YUROK TRIBAL COUNCIL
PLANNING MEETING
WEDNESDAY MARCH 11, 2020
KLAMATH TRIBAL OFFICE

ROLL CALL: 10:04am

PRESENT: Joe James, Frankie Myers, Lana McCovey, Sherri Provolt, Ryan Ray, Ed Aubrey, Lori Hodge, Toby Vanlandingham

ABSENT: Mindy Natt (travel)

STAFF: Elly Hoopes, Taralyn Ipiña, Georgiana Gensaw (recorder)

QUORUM: 8 present, 1 absent, quorum present

OPENING PRAYER: Provided by Chairman James

CALENDAR
March 30-CM Aubrey dentist appointment
March 13-Chairman out (funeral)
March 21-Orick District meeting cancelled
March 21-Weitchpec District meeting 12-2:30pm
March 16-Allan Mikkelsen
March 30-PL 280 @ Blue Lake
March 17-YAC @ Kenek meeting 1:30pm
March 23-26-Chairman on travel
March 31-April 1-Chairman on travel
April 13-15-Chairman on travel to Washington, DC
May 18-YHHS Advisory Committee meeting @ South Site Operations
August 1-Yurok Tribal Annual Membership meeting
August 15-Salmon Festival 2020
CA20-073, Schedule Council Retreat
Submitted by Council Operations

Council consensus to set May 13, 2020 for Council retreat at Stone Lagoon Visitor’s Center.

COUNCIL CHECK-IN
Councilmember Hodge: pass
Councilmember Aubrey: pass
Councilmember Ray: I would like to talk in Executive Session; however, I went to the Del Norte Board of Supervisors meeting yesterday. There was some objection from community members regarding the park transfer. I would like to set a Grand Opening for the basketball court in the Klamath Glen with a 3-on-3 tournament. Maybe we can get that set up for the 22nd?

Councilmember McCovey: I attended the PG&E meeting that was held here at the Tribal Office and there was a lot of information and things that we need to be doing. Humboldt County is looking at their power plant again and looking to see how far that power will reach. They don’t know if it will reach the reservation area or not. There are possible training opportunities for line certifications. Right now, they have to bring out-of-state line technicians because there is such a great need for that work force. They did tell us that Congressman La Malfa is putting forth a bill to provide generators to Tribes that are affected by the PGE shut offs and it is for California specific.

Councilmember Provolt: I want to thank Jim McQuillen for bringing in the County (Del Norte) Mental Health to the Tribal Office to discuss mental health services and needs for our community and schools. I will not be here tomorrow due to medical appointments and ask to be excused.

Councilmember Vanlandingham: pass

Chairman James: Thank you George for rounding up the troops for the Delta Hearing. Thank you Council for also attending. That’s what we do to protect our water. Council and I attended Reservation Economic Summit and we just had a debrief session this morning. We will be following up with those contacts we made. George, please note Councilmember Provolt will be excused for tomorrow’s Council meeting.

Councilmember Ray: I had a tribal member who would like to have the gate opened at Weyhelt’w or they would like to have a key to the village. We could forward this request to Rosie.

TRIBAL MEMBER COMMENT: None provided.

Office of Tribal Attorney
Maggie Poffenbarger, Dawn Baum presents
OTA20-020, Hemp Ordinance public comments review
Submitted by Maggie Poffenbarger

Review public comments with suggested edits of Yurok Hemp Ordinance and approve amended ordinance, and authorize Chair to sign. Item tabled.

BREAK: 10:56-11:05am

March 11, 2020 Council Planning meeting
PRESENTATION

Tribal Court
TC20-002, Missing & Murdered Indigenous Women Epidemic
Submitted by Angi Cavaliere
A presentation on the Missing & Murdered Indigenous Women epidemic by Annita Lucchesi, Executive Director of Sovereign Bodies Institute (Partner with the Tribal Court’s MMIW project) was provided to the Council.

Motion made by Vice Chair Myers/Councilmember Aubrey to approve to create a Murdered and Missing Indigenous Peoples Taskforce. To have this agenda item moved to Finance agenda. Motion carries by consensus.

LUNCH: 11:44-12:45pm

EXECUTIVE SESSION: 12:49-4:21pm
CA20-062, Executive Session: Purchase of within ancestral territory
CA20-072, Executive Session RE: Tribal Member CILS
CM Ray Del Norte Board of Supervisors regarding Hunter Creek, YOES COVID Response Plan, Personnel Matter (McCovey), and Cannabis Taskforce Update.

Personnel Matter - Discussion only, no action.
Hunter Creek - Discussion only, no action.
YOES Response Plan - Discussion only, no action.

Office of Tribal Attorney
OTA20-016, American Civil Liberties Union (ACLU) Planning session
Submitted by Dawn Baum

Cancelled.

Council
CA20-062, Executive Session: Purchase of within ancestral territory
Submitted by Chairman James
Executive Session: Authorize funding for purchase economic development business within ancestral territory.

Motion made by Councilmember Provolt/Vice Chair Myers to invest in business opportunity in Orick District using Morgan Stanley Operational Reserve account (xxx 1126) as discussed in Executive Session. Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes,
Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes,
Councilmember Natt-np, Councilmember Aubrey-yes, Councilmember McCovey-yes. Yes-7, no-0, abs-0, np-1. Motion carries.

CA20-064, Agenda Items for Council YIHA BOC Retreat
Submitted by Council Operations

March 11, 2020 Council Planning meeting
Agenda items for Council and YIHA BOC retreat set for April 2, 2020; 1) Trinity County policy for YIHA services, 2) Council & YIHA partnership project, 3) Blue Lake/Eureka (near St. Joseph) fair market rentals update, 4) Self-insurance, 5) YIHA Organizational Chart

CA20-071, Office space for Supervisor Madrone
Submitted by Councilmember Vanlandingham

Discussion/action on coordination of Weitchpec Tribal office space availability for Humboldt County Supervisor Madrone once a month. Item address previously. Item pulled.

CA20-072, Executive Session RE: Tribal Member CILS
Submitted by Councilmember Ray
Executive session RE: Tribal Member requesting assistance from California Indian Legal Services (CILS).

Directive to Executive Director to follow up on the matter with CILS and OTA.

LITIGATION UPDATE: PMFM Update

CANNIBAS TASKFORCE UPDATE: Executive Session discussion only.

TRIBAL MEMBER COMMENT: None provided.

COUNCIL BUSINESS: None

CLOSING PRAYER: Provided by Councilmember Aubrey.

ADJOURN: 4:37pm

MEETING MINUTES APPROVED ON: March 26, 2020

Sherri K. Provolt, Secretary

Date

March 11, 2020 Council Planning meeting
YUROK TRIBAL COUNCIL
ACTION MEETING
THURSDAY, MARCH 12, 2020
KLAMATH TRIBAL OFFICE

ROLL CALL: 10:03AM

PRESENT: Joe James, Frankie Myers, Lana McCovey, Toby Vanlandingham, Ryan Ray, Ed Aubrey, Lori Hodge

ABSENT: Sherri Provolt (excused), Mindy Natt (travel)

STAFF: Elly Hoopes Executive Director, Georgiana Gensaw (recorder), Kori Cordero OTA, Maggie Poffenbarger OTA,

QUORUM: 7 present, 2 absent, quorum present

OPENING PRAYER: provided by Vice Chair Myers

ADDITIONS TO AGENDA

Motion made by Vice Chair Myers/Councilmember Vanlandingham to accept today’s agenda with emergencies agenda Items; CA20-075 Presidential Task Force consultation, FISH20-21 Limited Waiver of Sovereign Immunity, YOES20-003 COVID-19 Response Plan, CA20-080 Hoopa 8th Grade donation, ExDir20-007, Emergency Sick Leave Policy. Motion carries by consensus

COUNCIL CHECK IN

Councilmember Vanlandingham: Pass

Councilmember McCovey: Pass

Councilmember Ray: There are members in my district that want rides at least once a month to Eureka for shopping. Also, there are cars down by the ball field (Thompson Field) maybe YTEP can take an assessment.

Councilmember Hodge: I just want to bring up the bus situation in Orleans, I know there is a County bus system, but maybe we could use transit to supplement the buses. I know we were going to talk about it before.

Chairman James: Elly, Executive Director please add this to talk about with transit

AGENDA ITEMS

March 12, 2020 Council Finance meeting
Council
CA20-060, NIGA travel
Submitted by Chairman James
Motion made by Vice Chair Myers/Councilmember Ray to approve travel for Chairman James and Council to attend NIGA in San Diego, CA set for March 25-27, 2020. Motion carries by consensus

CA20-061, First American travel
Submitted by Chairman James
Motion made by Vice Chair Myers/Councilmember Aubrey to approve for Chairman to testify on behalf of First American Petroleum v. California in support of their fuel business in California Tribal communities on April 1, 2020. Motion carries by consensus

CA20-068, CFEBA travel
Submitted by Chairman James
Motion made by Councilmember Aubrey/Councilmember Vanlandingham to approve Chairman James to travel to Washington D.C. on April 14th, 2020 for Charitable Foundation of the Energy Bar Association. Motion carries by consensus

CA20-070, DCCC travel
Submitted by Chairman James
Motion made by Vice Chair Myers/Councilmember Aubrey to approve travel for Chairman James and Council to travel to Palms Springs, CA April 25-26, 2020 for Democratic Congressional Campaign Committee. Motion carries by consensus

Fisheries
Dave Hillemeier presents
FISH20-016, Schedule spring and fall Fisher meetings
Submitted by Dave Hillemeier
Council consensus to schedule spring meeting session Fisher meetings for March 28 & 29 and fall session Fisher meetings for May 16 & 17, 2020. (see attached memo)

FISH20-020, PFMC/Fall season 2020 update
Submitted by Dave Hillemeier
Motion to schedule a planning session to consider the status of the 2020 projected Fall Chinook abundance and any position the Tribe may request the Pacific Fisheries Management Council consider while crafting ocean seasons. (see attached memo). 3/11/2020

CA20-075, Presidential Task Force Consultation
Submitted by Vice Chair Myers

March 12, 2020 Council Finance meeting
Motion made by Councilmember McCovey/Councilmember Vanlandingham to approve Vice Chair Myers and Council to attend the Presidential Task Force Consultation in Denver, Colorado March 31, 2020. Motion carries by consensus.

Office of Tribal Attorney
Maggie Poffenbarger
OTA20-019, Schedule planning session for land assignment ordinance
Submitted by Maggie Poffenbarger
Council consensus to schedule a planning session to review this ordinance and give feedback, set for March 25, 2020 2 hours.

TRIBAL MEMBER COMMENT: none provided

EXECUTIVE SESSION
CA20-024, Gaming Commission recruitment

CONSENT AGENDA ITEMS
Matt Hannington, Louisa McCovey presents
YTEP20-005, YTEP contract with PacifiCorp
Submitted by Matthew Hanington
Motion made by Councilmember Vanlandingham/Councilmember McCovey to approve amendment number 15 to the agreement between PacifiCorp and the Yurok Tribe, for Chairman to sign the amendment, and for council to approve the budget modification which will go into project code 3033. Motion carries by consensus

YTEP20-006, Grant Agreement & Budget Approval
Submitted by Louisa McCovey
Motion made by Councilmember Vanlandingham/Councilmember McCovey to approve the budget and grant agreement between the Yurok Tribe and the First Nations Institution in the amount of $73,817.50. Motion carries by consensus

FISH20-019, Design Technical Services RFP
Submitted by Dave Hillemeier
Motion made by Councilmember Vanlandingham/Councilmember McCovey to authorize distribution of the attached Request for Proposal (RFP) to contract for design technical assistance with restoration project designs, contingent on approval by the TERO department (see attached memo and RFP for more details). Motion carries by consensus

P20-010, Budget modification for Water forbearance project
Submitted by Gino O'Rourke

March 12, 2020 Council Finance meeting
Motion made by Councilmember Vanlandingham/Councilmember McCovey to approve the attached Budget Modification for the Water Forbearance Project. Motion carries by consensus

AGENDA ITEMS

Enrollment
Krystel Patapoff-Pruitt, Angela Alvarado presents
EE20-001, Blood Degree Corrections
Submitted by Krystel Patapoff-Pruitt

Motion made by Councilmember Vanlandingham/Councilmember Aubrey approval of the recommendation of the Enrollment Committee, in a meeting held on February 20, 2020, to correct the Blood Degree on Resolution #20-20 pursuant to the requirements of the Enrollment Ordinance of the Yurok Tribe. Motion carries by consensus

Krystel Patapoff-Pruitt, Angela Alvarado presents
EE20-002, Enrollment of New Members
Submitted by Krystel Patapoff-Pruitt

Motion made by Vice Chair Myers/Councilmember Vanlandingham approval of the recommendation of the Enrollment Committee, in a meeting held on February 20,2020, to enroll applicants listed on Resolution # 20-21 who meet membership requirements of the Enrollment Ordinance and Constitution of the Yurok Tribe. Motion carries by consensus

Krystel Patapoff-Pruitt, Angela Alvarado presents
EE20-003, Denial of Applicants
Submitted by Krystel Patapoff-Pruitt

Motion made by Councilmember Ray/Councilmember Hodge approval of the recommendations of the Enrollment Committee, in a meeting held November 19, 2019, to deny enrollment of applicants DY-959 and DY-960 who do not meet membership requirements of the Enrollment Ordinance and Constitution of the Yurok Tribe. Motion carries by consensus

Krystel Patapoff-Pruitt, Angela Alvarado presents
EE20-004, Relinquishments
Submitted by Krystel Patapoff-Pruitt

Motion made by Councilmember Ray/Councilmember Aubrey approval of the recommendations of the Enrollment Committee, in the meeting held on February 20, 2020, to Relinquish Tribal Members listed on Resolutions #20-22, #20-23, and #20-24 pursuant to the membership relinquishments of the Enrollment Ordinance and Constitution of the Yurok Tribe. Motion carries by consensus

March 12, 2020 Council Finance meeting
166 **Environmental**
167 Louisa McCovey, Koiya Tuttle presents
168 YTEP20-003, Good Neighbor Agreement
169 Submitted by Joe Hostler
170 **Motion made by Vice Chair Myers/Councilmember Hodge for Chairman James to sign Good Neighbor Agreement between the Yurok Tribe and the U.S. Forest Service Pacific Southwest Research Station. Motion carries by consensus**

173 Louisa McCovey, Koiya Tuttle presents
174 YTEP20-004, Resolution for CalRecycle
175 Submitted by Koiya Tuttle
177 **Motion made by Councilmember Vanlandingham/Vice Chair Myers to approve Resolution 20-25, authorizing Chairman to sign and Secretary to attest. authorizing the submittal of a CalRecycle Farm and Ranch Solid Waste Cleanup and Abatement Grant (FR69; 2019-20). This grant submittal is for the clean up of the Nelson and Mitchell Ranches for the amount of $87,336.72. There is a 7% limit on indirect and no match required. Motion carries by consensus**

183 **Fisheries**
184 FISH20-017, Funding proposal
185 Submitted by Dave Hillemeier
186 **Motion made by Vice Chair Myers/Councilmember Hodge to authorize this Fisheries Department to submit a proposal for funding to the Yreka USFWS Office to 10 conduct adult fall Chinook spawning survey related tasks, and 2) conduct the monitoring and restoration related projects listed in the memo (see attached memo for more details). Motion carries by consensus**

191 FISH20-018, Contract Modification WRTC
193 Submitted by Dave Hillemeier
194 **Motion made by Councilmember Ray/Councilmember Aubrey to authorize approval of the attached contract modification with the Watershed Research and Training Center to increase funding by $100,000 and extend the duration of the contract through December 31, 2021. Contingent upon OTA edits. Motion carries by consensus**

199 FISH20-21, Limited Waiver of Sovereign Immunity for lease
200 Submitted by Dave Hillemeier
201 **Motion made by Vice Chair Myers/Councilmember Hodge to authorize adoption by Council of the attached Resolution number 20-31 for a limited waiver of sovereign immunity associated with the attached lease agreement for office space in Arcata CA and signature by the Chairman on the attached lease agreement (see attached memo, lease agreement, draft resolution and Council action item FISH20-05 that authorizes leasing the property in Arcata). Roll call; Vice Chair Myers-yes, Councilmember Hodge-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-np, Councilmember Natt-np,**

*March 12, 2020 Council Finance meeting*
Councillmember Aubrey-yes, Councillmember McCovey-yes. Yes-6, no-0, abs-0, np-2. Motion carries by consensus

BREAK: 10:59-11:09

AGENDA ITEMS

**Human Resources**
Rose Sylvia presents
HR20-003, Natural Resources Division
Submitted by Rose Sylvia

Motion made by Councillmember McCovey/Vice Chair Myers to approve Natural Resources Division. Change Carbon Credit Manager and Fire Chief job description to grade 11/12 and approve Wildlife Director job description. Motion carries by consensus

Rose Sylvia presents
HR20-04, Public Safety Wage Schedule
Submitted by Rose Sylvia

Motion made by Vice Chair Myers/Councillmember McCovey to approve Law Enforcement (Public Safety) 10 step wage schedule. Motion carries by consensus

Rose Sylvia presents
HR20-05, Job Description for Social Services Worker
Submitted by Rose Sylvia

Motion made by Councillmember McCovey/Councillmember Hodge to approve job description for a Social Worker I and II. Motion carries by consensus

**Office of Tribal Attorney**
Maggie Poffenbarger presents
OTA20-021, OTA Budget Modification FY20
Submitted by Amy Cordalis

Motion made by Councillmember Hodge/Councillmember Vanlandingham to approve 11006 budget modification to transfer $60,000 from 6005 to 6060, $19,200 from 6010 to 6060 and 1141 budget modification to transfer $15,000 from 6005 to 6060, $9,505.92 from 6010 to 6060. Motion carries by consensus

**Tribal Court**
Alanna Nulph presents
TC20-003, National Crime Victim’s Rights Week Proclamation
Submitted by Angi Cavalier

Motion made by Councillmember McCovey/Councillmember Aubrey for Tribal Council to issue a Proclamation in Recognition of National Crime Victims’ Rights Week April 19-25, 2020.
Resolution 20-016. Authorize Chairman to sign and Secretary to attest. Motion carries by consensus

Tribal Heritage Preservation Officer
Rosie Clayburn presents
THPO20-003, Cultural Center Budget
Submitted by Rosie Clayburn

Motion made by Vice Chair Myers/Councilmember Vanlandingham to approve the budget for the Yurok Cultural Center. Motion carries by consensus

Rosie Clayburn presents
THPO20-004, Cultural Center Plan
Submitted by Rosie Clayburn

Motion made by Councilmember Ray/Councilmember Hodge to approve the proposal from Jones and Jones to put them into the contract for the attached scope of work. Motion carries by consensus

Natural Resources
NR20-004, Equator Prize Nomination Support 2020
Submitted by Tim Hayden

Motion made by Councilmember McCovey/Councilmember Aubrey for Council to consider support for the nomination of COICA, AMPB, and AMAN for the 2020 UN Equator Prize. The Yurok Tribe has worked with these indigenous groups to support the efforts of the Governor’s Climate and Forests Taskforce (GCF), and received their support for the 2019 UN Equator Prize. Motion carries by consensus

Watershed
Rich Nelson presents
WS20-001, North Coast Resource Partnership Plan
Submitted by Richard Nelson

Motion made by Councilmember McCovey/Councilmember Hodge to approve the Resolution 20-19 of the North Coast Resource Partnership Plan, Healthy Communities, Functional Ecosystems and Vibrant Economics. Motion carries by consensus

LUNCH: 11:45-12:36
TRIBAL MEMBER COMMENT: none provided
AGENDA ITEMS

Council
CA20-024, Gaming Commission recruitment
Submitted by Council Operations

March 12, 2020 Council Finance meeting
To open up recruitment and nomination process for Gaming Commission. To be advised via Tribe’s social media and newsletter at a minimum. Applications due date March 2, 2020. Council will review applications for selection at the March 12, 2020 Council Action Meeting. Item pulled. CO will resubmit.

CA20-050, Cha-pekwo Jump Dance Insurance
Submitted by Councilmember Provolt/Chairman James

Motion made by Councilmember McCovey/Councilmember Ray to approve adding Cha-pekwo Wo-Neek We Ley-Goo (Jump Dance) on the Yurok Tribe’s Certificate of Liability Insurance for period March 15, 2020 to August 15, 2020. Motion carries by consensus

CA20-063, Paulette Jordan for Senate
Submitted by Chairman James

Motion made by Councilmember McCovey/Councilmember Aubrey to approve campaign donation for Paulette Jordan for Senate in the amount of $500.00 out of Political donation. Motion carries by consensus

CA20-065, PG&E Point of Contact
Submitted by Councilmember McCovey

Motion made by Councilmember McCovey/Councilmember Aubrey to appoint Don Barnes OSG Director as Yurok Tribal point of contact person for PG&E. Motion carries by consensus

CA20-066, PG&E PSPS Task Force
Submitted by Councilmember McCovey

Directive to Executive Director to work with OSG to establish a PG&E Tribal Task Force to deal with all emergencies and projects with PG&E i.e.; short term strategic plan, community notifications, resources, tree maintenance/removal.

CA20-067, Boys & Girls Club - grant opportunities
Submitted by Councilmember Ray

To have Executive Director to have staff apply Green Diamond and Nike N7 grant funding opportunities.

CA20-069, State of Emergency - COVID-19
Submitted by Councilmember McCovey


CA20-080, Hoopa Elementary 8th
Submitted by Chairman James

Motion made by Councilmember Hodge/Councilmember Vanlandingham to approve $250 Community Donation, $500 Chairman Youth Fund, and $250 East Youth Fund, $250 South District Youth Fund. For a total of $1,250.00. Motion carries by consensus

March 12, 2020 Council Finance meeting
ExDir20-007, Emergency Sick Leave Policy
Submitted by Elly Hoopes

Motion made by Councilmember Aubrey/Councilmember McCovey to approve changes to Personnel Policy No. 10 Vacation, Sick & Bereavement Benefits Section 10.6 Emergency Sick Leave Policy and Resolution No. 20-032, and approve Chairman to sign and Secretary to attest. This Emergency Policy will end in 60 days. Motion carries by consensus

EXECUTIVE SESSION: tribal member donation 1:23-1:42pm

CA20-078 Tribal Member donation (#1969)
Submitted by Council Operations

Motion made by Councilmember McCovey/Councilmember Vanlandingham to approve $300 Community Donation, $1,000 South District Travel line item, $200 Vice Chair travel line item, $300 Requa Travel line item, $200 Chairman’s travel line item, $200 North District travel line item = total $2,200.00. Motion carries by consensus

TRIBAL MEMBER COMMENT: none provided

CLOSING PRAYER: prayer provided by Councilmember Aubrey

ADJOURN: 1:47PM

MEETING MINUTES APPROVED ON: March 26, 2020

Shérrí K. Provolt, Secretary

March 12, 2020 Council Finance meeting

Date

7-2-2020