and reinvestment of funds on deposit in the Treasury of the United States to the credit of the Community in such manner and for such purposes as may be authorized by Congress, and of funds allocated or made available to the Community by the Central Council in such manner and for such purposes as may be authorized by the Central Council;
- (f) To consult with and to advise any and all persons, officers, and entities, public and private, concerning subjects and matters affecting the interests of the Community;
- (g) To charter or otherwise authorize and provide for the organization of subordinate groups or entities to perform governmental or proprietary functions for the Community, and to delegate to such subordinate groups or entities such powers as it shall decide under such rules and regulations and subject to such limitations and conditions as it shall prescribe;
- (h) To instruct the delegates from the Community to the Central Council concerning their representation of the Community on the Central Council;
- (i) To provide for the appointment of a Local Election Committee, Social Committee(s), Newsletter Committee, Finance Committee, Audit Committee, Enrollment person, and such other committees deemed appropriate.

Section 2

The Community Council shall possess such powers as are incident or necessary to the execution of the powers set forth above and such further powers as it may from time to time be granted by the Central Council or other authority.

Section 3

The sovereign immunity of the Community and those acting on behalf of the Community may be waived only by express consultation with the Community attorneys. All waivers of sovereign immunity must be in writing and preserved with the acts and resolutions of the Community Council of continuing force and effect. Waivers of

sovereign immunity are disfavored and shall be granted only when necessary to secure a substantial advantage or benefit to the Community. Waivers of sovereign immunity shall not be general but shall be specific and limited as to duration, grantee, transaction, property or funds, if any, of the Community subject thereto, court having jurisdiction thereof and law applicable thereunder. The Community cannot waive the sovereign immunity of the Tlingit and Haida Indian Tribes of Alaska, nor may any action of the Community impair or affect in any manner the credit or assets of the Tlingit and Haida Indian Tribes of Alaska.

Section 4

When acting within the scope of their authority, the members of the Community Council and their agents, as well as tribal members acting in an official capacity, are immune from unconsented suit. Such immunity shall extend beyond the term of office or agency for actions taken during said term or agency.

ARTICLE IV

Functions of Officers

Section 1

The President of the Community Council shall be its chief executive officer and the chief executive officer of the Community. He or she shall preside over all meetings of the Community Council, and, subject to its direction, conduct and manage the business of the Community, execute documents for and on behalf of the Community Council and the Community, be a member ex officio of all committees of the Community Council and Community, and exercise such other powers as may be delegated to him or her. He or she may delegate authority to others to perform functions and exercise powers of his or her office, and appoint committees to assist the Community Council or the President in the performance of their functions.

Section 2

The Vice-President shall assist the President when called upon to do so. In the absence of the President from a meeting of the Community Council, the Vice-President shall preside. When the President is temporarily disabled, or absent from the Community and unavailable, the Vice-President shall act as President. All correspondence shall be approved by the President prior to release.

Section 3

The Secretary shall keep an accurate record of all actions taken and business conducted by the Community Council and conduct its correspondence. He or she shall promptly transmit copies of all minutes of meetings and resolutions of the Community Council to the President of the Central Council or his or her delegate, and attest the signature of the President or other authorized officer on legal documents executed for or on behalf of the Community Council or the Community.

Section 4

The Newsletter Secretary shall send out proper notices of all called meetings, and serve as Chairperson of the Newsletter Committee.

Section 5

The Treasurer shall accept, receive, receipt for, preserve and safeguard all funds in the possession of the Community Council or the Community. He or she shall deposit all such funds in such depositories as the Community Council shall direct and keep adequate and accurate records of the same. He or she shall report on all receipts and disbursements and on the amount and nature of all such funds at each meeting of the Community

Council and at such other times as requested by the President. He or she shall not pay out or disburse any funds except as authorized by the Community Council. All disbursements must be signed by one of the following persons: President, Vice-President or Treasurer. The Community Council may at any time make such further provisions concerning funds in its possession or custody as it deems necessary or desirable for their safety and proper use.

ARTICLE V

Adoption and Amendment

This Constitution, subject to approval by or on behalf of the Central Council, shall be in force and effect when ratified by a majority of the Full Members of the Community who vote at an election called for the purpose upon not less than 30 days notice. It may be amended in like manner.



RULES FOR THE ELECTION OF DELEGATES



**CENTRAL COUNCIL OF THE TLINGIT & HAIDA
INDIAN TRIBES OF ALASKA**



TABLE OF CONTENTS

	<u>PAGE</u>
RULE 1. DEFINITIONS	2
RULE 2. RECOGNIZED COMMUNITIES	3
RULE 3. APPORTIONMENT OF DELEGATES	4
RULE 4. SELECTION OF ELECTION OFFICIALS	4
RULE 5. VOTING AGE; RESIDENCY REQUIREMENTS	5
RULE 6. POST VOTER LIST; REVIEW AND CHALLENGE OF ROLLS	5
RULE 7. NOTICE OF ENROLLMENT AND ELECTION	6
RULE 8. NOMINATION; QUALIFICATIONS OF CANDIDATES	7
RULE 9. VOTING	8
RULE 10 VOTER REGISTRATION.....	9
RULE 11. ELECTION.....	9
RULE 12. PROHIBIT PROXY VOTING	10
RULE 13. CHALLENGE OF ELECTION PROCEDURE	10
RULE 14. SPECIAL ELECTIONS.....	11
RULE 15. PAYMENT OF ELECTION EXPENSES	11
RULE 16. TERM OF OFFICE; LIMITING EXECUTIVE OFFICE; FILLING VACANCIES.....	11
RULE 17. DELEGATE CONTACT INFORMATION	11
RULE 18. ELECTION RULES PRECEDENCE.....	11
RULE 19. PROVISION FOR AMENDMENT OF RULES.....	12

PURPOSE

Tlingit & Haida shall, pursuant to its Constitution or by resolutions, set the times for holding the general elections of Delegates. Requirements and procedures for such general elections and resolving any election disputes, if any, shall be as prescribed by these rules.

RULE 1. DEFINITIONS

Section 1. Definitions, as used in these rules:

- A.** "Central Council," "Tlingit Haida," "Tlingit and Haida," "CCTHITA," "T&H" "CCTH" means the official Central Council of the Tlingit and Haida Indian Tribes of Alaska as defined in Section 7 of the Act of June 19, 1935 (49 Stat. 388), as amended by the Act of August 19, 1965 (79 Stat. 543).
- B.** "Eligible person of Tlingit or Haida blood" means only a person of Tlingit or Haida blood residing in the United States or Canada who was a legal resident of the Territory of Alaska on June 19, 1935, or prior thereto, or who is a descendant of a person of Tlingit or Haida blood who was a legal resident of the Territory of Alaska on June 19, 1935, or prior thereto.
- C.** "Community" and "Communities" means a Tlingit Haida Community listed on the list set forth in **Rule 2** of these rules as amended from time to time by Tlingit & Haida pursuant to **Rule 2** of these rules.
- D.** "Local Election Official" means a member appointed by the Community to assist Tlingit & Haida with the Delegate Election.
- E.** "Challenge Committee" means the Tlingit & Haida Elections Challenge Committee composed primarily of Tlingit & Haida Election Committee members. The committee is appointed by the President in consultation with the Tlingit & Haida Election Committee Chairman.
- F.** "Executive Officers" "Executive Council" means the elected Officers of Tlingit & Haida including the President, 1st, 2nd, 3rd, 4th, 5th and 6th Vice Presidents, as well as the Youth Ambassador seated on the Executive Council.
- G.** "Publish" means to give notice by newspaper, radio, television, continuous public posting of notices, any other news media, the Tlingit Haida Central Council website, an Official T&H Community Council website, by any one or more of these methods, as designated by the Local Election Official.
- H.** "He," "him," or "his" means he or she, him or her, his or hers.
- I.** "The Community where he resides" means the Community that is his permanent residence for at least 30 calendar days prior to the nominations for Delegates in the Community.
- J.** "Regular Delegate" is an individual duly elected by his Community and qualified in accordance with these Rules of Election to serve on the Central Council.
- K.** The "Official Voting List" means the list containing the enrollment numbers and names, in alphabetical order, of all qualified voters in the community "Base Roll" means the roll of Tlingit or Haida people who were legal residents of the Territory

of Alaska and/or Canada on June 19, 1935, or prior thereto, prepared by the Secretary of the Interior pursuant to Section 8 of the Act of June 19, 1935 (49 Stat. 388) as amended by the Act of August 19, 1965 (79 Stat. 543).

- L.** "Supplemental Roll" means the roll maintained by the Tlingit & Haida of persons of Tlingit or Haida blood (other than persons appearing on the Base Roll) residing in the United States or Canada:

 - 1.** Who were legal residents of the Territory of Alaska on June 19, 1935, or prior thereto, or who are descendants of such persons, and
 - 2.** Who duly applied for tribal citizenship in the Tribes and showed to the satisfaction of Tlingit & Haida that they are eligible.
- M.** "Membership and/or tribal citizenship Roll" means the Base Roll and the Supplemental Roll taken together. All living persons appearing on the Tribal Citizenship Roll are Citizens of the Tlingit and Haida Indian Tribes of Alaska (Constitution of Tlingit & Haida, Article II).
- N.** "Certify" means the endorsing the results of a duly constituted election.
- O.** "Permanent Nonresident" means a registrant as defined in Rules 5(B & C) of these rules.
- P.** "Temporary residence" means that an eligible voter has moved his place of residence to another Community for an undetermined amount of time but intends to return to his permanent place of residence once he is completed with the reason for the temporary move.
- Q.** "Short period of time" means that an eligible voter is away from his permanent place of residence but has not moved to the community he is in during the election process.
- R.** Nepotism is defined as: grandfather, grandmother, father, mother, brother, sister, son, daughter, grandson and granddaughter.
- S.** "Close of Business" or "Close of Business Day" means 4:30 p.m. Monday through Thursday; 4:00 p.m. on Friday.
- T.** "Conflict of Interest" is defined as a situation in which a public official's decisions are influenced by the official's personal interests.
- U.** "Declaration of Intent to Serve" means a written notice of intent to serve in the position of Delegate to the Tribal Assembly signed by an eligible tribal citizen that certifies nomination for candidate in an election of Delegates. Declaration of Intent to Serve must INCLUDE: name, address, phone number, Date of Birth or enrollment number (if known) and email address, if any.

RULE 2. RECOGNIZED COMMUNITIES

Section 1. Delegates to Tlingit & Haida shall be elected by each of the following Communities:

ALASKA: Anchorage, Angoon, Craig, Haines, Hoonah, Hydaburg, Juneau, Kake, Kasaan, Ketchikan, Klawock, Klukwan, Metlakatla, Pelican, Petersburg, Saxman, Sitka, Wrangell, Yakutat, **CALIFORNIA:** San Francisco, **WASHINGTON:** Seattle.

Section 2. Tlingit & Haida may, from time to time, by duly adopted resolutions, designate additional Communities from which Delegates shall be elected in accordance with the provisions of these rules:

- A.** The Community wishing to become a designated Tlingit Haida Community must submit a resolution requesting designation signed by at least 25 Tlingit & Haida Tribal Citizens residing in that community to Tlingit & Haida within 30 days prior to an annual Tribal Assembly session.
- B.** A vote of at least two-thirds (2/3) of the total Delegates registered at a Tribal Assembly at which a vote is taken is required to authorize the designation of a new Tlingit and Haida Community.
- C.** A Community must have at least 200 eligible voters over the age of 18.

Section 3. From time to time Tlingit & Haida may also delete from the list of Communities, and merge two or more Communities into one under the following conditions:

- A.** The Community fails to conduct an election of Delegates for three (3) consecutive election years, and
- B.** Fails to seat a Delegate for three (3) consecutive election cycles, and
- C.** A vote of at least two-thirds (2/3) of the total Delegates registered at a Tribal Assembly at which the vote is taken.

RULE 3. APPORTIONMENT OF DELEGATES

Section 1. Each community shall elect one Delegate to Tlingit & Haida for each two hundred (200) Persons' or fraction thereof registered on the Official Voting List of that Community.

Section 2. The lists as of December 22 of the year preceding an election year shall be the final list upon which the number of Delegates per community shall be determined.

Enrollment applications processed after that date will not be included in determining the allocation of Delegates.

RULE 4. SELECTION OF ELECTION OFFICIALS AND PROCESS OF ELECTION

Section 1. The Local Election Official shall be selected pursuant to the Constitution, Statutes, or Resolutions of Tlingit & Haida.

- A.** The local Community Council on or before November 1 preceding each election year will appoint the Election Official. The Election Official shall be free of Conflict of Interest. Any issue regarding nepotism should be addressed by the Local Community Council.
- B.** The Election Official will be responsible and authorized to update enrollment reports (lists) for their community, and will ensure that the election procedures are implemented.
 - 1.** If the Local Community Council, for any reason, is not be able to appoint a Local Election Official, Tlingit & Haida Program Compliance is authorized to make alternate arrangements for the election by December 1.
 - 2.** An Election Official who wants to be a candidate for Delegate must resign

by January 1 to be eligible. An Election Official who has not resigned from duty by January 1 and received votes as a write-in candidate will not be qualified to serve as a Delegate regardless of the number of votes received.

3. For communities that do not have an active Community Council, CCTHITA will locate and appoint a local election official
- C. Local Community Council Officers who are candidates may not unduly influence the election process by giving directions to the Election Officials that could be construed as giving an unfair advantage to the officer as a candidate. They should be only providing general oversight and supervision as necessary to the election process to make sure the target dates are being met and Election Rules are being followed.

Section 2. The Local Community Council will need to notify CCTHITA of the process they will be using for the election either by absentee ballots or electronic voting.

- A. If the Local Community Council, for any reason, has not determined its method for election, Tlingit & Haida Program Compliance staff shall select the default the process to Electronic Voting by COB the first Thursday of December.

RULE 5. VOTING AGE; RESIDENCY REQUIREMENTS

Section 1. The tribal citizenship roll, consisting of the Base Roll and Supplemental Roll together, shall be maintained by the Tlingit & Haida Program Compliance Department and only living persons who appear on the tribal citizenship roll and are eighteen (18) years of age or older shall appear on the Voting Lists of the Communities.

Section 2. Each eligible person of Tlingit and/or Haida blood, as defined in **Rule 1(L, M & N)** of these rules, who is at least eighteen (18) years old on or before the date of any regular election held under these rules, shall be entitled to register on an Official Community Voting List as follows:

- A. The roll of the Community where he resides as defined in **Rule 1(I)** of these rules.
 1. An eligible voter who is away from his official community may remain on the roll of his home community when temporarily away provided he does not participate in the election process of the community of his temporary residence.
- B. If he does not reside within a community, the roll of the community nearest to the place where he resides; provided that it is within one hundred (100) miles of the place of his residence.
- C. If he does not reside within a Community or within one hundred (100) miles of Community, he will be on the roll of any Community of his choice.

RULE 6. POST VOTER LIST; REVIEW AND CHALLENGE OF ROLLS

Section 1. The Local Election Official of each Community shall post the alphabetical list provided by Tlingit & Haida of all persons eligible to vote in that Community no later than December 11 of the year prior to the election year. This Official Voting List for each Community shall be posted at (in descending order of priority):

- A. Local tribal government office (building);

- B.** ANB/ANS Hall;
- C.** Other locations frequented by Tlingit and Haida citizens (in the opinion of the Local Election Official).
- D.** On Web such as i.e. Facebook, local community websites, etc.
- E.** The Election Official must inform Program Compliance office of the posting locations.
- F.** Tribal citizens living outside the community of their enrollment may check with Tlingit Haida Program Compliance Office to verify that they are or are not on the list of that community.

Section 2. This Official Voting List shall be open to inspection by local tribal citizenship, and any person eligible to appear thereon may challenge the inclusion or exclusion of the name of any person on the Official Voting List of the Community by Program Compliance Office.

RULE 7. NOTICE OF ENROLLMENT AND ELECTION

Section 1. The Local Election Official of each Community shall arrange to publish by November 15 a notice setting forth:

- A.** Enrollment requirements for voting;
- B.** The period of enrollment; and
- C.** The location of where the enrollment applications and change of address forms can be accessed.

Section 2. The Local Election Official of each Community shall arrange to publish by February 1 a notice setting forth:

- A.** The date of election;
- B.** The Declaration of Intent to Serve form and the deadline date for timely submission;
- C.** The procedures to be followed for voting by absentee voting or by electronic voting.
- D.** A statement providing that “A complete list of nominated candidates will be published by February 12.”
- E.** A statement providing that “Ballot information will be mailed by February 18”.

Section 3. The Local Election Official of each Community shall publish the Declaration of Intent to Serve form and provide it to any eligible tribal citizen wishing to be a candidate for Delegate.

- A.** Immediately after January 1 of an election year;
- B.** Available at a meeting for nominations;
- C.** Available from the Tlingit & Haida Program Compliance office if not available locally.
- D.** Available on the Tlingit & Haida Website

RULE 8. NOMINATIONS; QUALIFICATIONS OF CANDIDATES

Section 1. In order to qualify as a candidate or nominee for election as a Delegate from any Community, a person must be registered on the Official Rolls of Tlingit and Haida and have timely submitted a signed Declaration of Intent to Serve.

Section 2. Subject to the provisions of these Rules and the Constitution and any applicable Resolutions of the Tlingit & Haida, the nomination of candidate's procedures for the Office of Delegate from each community shall be:

- A.** Conducted between January 15 through February 5.
 - 1.** The Local Election Official shall chair the nomination meeting.
 - 2.** Communities that do not hold a nomination meeting must have nominees provide a signed Declaration of Intent to serve to the Election Official.
 - 3.** Declaration of Intent to Serve can be received prior to opening of the nomination period but not later than the close of Nomination Meeting. If no nomination meeting must be received by February 5.
 - 4.** Communities that leave nominations open for a period of time must state when and where the nominees are able to submit the Declaration of Intent to Serve.
- B.** Tribal citizens who do not submit a Declaration of Intent to Serve to be nominated as a candidate for Delegate as prescribed in this subsection are not eligible to be a candidate for Delegate.
- C.** Posted date and time of nomination meeting must be conducted as published with the following conditions:
 - 1.** Nomination meetings must be open for a minimum of one hour.
 - 2.** Posting must be published for a minimum of one week prior to the meeting date with all nominating requirements and contact information.
 - 3.** The Election Official must inform the Special Assistant to the President of Tlingit & Haida of the location of publications.
 - 4.** A copy of all publications and the posting date must be kept on file with the Election Official and a copy to be forwarded to the Program Compliance Office.
- D.** When a local Community does not choose to establish and conduct the nominations and election procedures, individuals desiring to be considered as a candidate must submit their Declaration of Intent to Serve directly to Tlingit & Haida.
 - 1.** This rule applies only if the community does not have an election process.
 - 2.** Nominations from these Communities must be submitted to Tlingit & Haida office by February 5.

Section 3. Decide on the nominations process: Whether or not there will be a meeting for the purpose of nominating or if nominations will be made directly to Tlingit Haida Central Council

offices.

Section 4. The name of each qualified nominee shall be placed on an official ballot.

- A.** Decide on the design of the ballot:
 - 1.** Larger communities (1000 tribal citizens or more) may have a ballot where the candidates are listed alphabetically and the names are rotated.
 - 2.** The names of the candidates may appear on the ballot in the order in which they were nominated if a community has a meeting for the purpose of nominating.
 - 3.** The names of the candidates may appear on the ballot in the order in which the Declaration of Intent to Serve is received by the Election Official at the nominations meeting; mailed in Declarations will be listed after those who handed theirs in personally at a meeting.
 - 4.** Communities may choose to have candidates name list alphabetically by last name.
 - 5.** Communities have the option to determine ballot order by a random drawing of the names of all Delegate Candidates, present or not.
- B.** Persons nominated or declaring candidacy after local nominations deadlines may only run as 'write-in' candidates. A qualified successfully elected 'write-in' candidate who was not an Election Official after January 1, is determined elected.

Section 5. No Delegate shall be a permanent employee of Tlingit & Haida

- A.** Except as an Executive Officer, or employed in a Community as a Community Liaison with the Office of Self-Governance or as a contract employee from flow through BIA Compact Funds.
- B.** No person who, within sixty (60) days of the date of an election, has been a permanent employee of Tlingit & Haida, except as stated above shall be eligible for election as a Delegate from any Community. Executive Officers are exempt from this rule if the Executive Office is a position elected and budgeted by the Tribal Assembly

RULE 9. VOTING

Section 1. All eligible voters will be able to vote either by absentee voting or by electronic voting.

- A.** Only the registered voter is eligible to request a ballot, in person, by phone, fax, email, or by mail.
- B.** Ballots should not be duplicated or multiple ballots received.

Section 2. Absentee ballots will be mailed to all voters with a valid address. Together with the ballot, there shall be delivered to such absentee voter.

- A.** An inner envelope bearing the official logo of Tlingit & Haida, the words, "ABSENTEE BALLOT," space for the printed name and signature of the voter, with the instructions on the voting absentee.
- B.** Blank envelope for completed ballot.

- C. An outer envelope addressed to Tlingit & Haida.

Section 3. The voter shall mark the ballot, place it in the blank envelope, and place the blank envelope in the envelope marked "ABSENTEE BALLOT" seal the envelope and place it in the outer envelope and mail it to or cause it to be timely delivered to the Tlingit & Haida Office by the Close of Business on Election Day.

Section 4. A voter may cast an absentee ballot by email as a scanned document in PDF format or by fax directly to the Election Chair if necessary under the condition that:

- A. The voter must complete form waiving his right to a secret ballot.
B. The ballot must be signed by the voter;

Section 5. Electronic Voting Instructions will be mailed to all voters with a valid address and will include the following:

- A. Instructions on how to access the electronic voting website
B. Voters user name and password
C. Instruction given once logged into the Voting Website

Section 6. Persons not appearing on the enrollment list may vote as a "questioned" ballot. Questioned ballots shall be handled in the following manner:

- 1) Tlingit & Haida Program Compliance Office will verify that the voter is an enrolled Tribal Citizen.
- 2) If it is found that the voter is on the master list, the ballot will then be placed in the ballot box to be counted with other ballots;
- 3) If the following conditions exist, the vote shall be disallowed:
 - a. The voter is under the age of 18;
 - b. The voter has voted in another Community;
 - c. The voter does not meet the minimum requirements of a tribal citizen or is not enrolled by the close of business on the day of election;
 - d. The voter does not vote within the prescribed time frame.

RULE 10. VOTER REGISTRATION

Section 1. The purpose of the Voter Registry is to ensure that a record is maintained that a voter is indeed qualified to vote and to record the receipt of a ballot by an eligible voter.

RULE 11. ELECTION

Section 1. Each registrant on the Official Voting List of a Community may vote for up to the number of Delegates that the Community is entitled to elect. The corresponding number of candidates in each Community receiving the highest number of votes shall be declared elected.

Tlingit & Haida will post results on the Official Website and on Facebook or similar social network(s) as soon as the results are known or no later than the close of business the following workday.

Section 2. In the event of a tie for the final Delegate, Tlingit & Haida will perform the tiebreaker ceremony by shuffling and cutting cards with the high card winning by the close of business the following workday.

Section 3. In the event a newly elected candidate for delegate is not able to attend the upcoming Tribal Assembly, the next highest vote-getter will be the official delegate.

- A. The process will repeat itself in the event other newly elected delegates are not able to attend the Tribal Assembly.
- B. This is not considered a “vacancy” since the delegate elect had not been sworn in yet.

RULE 12. PROHIBIT PROXY VOTING

Section 1. Voting by proxy will not be permitted.

RULE 13. CHALLENGE OF ELECTION PROCEDURE

Section 1. Any candidate for Delegate may challenge the election results of his Community.

- A. By written notice with the President of the Tlingit & Haida and/or the Chairman of a duly constituted Election Committee of Tlingit & Haida.
- B. No later than 4:30 P.M. on the Monday following a Delegate election.
- C. Clearly stating his grounds for the challenge and substantiating evidence in reference to the specific rules allegedly violated.

Section 2. The President of Tlingit & Haida shall appoint a Tlingit & Haida Election Challenge Committee (Challenge Committee) no later than Tuesday following the election.

- A. The Challenge Committee will consist of three (3) members, and two (2) alternate members.

In the event one or more of the committee members are related to any persons involved or from the Community in question, an alternate will serve in place of the person with the conflict.

- B. The Challenge Committee will make every effort to resolve the dispute in a fair and impartial manner utilizing the least intrusive method.

Section 3. If in the opinion of the Tlingit & Haida President and the Challenge Committee, the objections are valid and are of a nature to warrant, the remedial solution may be:

- A. A recount of all ballots cast in the Delegate Election in the Community; or
- B. A ruling on the eligibility of a voter; or
- C. A ruling on the eligibility of a candidate for Delegate; or
- D. The ordering of a new or Special Delegate election for that community;

Section 4. When a recounting of ballots is ordered candidates or their representatives have a right to witness the recount.

Section 5. The Program Compliance Office will be consulted on all issues of voter and candidate eligibility.

Section 6. Tlingit & Haida may call for a new election in Communities where it is conducting the election on behalf of such Community when there are irregularities that warrant a new election and such irregularities are not correctable through other means.

- A.** When a new election is ordered only the nominees from original ballot shall be the candidates.
- B.** Such election shall be conducted via Electronic voting.

RULE 14. SPECIAL ELECTIONS

Section 1. Procedures for special elections will be conducted under **Rule 13.b.**

RULE 15. PAYMENT OF ELECTION EXPENSES

Section 1. The Executive Council is authorized to adopt an election payment plan to provide for an equitable payment to local Community Councils for the Delegate elections. The Executive Council may authorize supplemental reimbursement to Communities for unusual expenses of holding election of Delegates to Tlingit & Haida only in special and unusual circumstances.

RULE 16. TERM OF OFFICE; LIMITING EXECUTIVE OFFICE; FILLING VACANCIES

Section 1. Delegates shall be elected for terms of two (2) years and shall serve until their successors are elected and qualified to Tlingit & Haida except that Delegates seated from Communities that do not hold a regular election shall not be eligible to hold any Executive Office in Tlingit & Haida.

Section 2. The Local Community Council shall fill a vacancy occurring during the term of office of a Delegate to Tlingit & Haida. Options include:

- A.** The selection of the next highest vote-getter in the most recent Election of Delegates; or
- B.** A random method agreed to by the majority vote of the Community Council in an official meeting.

Section 3. In the event a Community is not able to hold a meeting to select a replacement Delegate the local Community Council President may appoint a replacement.

Section 4. In the event a Community Council does not fill a vacancy at least seven (7) days prior to a Tribal Assembly, the vacancy will be filled by the majority vote of Tlingit & Haida Executive Council. In such cases, the decision of the Executive Council will be final.

Section 5. Any Replacement Delegate must be certified by the Program Compliance Office.

RULE 17. DELEGATE CONTACT INFORMATION

Any delegate elect who declares candidacy for President or Vice-President is entitled to full access to the mailing address, phone number, and e-mail address of delegate contact information in a useable format upon written request to the Office of the President.

RULE 18. ELECTION RULES PRECEDENCE

Section 1. In the event a Local Tlingit Haida Community Council has Rules of Election that are not the same as these rules, these rules will take precedence in settling disputes.

Section 2. If the Election of Officers of a Local Community Council is conducted at the same time, these Rules take precedence when settling disputes.

RULE 19. PROVISION FOR AMENDMENT OF RULES

Tlingit & Haida may amend these rules from time to time by a majority vote of the Delegates during Tribal Assembly.

Adopted: April 26, 1969

Amended: March 29-31, 1979, October 3, 1981, October 8, 1983, October 5, 1985, April 18, 1987, April 22, 1995, April 2002, July 2005, April 2008, April 2011, November 2011, April 15, 2015, and **April 20, 2018.**