ROLL CALL: 9:08am

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

ABSENT: Mindy Natt (excused), Lana McCovey (excused)

STAFF: Earl Jackson, Dawn Baum, Tarayln Ipiña, Georgiana Gensaw (recorder)

QUORUM: 7 present, 2 absent, quorum present

OPENING PRAYER: Provided by Councilmember Aubrey.

TRIBAL MEMBER COMMENT (8:30AM)

Peggy Sanderson: Is the reservation opening on July 1, 2020?

Rose Sylvia: Someone is cutting trees at Pecwan. I don’t know who has the right to be cutting trees at Pecwan.

Laura Woods: Are we working towards the technical ability to be able to have membership be able to hear the whole meeting, not just this kind of tribal member comment session.

Sue Masten: I am hoping the additions was there a feasibility studies done for the Mill Site and Shoreline. Where does the funding come from for the purchase of these sites? I am wanting to see the feasibility of those and where the funding comes from for those purchases. Can you share what the cost of replacement of tanks at Pek-tah?

Jolena McLaughlin: Is the Tribe still making a plan to help the kids?

ADDITIONS TO AGENDA

Motion made by Councilmember Provolt/Councilmember Hodge to accept agenda with additions.

BREAK 9:20-9:45am

CONSENT ITEMS

ELECTIONS/OFFICE OF TRIBAL ATTORNEY

EE20-006, Confirm Poll Vote RE: Election Precautionary Measures 2020
Submitted by Krystel Patapoff-Pruitt

Motion made by Councilmember Ray/Councilmember Vanlandingham to confirm a poll vote taken on June 1, 2020 to adopt emergency election ordinance to the public health and direct Elections Dept. to proceed with the 2020 elections utilizing best practices under COVID-19 Pandemic. Motion carries by consensus.

OFFICE OF TRIBAL ATTORNEY

OTA20-061, Confirm Poll Vote RE: Civil Offenses Ordinances Amendment
Submitted by Dawn Baum

Motion made by Councilmember Ray/Councilmember Vanlandingham to confirm poll vote taken on June 1, 2020 to approve Resolution 20-65, renewing the April 6, 2020 amendment to the Civil Offenses Ordinance. Motion carries by consensus.

OTA20-062, Confirm Poll Vote RE: COVID-19 Assistance Program
Submitted by Dawn Baum

Motion made by Councilmember Ray/Councilmember Vanlandingham to confirm poll vote taken on June 1, 2020 to approve COVID-19 Assistance Program and Resolution 20-64, authorize Chair to sign and Secretary to attest. Motion carries by consensus.

AGENDA ITEMS
COUNCIL

CA20-140, Stone Lagoon Visitors Center
Submitted by Councilmember Provolt

The Operating Agreement with the State of California and the Yurok Tribe for the use of the Stone Lagoon Visitor’s Center for cultural, business and recreational purposes has been approved by all parties. The Yurok Tribe needs to be developed a plan for the use of this Center, including lead department, staff and hours. Directive to Departments and Council Operations to work together in the coordination of Stone Lagoon Visitor Center Operations.

LITIGATION UPDATE

CalTrans G2G

EXECUTIVE SESSION: RE: agenda 9:45-10:44am

P20-020, Submission of Appendix D-6

AGENDA ITEMS
COUNCIL

CA20-138, TAS Joint Meeting 2:30PM
Submitted by Councilmember Provolt
June 10 2:30PM Executive Session with Tsuari Ancestral Society for Joint Meeting.
Rescheduled at a later date due to the passing of a tribal elder.

CA20-144, Investment Opportunity
Submitted by Chairman James

Set for Executive session. Executive Session RE: Investment Opportunity

LITIGATION UPDATE/EXECUTIVE SESSION
CalTrans G2G, CA20-144 investment opportunity, OTA20-63 discussion on set aside contracts for dam removal

TRIBAL MEMBER COMMENT 12:30PM
Virginia Hedrick: I want this Council to know that I am grateful for the work they have done to keep the reservation safe from COVID-19. I think it’s been unclear to the members who has the power to make those decisions. I want you to know that I send prayers your way.

Stephanie Weldon: About the CARES funding, I would like to know when the plan of that funding is available for membership.

Cheyenne Sanders (to Organizer(s) Only): 12:34 PM: Can I ask for a summary of what action council has taken so far today, or is this only for comments? It would be appreciated :)

CM Vanlandingham (to Everyone): 12:42 PM: We have the employee relations and workplace safety committee that serves as the forum to have discussions between staff and council.

Tribal Member S Weldon (to Everyone): 12:45 PM: This saddens me to see my follow tribal member carry so much weight in prayer and I’m hoping council will have a session soon to develop shared agreements and a healing plan.

Rose (to Everyone): 12:48 PM: So Stephanie are you saying HR doesn’t know how to do their job?

Casey O’Neill (to Everyone): 12:50 PM: Can someone clarify if that the plan is for us to heal ourselves rather then hold anyone accountable for their actions?

Tribal Member S Weldon (to Everyone): 12:52 PM: If you’d like to further understand my ask I am more than willing to discuss with you outside of my work time.
Casey O'Neill (to Everyone): 12:58 PM: My public comment is in regards to the rehire. I represent myself as 1 part of this membership. I stand with those of our members who have been victimized. I stand with the secretary who refused to be silenced. Not that many months ago the tribe was given an ultimatum. Let him go or there will be consequences. It was the tribe or Javier. It was one of those moments that filled our people with pride. Even if it made it in the paper, the right choice was made. The feeling of knowing the right thing was done changed the way other victims walked through their lives. They held their heads higher, their shoulders straightened. Breathing restrictions lifted like a weight just gone because they mattered. Well, they thought that they mattered with the same approach that many have suffered from they were given the idea that they were safe, and that others would be safe. Kind of like when an abuser tells you it won’t happen again for a child to finally see peace in their home only to have violence brought back in.

YHHS S Weldon: This saddens me to see my fellow tribal member carry so much weight in prayer and I’m hoping council will have a session soon to develop shared agreements and a healing plan.

Lorraine Taggart:

Cheyenne Sanders to Organizer(s): Can I ask for a summary of what action council has taken so far today, or is this only for comments? It would be appreciated :)  

Jolena McLaughlin: I have been on most of these calls, I have not said much. When people hear the Yurok Tribe now it’s sexual violence and mis-conduct and your name is attached to that. I don’t mean disrespect, I am saying that that we cannot allow this person to be in the office rubbing shoulders. We can take all the classes we want, we can do all of that, but if people have to come to work and see the same person.

TRIBAL MEMBER COMMENT 3:30PM:

Stephanie Weldon: I know I asked this earlier but when will we get to see this plan and budget for the CARES funding?

Susie Long: I want to say thank you for the respect shown the day my brother passed away. We really appreciated that.

Cecilia Moore: I know in the previous session we had to talk about healing, I don’t feel like we can feel really heal if this person is still in the office, how can we heal from that? I mean we can bring in whoever. I know there has been word and talk about the ED.

AGENDA ITEMS

**Education**

EDU20-012, Northern United Charter Schools lease
Jim McQuillen presents.
EDU20-012, Extension of Lease
Submitted by Jim McQuillen

Motion made by Councilmember Vanlandingham/Councilmember Aubrey to approve and sign the attached two-year lease agreement between the Yurok Tribe and Northern United Charter schools and Resolution 20-70 limited waiver of sovereign immunity in favor of Northern United Charter Schools. 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-np. Yes-6, no-0, abs-0, np-2. Motion carries.

Fisheries

FISH20-034, Travel Advance for lodging of staff
Submitted by Dave Hillemeier

Motion made by Councilmember Ray/Councilmember Vanlandingham to authorize issuing travel advance for up to two weeks of lodging ($96/night) to staff working off-reservation on construction projects and seed collection activities through December 2020. Roll call; Vice Chair Myers-yes, Councilmember Hodge-no, Councilmember Ray-no, Councilmember Vanlandingham-yes, Councilmember Provolt-no, Councilmember Natt-np, Councilmember Aubrey-yes, Councilmember McCovey-np, Chairman James-no. Yes-3, no-4, abs-0, np-2. Motion denied.

FISH20-046, Budget modifications project 6098 and 7061
Submitted by Dave Hillemeier

Motion made by Councilmember Hodge/Councilmember Vanlandingham to authorize modification of project code #’s 6098 and 7061 as noted in the attached memo and budget modification spreadsheets (see attached memo and budget modification spreadsheets for more information). Motion carries by consensus.

FISH20-047, Budget modification project code 6048
Submitted by Dave Hillemeier

Motion made by Councilmember Hodge/Councilmember Provolt to authorize budget modification of project #6048 which includes moving $44,297.56 from project code 211 carryover funds into revenue for project code #6048. See attached memo and budget spreadsheet for more details. Motion carries by consensus.

FISH20-048, Aikens Creek Restoration work
Submitted by Dave Hillemeier

Motion made by Councilmember Hodge/Councilmember Ray to authorize the Fisheries Department to develop a subcontract with the Mid-Klamath Watershed Council to conduct habitat restoration project in Aikens Creek (see attached memo for more details). Motion carries by consensus.

FISH20-049, Sacramento River Projects
Submitted by Dave Hillemeier

June 15, 2020 Council Action Meeting
Motion made by Councilmember Provolt/Councilmember Hodge to authorize the Chairman’s signature on the two attached letters of support for proposals being submitted by River Partners and Chico State Enterprises, Sacramento Forum, to conduct restoration work in the Sacramento River (see attached memo and draft letters for more information). Motion carries by consensus.

FISH20-050, Contract with McCullough Construction, Co.
Submitted by Dave Hillemeier

Motion made by Councilmember Ray/Councilmember Aubrey to authorize entering into the attached contract with McCullough Construction Co. to assist with construction services contingent upon approval by the Office of Tribal Attorney. See attached memo, draft contract, RFQ and ranking sheet for more details. Motion carries by consensus.

FISH20-051, Fall 2020 Harvest Management Plan: Discussion only.

FISH20-054, Delta Conveyance Project
Submitted by Dave Hillemeier

Motion made by Vice Chair Myers/Councilmember Provolt to authorize sending the attached letter, with the Chairman’s signature, to the Department of Water Resources regarding the Delta Conveyance Project (see attached memo and draft letter for more information). Motion carries by consensus.

FISH20-055, 2017 Fisheries Disaster Relief funding
Submitted by Dave Hillemeier

Motion made by Councilmember Hodge/Councilmember Ray to approve entering into the attached grant agreement to receive $617,825 of 2017 Fisheries Disaster Relief funding from the Pacific States Marine Fisheries Commission, contingent upon approval by OTA (see attached agreement and memo for more information. Motion carries by consensus.

Natural Resources
NR20-005, Green Diamond Marten Access agreement
Submitted by Tim Hayden

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve the 2020 Agreement for access to certain lands of the Yurok Tribe to allow access for ongoing Humboldt Marten research and monitoring activities to support threatened species recovery. Motion carries by consensus.

Forestry
FOR20-02, CKGG Annual Reporting
Submitted by Kim Mamaradlo

Motion made by Councilmember Vanlandingham/Councilmember Ray to approve sole source contract with Baldwin, Blomstrom, Wilkinson & Associates (BBW) for preparation of CKGG Annual OPDR report (Due July 2020), Allocate funding to cover proposed of $1,800.00 and
authorize Chairman or designee to sign all documents. Motion carries by consensus.

FOR20-03, Denial of FY20 5201 Base funding
Submitted by Kim Mamaradlo
Item pulled by Forestry

Office of Tribal Attorney
Dawn Baum presents
OTA20-068, Amendment of Public Hearing Ordinance
Submitted by Dawn Baum

Motion made by Councilmember Vanlandingham/Councilmember Aubrey to adopt by emergency legislative act, amendments to the Public Hearing Ordinance to allow public hearings by telephone and web meetings, authorize Chair to sign and Secretary to attest. 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-np. Yes-6, no-0, abs-0, np-2. Motion carries.

Planning
P20-018, PG&E Contract No. 50025186 V1 for Electricity
Submitted by Cynthia Bones

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve Chairman to sign the contract with PG&E for the installation of a 12 KV Electrical extension to parcel #530-053-010. This is the new service line for the Fisheries Office Building in Weitchpec. Motion carries by consensus.

Wildlife
Tiana Williams-Claussen presents
WILD20-009, Condor Environmental Assessment Cover Letter
Submitted by Tiana Williams-Claussen

Motion made by Councilmember Provolt/Councilmember Hodge to approve Tribal Chairman signature on attached cover letter, to be included in the Environmental Assessment review packet to be present to the US FISH and Wildlife Service and Department of Interior for potential final approval of condor reintroduction. Motion carries by consensus.

CA20-142, Self-Insurance Coordinator/Manager job description
Submitted by Chairman James

Motion made by Councilmember Vanlandingham/Councilmember Ray to direct the Human Resources Director to draft a Self-Insurance coordinator/manager job description and bring back to Council to review and approve. Motion carries by consensus.

CA20-143, Klamath Emergency Operations Center Contracts

June 15, 2020 Council Action Meeting
Motion made by Councilmember Ray/Councilmember Vanlandingham to approve the Planning Department to execute all contracts necessary to complete the Klamath Emergency Operation Center (KEOC) project and authorize the chairperson to sign all KEOC related contracts provided they are within the project budget and have been reviewed using the standard internal contract review process. Motion carries by consensus.

Watershed
Rich Nelson presents
WS20-011, Purchase of Two Excavators
Submitted by Richard Nelson

Motion made by Councilmember Hodge/Councilmember Ray to approve the purchase and for the chairman to sign a lease/purchase agreement for two excavators with brushing attachments and a chipper. Motion carries by consensus.

WS20-010, Natural Resource Conservation Service Application
Submitted by Richard Nelson

Motion made by Councilmember Hodge/Councilmember Ray to approve the Chairman to the application and agreement for the Natural Resource Conservation Service for proposed Road Decommissioning and Road Upgrades on the Phase I property. And to waive indirect on the project associated with the application and agreement. Motion carries by consensus.

YPUD20-007, Water Billing System
Submitted by Mike Searcy

Motion made by Councilmember Ray/Councilmember Vanlandingham approval of YPUD Water System billing to continue being suspended during COVID-19 Pandemic. Motion carries by consensus.

P20-029, COVID-19 Testing Tracing & Infection Management
Submitted by Katie Fischer

Motion made by Councilmember Ray/Councilmember Vanlandingham to approve and adopt the Yurok Tribe COVID-19 testing, tracing and infection management plan and the guidelines for when to return to the workplace and for Chairman to sign the accompanying resolution. Roll call; Vice Chair Myers-yes, Councilmember Hodge-no, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-no, Councilmember Natt-np, Councilmember Aubrey-yes, Councilmember McCovey-np. Yes-4, no-2, abs-0, np-2. Motion carries.

NR20-008, Kepel Tract Acquisition Closing documents
Submitted by Tim Hayden

Motion made by Councilmember Vanlandingham/Councilmember Ray approval, and Chairman’s signature on all agreements related to the Kepal Tract property acquisition (subject to final OTA edits) including : CA Resources Prop 68 grant award (and Resolution20-
74) disposition agreement with trust for public lands (and resolution 20-75), and all other closing documents necessary to complete the transfer of property title to the Yurok Tribe.

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-np. Yes-6, no-0, abs-0, np-2. Motion carries.

IT20-018, Yurok Connect Broadband Fees for June 2020

Submitted by Jessica Engle

Motion made by Councilmember Vanlandingham/Councilmember Aubrey to affirm Councils intention of waiving Yurok Connect Broadband Fees for June 2020. Motion carries by consensus.

FISH20-053, Merkley funding

Submitted by Dave Hillemeier

Motion made by Councilmember Ray/Councilmember Vanlandingham to authorize submission of a proposal to the USFWS for a grant to receive approximately $400,000 to conduct various fisheries projects and signature by the Chairman of the grant agreement when received, contingent upon OTA approval. See attached memo and summary of projects to be included in the proposal for more information (proposal is currently being drafted). Motion carries by consensus.

OTA20-063, Set Aside Contracts for Dam Removal

Submitted by Geneva EB Thompson

Motion to direct the Office of the Tribal Attorney, Self- Governance, Fisheries and Watershed to pursue all three proposed projects related to dam removal and to develop an information campaign to help spread information on how Yurok and Karuk members can sign up to work for Kiewit and Kiewit subcontractors and to waive indirect on all projects.

Council

CA20-108, Essential Frontline Workers

Item tabled.

CA20-133, Council Mandatory Training

Item tabled.

CA20-135, Lindgren Mill Agreements*(major action)

Submitted by Chairman James

Motion made by Councilmember Vanlandingham/Councilmember Aubrey to approve purchase agreement for Lindgren Mill and Resolution 20-71 for a limited waiver of sovereign immunity and authorize Chairman to sign. Roll call; Vice Chair Myers-no, Councilmember Hodge-no, Councilmember Ray-no, Councilmember Vanlandingham-yes, Councilmember McCovey-yes.

CA20-135B

Motion made by Councilmember Vanlandingham/Councilmember Aubrey to move CA20-135, Lindgren Mill Agreements to Yurok Agriculture Corporation. Roll call; Vice Chair Myers-yes, Councilmember Hodge-no, Councilmember Ray-no, Councilmember Vanlandingham-yes, Councilmember Provolt-no, Councilmember Natt-np, Councilmember Aubrey-yes, Councilmember McCovey-np, Chairman James-yes. Yes-4, no-3, abs-0, np-2. Motion carries.

CA20-136, Klamath Water District

Item tabled.

CA20-137, Graduate Incentives

Item tabled

CA20-139, Naming of Boat Dock to Honor Raymond Mattz

Item tabled

CLOSING PRAYER: Provided by Chairman James

ADJOURN: 5:00PM

MEETING MINUTES APPROVED ON: January 7, 2021

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Sherri K. Provolt, Secretary Date

1/24/2021