



To: San Francisco Community Council

From: Will Micklin | Yaan Yaan Eesh, President

Date: May 5, 2023

Subject: San Francisco Tlingit & Haida Community Council ARPA Relief Program

---

The San Francisco Tlingit & Haida Community (SFTHC or Community) Council (SFTHCC or Council), the political subdivision of the Central Council of Tlingit and Haida Indian Tribes of Alaska (Tlingit & Haida), a federally recognized Indian Tribe, and the Community established for the purpose of electing Delegates to the Tribal Assembly that is the governing body of Tlingit & Haida, requested the Tlingit & Haida American Recovery Plan Act (ARPA) Team review Council proposed options for the SFTHCC Community Directed ARPA Relief Program funding. The ARPA Relief Program purpose is to support a community directed priority of supporting and providing supplemental relief to tribal citizens affected by the negative economic impacts of COVID-19.

According to Treasury guidance provided in its State and Local Fiscal Recovery Fund (SLFRF) Tribal Government Fact Sheet, tribal households served by Tribal governments are presumed to be disproportionately impacted by the public health and negative economic impacts of the pandemic. Because this presumption applies, cash assistance may be provided to those households without additional analysis. The funding source for these projects would be the San Francisco community Council-Directed Priorities Fund's balance of approximately \$2,422,426.

Below is a brief description of the projects and how they meet the Treasury guidance for the ARPA.

**SFTHCC Community Directed Relief Program - as proposed**

- Supplemental Household Relief Project. San Francisco proposes to provide supplemental Household relief in the amount of \$750 to T&H citizens of all ages who are enrolled in the San Francisco voting community that the COVID-19 pandemic has economically impacted up to 1,077 applications. The Tlingit & Haida Citizen Support Services Team, will administer this program under the guidance of the ARPA Manager, Erinn Adkins-Franks.

The amount requested is based on and is reasonably proportional to San Francisco's assessment of the actual impacts that COVID-19 has had on its tribal citizens. Under the *Final Rule*, providing supplemental relief to citizen households that have experienced negative economic effects of COVID-19 is an eligible use of FRF. Because SFTHCC recognizes that its tribal citizens have experienced pandemic-related impacts and because its tribal citizen households are presumed to have experienced such impacts, this proposed project complies with Treasury guidance. Tlingit & Haida is to operate the project using online applications for enrolled

Community members. Parents or legal guardians of children who are T&H citizens enrolled with the Community can apply on behalf of their Community enrolled children if they are under the age of 18 (minors). If more than one application is filed on the behalf of a particular child who qualifies for assistance provided through this project, only one of those applications will be granted. All applicants must be both enrolled both with Tlingit & Haida and the Community.

Eligibility Requirements:

- Must be a tribal citizen enrolled with Tlingit & Haida
- Must be a tribal citizen enrolled with SFTHC
- Applicants must be age 18 years or older, who may apply on behalf of minors (less than 18 years of age)

Only one application per SFTHC enrolled tribal citizen will be accepted and all applications will be processed in the order received. Tribal citizens who previously received a Rescue Relief grant from Tlingit & Haida are eligible to apply.

The application period will close on December 29, 2023 at 5:00 PM (PST) or when all funds have been expended.

The startup grants are considered taxable income and businesses are advised to contact their tax accountant to learn how this could affect their tax return.

- Support for Small Businesses Economically Impacted by COVID-19. Many Tribal Citizen small businesses are financially distressed by the economic impact of COVID-19. This program would award up to 100 applicants who are San Francisco tribal citizens operating small businesses with one-time support in the amount of \$2,500 from the SFTHC Community-Directed ARPA Priorities fund. The Tlingit & Haida Small Business Grant Department will administer this program under the guidance of Coordinator Myrna Gardner. T&H is to operate the project using online applications for SFTHC.

Eligibility Requirements:

- Must be a tribal citizen enrolled with Tlingit & Haida
- Must be a tribal citizen enrolled with SFTHC
- Must be 18 years of age or older and able to file own tax return
- Must be a U.S. citizen
- Must have a state business license issued after January 1, 2023
- Must be 50% owner of the small business
- Business must be actively managed by tribal citizen
- Must complete [Spruce Root's Business Basic online course](#)

The funds must be expended in compliance with federal law and used by the applicant only to pay for business expenses such as product parts, supplies, and/or inventory.

Only one application per SFTHC enrolled tribal citizen will be accepted and all applications will be processed in the order received. Tribal citizens who previously received a Rescue Small Business Relief grant from Tlingit & Haida are eligible to apply.

The application period will close on December 29, 2023 at 5:00 PM (PST) or when all funds have been expended.

The startup grants are considered taxable income and businesses are advised to contact their tax accountant to learn how this could affect their tax return.

## **Program Budget**

Supplemental Household Relief (up to 1,077 applications)	\$807,750
Support for Small Businesses Economically Impacted by COVID-19 (up to 100 applications)	\$250,000
<hr/>	
Total ARPA Project Plan	\$1,057,750
<hr/>	
San Francisco Community Council-Directed Priorities Fund Balance	\$2,422,426
Remaining San Francisco Community Council-Directed Priorities fund	\$1,364,676

The Council must consider the SFTHC ARPA Community Directed Relief Program and recommend adoption of the Community Program by the Tlingit & Haida Executive Council.

### ***Tlingit & Haida and Other Community Directed Relief Programs***

#### Tlingit & Haida

Tlingit & Haida Small Business Relief Startup Grant Program Launch – 441 grants up to \$5,000

Tlingit & Haida Small Business Relief Startup Grant Program Relaunch – 200 grants up to \$2,500

CARES Act Needs Based Programs - \$500 per household

#### Other Communities

Haines Supplemental Relief Program - \$200 per resident & non-resident tribal citizen up to 396 applications

Wrangell Residents Supplemental Relief Program - \$750 per resident household up to 245 applications

Wrangell Non-Residents Supplemental Relief Program - \$200 per non-resident household up to 47 applications

Petersburg Supplemental Relief Program - \$200 per resident household up to 115 applications

Angeon Supplemental Relief Program - \$750 per resident & non-resident tribal citizen up to 363 applications

Seattle Elders Supplemental Relief Program - \$200 per resident and non-resident household up to 1,250 applications

Seattle Veterans Supplemental Relief Program - \$250 per resident & non-resident household up to 1,000 applications

Seattle Supplemental Relief Program - \$1,000 per resident & non-resident household

#### **Tlingit & Haida SFTHC Office**

The balance of the SFTHC Community Directed ARPA Relief Program funds is proposed to be applied by Tlingit & Haida to its acquisition of real property for use as the Tlingit & Haida program office

servicing the SFTHC. ARPA SLFRF funds eligible uses include the purchase of real property for the purpose of delivering tribal program services to tribal citizens.

A further benefit available from Tlingit & Haida ownership of the SFTHC office is from Tlingit & Haida tribal government program operations pursuant to its Tribal Self-Governance agreements that use real property to conduct the activities of the federal government, 25 USC § 450j(1)(1) (aka, “105(l) Program”) allows Tlingit & Haida to be reimbursed by the Federal government for the rental value of the real property they use. The Tlingit & Haida agreement for the SFTHC property would state the obligation that Tlingit & Haida “shall enter into a lease for facilities needed to carry out programs, services, functions and activities under this Compact with Tlingit & Haida for which Tlingit & Haida holds title to, a leasehold interest in, or a Trust interest in, in accordance with section 105(l) of the Act, as amended (25 § 450j(1)(1)).” The Tlingit & Haida Executive Council has approved Tlingit & Haida’s use of the 105(l) Program to obtain payment for the use for property to carry out Tlingit & Haida’s programs, services, functions and activities under its Compact (the “105(l) Agreement”). The Tlingit & Haida 105(l) Agreement would result in the Federal government funding of rent payments for the SFTHC office, which would be used to maintain and improve the real property. This use of the 105(l) authority avoids Tlingit & Haida renting real property for the SFTHC office funded by Tlingit & Haida programs operated in this office, which may be insufficient to maintain the facility, and would be subject to annual funding of these programs.

The further benefit is Tlingit & Haida would use the office during business hours, and the office would be available for SFTHC uses after office hours or during office hours when not in conflict with program activities. This property would become an important resource for SFTHC and a site for activities that would not change and would be known to all SFTHC tribal citizens.

#### *T&H SFTHC Office Site*

Please find below a discussion of our proposed real property acquisition and use evaluation criteria.

Equity. The Tlingit & Haida SFTHC office must serve all SFTHC enrolled tribal citizens throughout California equally wherever they reside, therefore, the office should include connectivity to high-speed broadband services to allow on-line and virtual connections. The Tlingit & Haida SFTHC office should emphasize virtual outreach to and contacts with Tlingit & Haida Tribal citizens to ensure all Tribal citizens wherever they reside in California enjoy the same level of access to Tlingit & Haida and SFTHC programs, functions, services, and activities. The office should be acquired and designed for operation with these online capabilities as its priority.

The office should also provide meeting areas that facilitate SFTHC events and activities. Parking is a key factor in providing access to meeting and event space, with secure, off-street parking as a priority. Also, access to public transit, and reasonable access to an international airport.

Central Location. The Tlingit & Haida SFTHC office location should be sited to best serve SFTHC tribal citizens, and for Tlingit & Haida 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, they must enroll in that Community. That the SFTHC real property purchased would be within this radius would demonstrate compliance with the ARPA SLFRF use of funds guidance 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.

*Second* is property acquisition costs. Property costs in general in the counties of San Francisco, San Mateo, Los Angeles, and San Diego are prohibitively expensive. Sacramento, Alameda and Contra Costa counties are relatively less expensive in comparison.

*Third* is the consideration of 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).

Sacramento County and Los Angeles County enjoy the highest T&H citizen population, and next 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].

Sustainability. The Tlingit & Haida SFTHC office must be sustainable. Outreach to California tribal and inter-tribal organizations operating the same Federally funded programs as those intended for the benefit of SFTHC T&H citizens with the intent supplementing their program services with Tlingit & Haida staff-provided program services would help sustain the SFTHC office. Such potential programs include ICWA, TANF, Vocational Training, Tribal Court peacemaking, and others.

#### *Tlingit & Haida SFTHC Office Attributes*

Below are the attributes of a Tlingit & Haida SFTHC office that would increase benefits for SFTHC's tribal citizens. The office should 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 meetings, events, and activities.
- Kitchen facilities – kitchen facilities for food preparation and storage.

This information is intended to assist the SFTHC Council considerations and recommendation to the Tlingit & Haida Executive Council. Thank you.