ROLL CALL: 10:00am

PRESENT: Joe James, Chairman; Frankie Myers, Vice Chairman; Sherri Provolt, Orick District; Mindy Natt, Pecwan District; Ryan Ray, Requa District; Wes Crawford, East District; Phillip Williams, North District; Toby Vanlandingham, Weitchpec District;

ABSENT: Lana McCovey, South District (ill)

STAFF: Don Barnes, Executive Director; Taralyn Ipiña, Chief Operations Officer; Melodie Meyer, Office of Tribal Attorney; Georgiana Gensaw, Council Operations Coordinator (recorder).

QUORUM: 8 present, 1 absent, quorum present.

OPENING PRAYER: Provided by Vice Chairman Myers.

REVIEW AGENDA/ADDITIONS/APPROVAL:

Motion made by Councilmember Vanlandingham/Councilmember Natt to approve the agenda with additions of CA23-230, EXDIR23-19, CA23-247 and FIRE23-001, and to include yesterday’s carryover items CA23-235, CA23-248 and CA23-238. Motion carries by consensus.

CALENDAR:

October 16-Pecwan District Meeting 3-5pm @ Wautek Firehouse
October 27-Head Start will visit Tribal Offices for Trick or Treaters
November 9-Veteran’s Honoring 11am

COUNCIL CHECK IN:

Councilmember Crawford – Everything is good in the East District. There were good discussions with Tribe members regarding policies being followed consistently. We set the example for our people. We need to be consistent. Make sure we are doing what we are asking others to do.

Councilmember Provolt – Just reminder that I have a district meeting this Saturday, all tribal members are invited to attend. Nicole Sager, Executive Director, will be available to report on housing projects in the Orick district. I would also like to take a moment and thank the staff for all the work they do, including their department reports. Thank you to all the staff for continuing to move the tribe forward.
Councilmember Williams – I fielded a few calls about the upcoming annual meeting. A few questions about the caps being raffled off at the meeting. Are we still doing that? If this is not the place for this event, we need to share it with the community.

Councilmember Natt – I just want to thank the staff for processing my emergency request so very fast.

Councilmember Ray – An update on Community Center across the street is that the building will be complete next month. I need an assessment of the PPE that is stored there. A cleaning company will be coming in to clean the building. We are shooting for a November opening date, hopefully we can get a contractor on board to start the site prep for the water tank. We need to get that building ready to go.

Councilmember Vanlandingham – I sent this picture to Council but after two years, the two new bins were delivered to the transfer station in Weitchpec.

Vice Chairman – Pass.

Chairman – Don’t have much to add this morning but do want to give our thoughts and prayers to our membership, whatever they are going through we support them. We feed, house, and offer prayers for them and we are thankful every day.

TRIBAL MEMBER COMMENT: None provided.

EXECUTIVE SESSION:
CA23-231, Employee Outside Work and Conflict of Interest
OSG23-008, Yurok State Lobbyist - final Selection
Personnel (Chairman), Personnel (Crawford), Personnel (Provolt), Personnel (Williams), and YPUD Personnel (Vanlandingham)

CONSENT ITEMS:
Community Development Division
Planning Department
P23-055, Budget Modification
Submitted By Ben Nguyen

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve the budget modification for Project 11902 Water Delivery Program that moves money from program supplies to wages and Fringe in effort to increase program longevity and staffing. Motion carries by consensus.

Transportation Department
T23-014, Redwood National Park Amendment
Submitted by Patricia Ulmer
<table>
<thead>
<tr>
<th>Motion made by Councilmember Ray/Councilmember Vanlandingham to approve Redwood National Park Amendment Fiscal Year 2023 Annual Funding Agreement Between the National Park Service and the Yurok Tribe Agreement Number G8480-007 for additional amount of $23,631.00 and authorize Chairman to sign all related documents. Motion carries by consensus.</th>
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</thead>
</table>
| T23-016, Signature Authority for Federal Transit  
Submitted by Brandi Natt  
Motion made by Councilmember Ray/Councilmember Vanlandingham to approve Patricia Ulmer-Gensaw, Planner III as authorized to access the Federal Transit Administration’s (FTA) Electronic Application Award Management System and authorize Chairman to sign the designation of authority any related documents. Motion carries by consensus. |
| YHHS23-040, Cal Poly Humboldt Cal SWEC Project FY’22-23  
Submitted by Jessica Fawn Canez  
This agenda item was pulled out of consent by Councilmember Provolt. |
| Natural Resources Division  
Environmental Department  
ENVR23-023, Natural Environnemental Information Exchange Grant  
Submitted by Louisa McCovey  
Motion made by Councilmember Ray/Councilmember Vanlandingham for Council to allow Environmental Department to accept funding from the US Environmental Protection Agency FY23 National Environmental Information Exchange Network Grant Program in the amount of $297,347 with no match required and full indirect allowable. Motion carries by consensus. |
| Fisheries Department  
FISH23-075, Funding Submissions  
Submitted by Barry McCovey, Jr.  
Motion made by Councilmember Ray/Councilmember Vanlandingham to authorize the Fisheries Department to submit funding proposals as described in attached documentation for high priority restoration and monitoring projects in the Klamath Basin. Motion carries by consensus. |
| FISH23-076, US Geological Survey  
Submitted by Barry McCovey, Jr.  
Motion made by Councilmember Ray/Councilmember Vanlandingham to authorize the Yurok Tribe to enter into the attached Annual Funding Agreement (G23AC00654) with the United States Geological Survey. Motion carries by consensus. |
| Watershed Department  
WS23-006, Budget Modification  
Submitted by Richard Nelson |
Motion made by Councilmember Ray/Councilmember Vanlandingham to approve budget modification for the North Coast Resource Partnership Upgrading Critical Infrastructure to Support Resource Recovery in the Blue Creek Sanctuary. Motion carries by consensus.

**Executive Branch**

*Culture/THPO Department*

THPO23-010, National Park Service Task Agreement

Motion made by Councilmember Ray/Councilmember Vanlandingham to retroactively approve Task Agreement under the Annual Funding Agreement with National Park Service for Structure repairs at Wehl-Kwel Village in the amount of $118,757.18. Indirect costs are covered, and no match is required. Motion carries by consensus.

**AGENDA ITEMS:**

CA23-247, Resolution for Tribal Nation Grant Fund
Submitted by Jodi Hoone

Motion made by Councilmember Provolt/Councilmember Williams to approve Resolution #23-110 for the Tribal Nation Grant Fund Equal Distribution 2023. Motion carries by consensus.

**Administration Division**

*Human Resources Department*

HR23-016, New Job Descriptions-Fisheries
Submitted by Daraxa Mattice

Motion made by Councilmember Provolt/Councilmember Williams to approve Contracts and Business Operations Assistants Manager job description for the Fisheries Technical Services program. Motion carries by consensus.

HR23-017, Telecommunications CEO Job Description
Submitted by Daraxa Mattice

Motion made by Councilmember Ray/Councilmember Provolt to approve Yurok Telecommunications Chief Executive Officer job description use as a guide until such time that position is filled by the Corporation. Motion carries by consensus.

**Community Development Division**

*Facilities Department*

FAC23-003, Budget Modification
Submitted by Dean Baker

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve proposed facilities budget modification to move $200k from wages (6005) to repair and maintenance of buildings (6100) for expenditure for FY23 budget for critical infrastructure needs. Motion carries by consensus.
Motion made by Councilmember Vanlandingham/Councilmember Williams to approve contract for Chairmans signature with Dawn Lee Consulting. The contract total is $125,000.00 and will provide general consulting services related to the development of the Yurok Tribes Wellness Vision project. Motion carries by consensus.

P23-054, Nature Based Solutions Project #2
Submitted by Michael Gerace
To approve a vote for the submittal of the grant proposal to the CA Natural Resources Agency for the Yurok Tribe Nature-Based Solutions Project #2 and to approve and sign the attached Resolution #23-107. Item tabled.

P23-056, Data Sharing Agreement with Stanford Law
Submitted by Michael Gerace
Motion made by Vice Chairman Myers/Councilmember Natt to approve and authorize Chairman to sign data sharing agreement, with edits, with Stanford Law Student Summer Shaw and Professor Gregory Ablavsky. Motion carries by consensus.

Education Department
EDU23-038, Data Sharing agreement with Del Norte Schools
Submitted by Keivan Branson
Motion made by Councilmember Provolt/Vice Chair Myers to approve the data sharing agreement between the Yurok Tribe and Del Norte Unified School District to provide the Klamath Promise Neighborhood with data on active program participants.

EDU23-039, Extension of NOHUM School District Contract
Submitted by Jim McQuillen
Motion made by Vice Chairman Myers/Councilmember Valandingham for the Tribal Council to review and approve the contract Extension with Northern Humboldt School District (NOHUM) with the Yurok Tribe and authorize the chairman to sign all relevant documents for this contract. Motion carries by consensus.

Tribal Child Welfare Behavioral Health Branch
YHHS23-042, 2023 State ICWA Conference Contract
Submitted by Jessica Fawn Canez
Motion made by Councilmember Ray/Councilmember Williams to request retro-approve CDSS Agreement 23-7005 to host the 2023 State ICWA Conference on September 6 & 7, 2023 at the Bear River Recreation Center. Motion carries by consensus.

This agenda item was pulled out of consent.

Health & Human Services Division
Client Services Branch
YHHS-040, Cal Poly Humboldt Cal SWEC Project
Submitted by Jessica Fawn Canez

September 14, 2023, Council Action Meeting
Motion made by Vice Chairman Myers/Councilmember Williams to accept funding for 2022-2023 from Cal Poly Humboldt Sponsored Programs Foundation to support the CALSWEC social work field placements and request to assign a project number. Motion carries by consensus.

Break: 11:30am-11:45am

Tribal Court

TC23-022, Purchase of Lot for Victor Services
Submitted by Angi Cavaliere

Motion made by Councilmember Ray/Vice Chairman Myers to approve the purchase of 140 Silverside Lane from the Yurok Indian Housing Authority for the purchase price of $20,000 and associated closing costs (not to exceed a total of $30,00): Funding to come from Project 2835h for the purchase of placing a modular office (to be purchased separately per TC23-017): and direct planning to complete purchase within 90 days. Pending legal review. Motion carries by consensus.

Natural Resources Division

Fisheries Department

FISH23-077, California Department Fish & Wildlife Funding Agreement
Submitted by Barry McCovey, Jr.

Motion made by Councilmember Vanlandingham/Councilmember Ray to authorize the Yurok Tribe to enter into funding agreements with the California Department of Fish and Wildlife for the high priority restoration projects with the possibility of an indirect rate cap. Motion carries by consensus.

FISH23-078, California State Coastal Conservancy Amendment
Submitted by Barry McCovey, Jr.

Motion made by Councilmember Provolt/Vice Chairman Myers to authorize the Yurok Tribe to enter into the attached amendment to our funding agreement with the California State Coastal Conservancy for Phase 3 restoration work at Prairie Creek, Orick Mill Site. Motion carries by consensus.

FISH23-079, Support CA Assembly Bill 1272
Submitted by Barry McCovey, Jr.

Motion made by Vice Chairman Myers/ Councilmember Provolt to authorize the Yurok Tribe to advocate for California Assembly Bill 1272 -Improve Drought Preparedness in North Coast Watersheds, by letters of support, making calls, sending emails, and submitting comments. Motion carries by consensus.

Forestry Department

FOR23-007, Forest Management Plan Extension
Submitted by Dawn Blake

Motion made by Councilmember Crawford/Vice Chairman Myers to approve Chairman James signature on a letter to the Regional Director of the Bureau of Indian Affairs, Pacific Region
Office for approval on an extension of the current Forest Management Plan through 2025.
Motion carries by consensus.

FIRE23-01, YFD Fryer Unit Burn Plan
Submitted by Rod Mendes
Motion made by Vice Chairman Myers/Councilmember Vanlandingham for Chairman to approve Fryer unit burn plan. Motion carries by consensus.

Yurok Indian Housing Authority
YIHA23-021, Affordable Housing Sustainable Communities
Submitted by Nicole Sager
Motion made by Councilmember Vanlandingham/Councilmember Williams to approve the permanent financing obligation of $7,488,103 pursuant to Section 4410(c) of the Yurok Indian Housing Authority (YIHA) Ordinance and authorization for the YIHA Executive Director, Nicole Sager, to execute all necessary documents on behalf of YIHA pending OTA review. Motion carries by consensus.

YIHA23-022, September Monthly Report
Submitted by Nicole Sager
Motion made by Councilmember Ray/Councilmember Williams to approve the September Monthly Report for the Yurok Indian Housing Authority as submitted by Nicole Sager, Executive Director. Motion carries by consensus.

LUNCH: 12:38pm-1:40pm

TRIBAL MEMBER COMMENT:

Elizabeth Davis:
I have a concern regarding the closed fishery. Last month Chief O'Rourke indicated that they are patrolling the mouth of the river. I am really concerned that they are not patrolling the upper end of the river. I don't think it's fair that people are still fishing when it's closed. I would like to still be fishing myself, but I don't because it's closed. I follow the Ordinance, and I feel like the Council should have made accommodations for patrolling of this upper reservation when you were contemplating closing the river. Mr. O'Rourke mentioned he only has four officers to patrol. I'm very concerned about that. In all fairness, there needs to be some enforcement of the river.

AGENDA ITEMS:
Executive Office
Office of Tribal Prosecutor
PRO23-020, eProsecutor Software Contract
Submitted by Rosemary Deck

Motion made by Vice Chairman Myers/Councilmember Vanlandingham to approve Resolution #23-099, a Limited waiver of sovereign immunity necessary for the contract for eProsecutor, a case management software, and authorize Chairman to sign all necessary documents, including the Contract and Limited Waiver of Sovereign Immunity, and authorize
Secretary to attest. Roll call: Vice Chairman Myers-yes, Councilmember Crawford-yes, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-7, No-0, abstain-0, not present-1. Motion carries.

PRO23-022, Exclusion of Christian Colegrove
Submitted by Brienne Bennett

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve Resolution #23-105 excluding Christian Colegrove from the Yurok Reservation after Tribal Court recommendation, authorize Chairman to sign and Secretary to attest. Roll call: Vice Chairman Myers-yes, Councilmember Crawford-abs, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-abs, Councilmember Williams-yes, Councilmember McCovey-np. Yes-5, No-0, abstain-2, not present-1. Motion carries.

Office of Tribal Attorney
OTA23-053, Rights of Klamath River Ordinance
Submitted by Annie Perry

Motion made by Councilmember Provolt/Councilmember Natt to approve the Rights of Klamath River Ordinance to go out to public comment. Motion carries by consensus.

Council
CA23-230, Travel to National Parks Friends Alliance Meeting
Submitted by Councilmember Provolt

Motion made by Councilmember Natt/Councilmember Vanlandingham to approve travel for staff and/or Tribal Leadership to attend the National Parks Alliance Meeting, October 25, 2023, in Cleveland, Ohio as a panelist with Mr. Steven Meitz Redwood Nation Park Superintendent. Motion carries by consensus.

CA23-231, Employee Outside Work and Conflict of Interest
Submitted by Councilmember Provolt

Motion to direct General Counsel and Staff to examine if conflict of interest exists per personnel policy for a full-time employee who is also working as a governmental official. Staff to provide a written memo within 30 days if a conflict exists, describe how an employee can fulfill work obligations, and any recommendations.

CA23-232, National Congress of American Indians (NCAI) Travel
Submitted by Taralyn Ipina

Motion made by Vice Chairman Myers/Councilmember Ray to approve travel to the NCAI 80th Annual Convention, New Orleans, LA, November 12-17, 2023, for interested Councilmembers. Motion carries by consensus.

CA23-233, National Congress of American Indian (NCAI) Resolution & Dues
Submitted by Taralyn Ipina
Motion made by Councilmember Natt/Councilmember Vanlandingham to approve Resolution #23-106 NCAI Annual Membership Renewal and Dues for 2023-2024. Motion carries by consensus.

CA23-234, UIHS Elders Honoring Donation
Submitted by Council Operations
Motion made by Councilmember Provolt/Vice Chairman Myers to approve a donation in the amount of $250 to sponsor UIHS BI-Annual Elders Honoring. Funding comes from Community Donations. Send requests to Corporations. Motion carries by consensus.

CA23-236, Vineyard Wind Offshore Power Conference
Submitted by Councilmember Provolt
Motion made by Councilmember Vanlandingham/Councilmember Williams to approve participation in the Vineyard Wind American Clean Power Offshore Wind Conference, October 3-6 for interested Councilmembers. Motion carries by consensus.

CA23-237, 2023 Annual Membership Meeting Agenda
Submitted by Taralyn Ipina
To approve the agenda for the 2023 Tribal Annual Membership Meeting, October 7th, 2023. Item tabled.

CA23-239, Trailer for Elder
Submitted by Councilmember Ray
Motion made by Councilmember Williams/Councilmember Vanlandingham to allocate $5,000 from Tribal Consistency fund amount of money for homeless elder travel trailer. Roll call: Vice Chairman Myers-yes, Councilmember Crawford-abs, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-5, No-0, abstain-2, not present-1. Motion carries.

TRIBAL MEMBER COMMENT:
Crystal Charles:
This is my dad, and this makes me emotional. He cannot get help from the County, State, Social Services or Housing. I'm kind of out of ideas for him because I don't have the finance to be able to help. Because he has certain issues, housing can't help him, and the state can't help him. I really don't know where else to turn for his help.
I'm going to school next month to be a massage therapist, and I'll be making some decent bit of money. I don't have a problem paying back if that is required. I don't want my dad out in the elements, and he already told me that he's at the end of his days. I don't need that for him right now. Thank you.

CA23-242, Council Meeting Minutes for August 9th & 10th, 2023
Submitted by Councilmember Provolt

September 14, 2023, Council Action Meeting
Motion made by Councilmember Ray/Vice Chairman Myers to approve Council Meeting
minutes for August 9, 2023 (Planning) and August 10, 2023 (Action). Motion carries by
consensus.

CA23-243, Budget Modification for Project #11016
Submitted by Jodi Hoone

Motion made by Vice Chairman Myers/Councilmember Williams to authorize per fiscal policy
a budget modification that moves salary to other line items.

CA23-245, Portfolio for COP 28
Submitted by Councilmember Provolt

Motion made by Vice Chairman Myers/Councilmember Vanlandingham to develop a portfolio
and/or briefing documents that highlight Yurok Tribe’s climate activities, projects and
partnerships that can be shared and used as talking points for the Yurok Tribe COP 28
delegation. Motion carries by consensus.

Motion made by Councilmember Vanlandingham/Councilmember Williams to suspend the
rules and add YPUD23-002 and CA23-249 to the agenda. Motion carries by consensus.

YPUD23-002, PWS Manager Job Description & Wage Revision
Submitted by Kori Ellien

Motion made by Vice Chairman Myers/Councilmember Vanlandingham to approve the
revisions of the Public Water System Manager job description and competitive wage increase
to secure an operator/manager with licensing and qualifications meeting or exceeding EPA
requirements. Motion carries by consensus.

BREAK: 3:00pm-3:15pm

EXECUTIVE SESSION: 3:15pm-6:15pm
OSG23-008, Yurok State Lobbyist - Final Selection
EXDIR23-019, Transfer Investment Funds
CA23-235, Interim General Counsel Update (Personnel Matter)
CA23-238, Creation of Tribal Corporation/State of California
YTEL Update
Personnel (Chairman), Personnel (Crawford), Personnel (Provolt), Personnel (Williams)

Action out of Executive Session:

Office of Self-Governance
OSG23-008, Yurok State Lobbyist-Final Selection
Submitted by Megan Siaosi

To approve 1) State Lobbyist Firm Proposal; 2) Rejection Letter to be sent to other four
applicants. Directive to move forward, draft a contract and bring it back to Council.
EXDIR 23-019, Transfer Investment Funds from Morgan Stanley to Umpqua account.

Submitted by Don Barnes

Motion made by Vice Chair Myers/Councilmember Vanlandingham to approve the change the transfer of $2,100,000 from Morgan Stanley reserve account xx126 to Umpqua account.

Motion carries by consensus.

CA23-235, Interim General Counsel Update (Personnel Matter)

Submitted by Councilmember Provolt

Motion to request Interim General Counsel to provide a report on the personnel matter discussed in the Executive session on September 13th, 2023, regarding HR processes followed. Report provided, discussion only. No action.

CA23-238, Creation of Tribal Corporation/State of California

Submitted by Vice Chairman Myers

Discussion to create a Tribal Corporation to file under the State of California for Contractors Licenses. Discussion only. No action.

Council

CA23-247 - Emergency Assistance for Tribal Member

Submitted by Councilmember Williams

Motion made by Councilmember Williams/ Councilmember Provolt to approve funds from $200 from Requa Travel, $250 Community Donations, $250 North Travel, $500 from Orick District Travel, $500 Chairman’s Community Fund, and $300 Pecwan Travel for a total of $2000 for tribal members currently residing in his vehicle with a newborn baby. Funds for hotel costs, food, and gas. Motion carries by consensus.

CA23-248, Emergency Donation Request

Submitted by Chairman James/Council Member Crawford

Motion made by Councilmember Crawford/ Councilmember Williams. To approve a donation, request for a bathroom repair, slash replacement and authorize payment to Tribal Elder in the amount of $5,000 funds to come from the following: $1500 Chairman's Travel, $1000 Orick Travel, $1000 Pecwan Travel, $500 Requa Travel, $500 East Travel, and $500 North Travel. Total $5000. Carries by consensus.

TRIBAL MEMBER COMMENT: None provided.

CLOSING PRAYER: Provided by Councilmember Williams.

ADJOURN: 6:45pm

MEETING MINUTES APPROVED ON: October 9, 2023

Sherri K. Provolt, Secretary 10/26/2023