YUROK TRIBAL COUNCIL
ACTION MEETING
THURSDAY, FEBRUARY 11, 2021
ONLINE

ROLL CALL: 10:01AM

PRESENT: Joe James, Frankie Myers, Sherri Provolt, Mindy Natt, Ryan Ray, Phillip Williams, Toby Vanlandingham

ABSENT: Lori Hodge (family emergency), Lana McCovey (ill)

STAFF: Earl Jackson, Don Barnes, Taralyn Ipiña, Georgiana Gensaw (recorder)

QUORUM: 7 present, 2 absent, quorum present

OPENING PRAYER: Provided by Chairman James.

ADDITIONS TO AGENDA:

Motion made by Councilmember Ray/Councilmember Williams to accept the agenda with additions; CA21-126 YEDC Executive session, OTA21-16, OTA21-17, OTA21-20, OTA21-21, OTA21-31, P21-14, P21-15 and YHHS21-001. Motion carries by consensus.

REVIEW CALENDAR/ADDITIONS:

February 20-Orick district meeting (11am-12:30pm)
February 28-Pecwan district meeting (1pm-3pm)

Information Services
Jessica Engle present for agenda items IT21-06 and IT21-07
IT21-006, Schedule a KRRBI updates
Submitted by Jessica Engle

Motion made by Councilmember Natt/Councilmember Williams to schedule 30 minutes on March 10, 2021 for EnerTribe and Karuk Chief Information Officer to give Council updates on the project. Staff recommends March 10th Planning Session. Motion carries by consensus.

IT21-007, Schedule a mid-March work session
Submitted by Jessica Engle

Motion made by Vice Chair Myers/Councilmember Provolt for IT February updates and request to calendar Broadband Study work session with Council mid-March with EnerTribe for Yurok Connect Broadband Study and Business plan from Grant funded Feasibility Study.
Item pulled.
COUNCIL CHECK IN:
Councilmember Vanlandingham: Pass
Councilmember McCovey: Not present - excused
Councilmember Williams: I am working with Education Department and Ancestral Guard for our community garden. The other thing I want to get up and running is a training center for heavy machine operator, flagging, etc.
Councilmember Hodge: Not present - excused
Councilmember Ray: Pass
Councilmember Natt: Pass
Councilmember Provolt: Pass
Vice Chairman Myers: Pass
Chairman James: Pass

EXECUTIVE SESSION

TRIBAL MEMBER COMMENT: None provided.

CONSENT ITEMS:
CA21-017, January 2021 minutes
Submitted by Council Operations
Motion made by Vice Chairman Myers/Councilmember Provolt to approve January 19, 20 and 21, 2021 Council meeting minutes. Motion carries by consensus.

EP21-002, UC Davis Grant submission
Submitted by Louisa McCovey
Motion made by Vice Chairman Myers/Councilmember Provolt to approve YTEP partnership with UC Davis and collaborative submission of a grant to the National Institute of Environmental Health Sciences (NIH) Superfund Research Program (SRP); “Biomarkers of Exposure to Hazardous Substances” and for the Chairman to sign attached letter of support and all associated paperwork. Motion carries by consensus.

FISH21-07, Budget consolidation

February 11, 2021 Council Action meeting
Motion made by Vice Chairman Myers/Councilmember Provolt to authorize consolidating funds from projects 7068f, 7061, and 7070a into project code 7070a (see attached memo and budget reports for more information). Motion carries by consensus.

AGENDA ITEMS:

Benefits
Liz Turner present for agenda item
B21-001, Termination of Service Agreement with Alcorta
Submitted by Elizabeth Turner

Motion made by Councilmember Williams/Councilmember Provolt to approve termination of the service agreement between the Yurok Tribe and Alcorta Benefits in accordance with the service agreement that was effective 02/01/2021. Motion carries by consensus.

Education
Jim McQuillen present for agenda item
EDU21-004, Budget revision for Head Start
Submitted by Jim McQuillen

Motion made by Councilmember Ray/Councilmember Williams for the Tribal Council to Review and approve this budget increase modification to Project 122-7 Head Start. Motion carries by consensus.

Environmental
Louisa McCovey present for agenda item
YTEP21-001, Food sovereignty grant application
Submitted by Louisa McCovey

Motion made by Councilmember Vanlandingham/Councilmember Ray to approve the YTEP Food Sovereignty Division to apply to the CDFA Farm to School Incubator grant to support the development of a Food Village near the Margaret Keating Elementary School, with the understanding that the Yurok Tribe will cover the indirect shortfall of 14.7% (approx. $7,000). As indirect costs are limited to 10%, but that there is no match required. Funding to come from Budget #50 carryover. Motion carries by consensus.

Fisheries
Barry McCovey Jr. present for agenda item
FISH21-04, Thomas Gast, and Associates
Submitted by Dave Hillemeier

Motion made by Councilmember Vanlandingham/Councilmember Ray to authorize the attached contract amendment with Thomas Gast and Associates. The amendment is a no-cost extension of the contract to May 31, 2021. See attached contract amendment, OTA approval form, and previous action items for this contract, the initial contract, and the first amendment to the contract for more information. Motion carries by consensus.
February 11, 2021 Council Action meeting

Finance
Steven Edmiston present for agenda item
FIN21-01, Check signers
Submitted by Steven Edmiston

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve Resolution 20-19 with the addition of Taralyn Ipiña with updated authorized Umpqua Bank check signers. Motion carries by consensus.

Fire
Rod Mendes present for agenda item
FIRE21-01, Fire Safe Council Appointment
Submitted by Rod Mendes

Motion made by Councilmember Ray/Councilmember Natt to approve Chairman James to sign and submit a letter to the Humboldt County Board of Supervisors, nominating Yurok Fire Chief Rod Mendes to be seated as a voting member on the Humboldt County Fire Safe Council. Motion carries by consensus.

Human Resources
Tim Hayden present for agenda item
HR21-02, Job Descriptions
Submitted by Rose Sylvia

Motion made by Councilmember Vice Chairman Myers/Councilmember Ray to approve job descriptions Technical Operations Field Manager and Restoration Field Ecologist. Motion carries by consensus.

Information Services
Jessica Engle present for agenda item
IT21-005, Amerind Critical Infrastructure Service Contract
Submitted by Jessica Engle, IT Director

Motion made by Councilmember Vanlandingham/Vice Chairman Myers to approve Contract with Amerind Critical Infrastructure, up to $160,000 from Morgan Stanley Operational Reserve Fund xxx126 or alternative project number assigned by fiscal, with limited waiver of sovereign immunity Resolution 21-13, and authorize Chair to sign both. Roll call; Vice Chair Myers-yes, Councilmember Hodge-np, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-6, no-0, abs-0, np-2. Motion carries.

Jessica Engle present agenda item
IT21-008, Letter to BIA, KRRBI Construction Easements
Submitted by Jessica Engle
Motion made by Vice Chairman Myers/Councilmember Vanlandingham to approve letter for Chairman to sign regarding KRRBI (Klamath River Rural Broadband Initiative) Easements on Yurok land for NEPA (National Environmental Policy Act) review. Motion carries by consensus.

Natural Resources

Javier Kinney present for agenda item

NR21-002, Approval of BBWA contract
Submitted by Javier I. Kinney

Motion made by Councilmember Vanlandingham/Councilmember Williams to approve the Baldwin, Blomstorm, Wilkinson & Associates (BBWA) 2021-2022 Contract. Motion carries by consensus.

Javier Kinney present for agenda items

NR21-003, California Strategies & Advocacy LLC
Submitted by Javier I. Kinney

Motion made by Councilmember Vanlandingham/Councilmember Ray to approve the California Strategies & Advocacy LLC contract amendment. Motion carries by consensus.

NR21-004, ecoPartners Contract Amendment
Submitted by Javier I. Kinney

Motion made by Councilmember Vanlandingham/Councilmember Williams to review and approve the ecoPartners 2021 Contract Amendment. Motion carries by consensus.

NR21-005, 2021 Carbon Projects initiatives plan
Submitted by Javier I. Kinney

Motion made by Councilmember Vanlandingham/Vice Chairman Myers to review and approve the 2021 Carbon Projects Plan regarding the development, management, and implementation of the Yurok Carbon Projects. To work with appropriate departments and staff in building collaboration, partnerships and prospective funding for Climate resilience, management, diplomacy, and finance. Motion carries by consensus.

NR21-006, Patagonia donation
Submitted by Javier I. Kinney

Motion made by Vice Chairman Myers/Councilmember Provolt to approve the receipt of the donation from Patagonia Co. and to coordinate with Kee Cha-E-Nar Corporation, OES, DHHS, Education and other appropriate departments to receive and distribute the donated interns to both tribal and non-tribal students at the schools (please see attached). Motion carries by consensus.

Office of Tribal Attorney

Tamara Honrado present for agenda item

February 11, 2021 Council Action meeting
February 11, 2021 Council Action meeting

OTA21-009, Letter to the Attorney General
Submitted by Tamara Honrado

**Motion made by Councilmember Williams/Councilmember Vanlandingham for Council to provide retroactive approval of Chairman’s signature on a letter to the Attorney General (AG) supporting request for extension of Humboldt County Stipulated Judgment two (2) more years. Motion carries by consensus.**

OTA21-010, Government to Government request
Submitted by Tamara Honrado

**Motion made by Councilmember Williams/Councilmember Provolt for Council to retroactively approve Chairman’s signature on letter requesting government to government consultation on Child Abuse Services Team (CAST) protocol developed largely without the Tribe’s input. Motion carries by consensus.**

OTA21-013, Yurok Motion to intervene in FERC Proceedings
Submitted by Amy Cordalis and Geneva E.B. Thompson

**Motion made by Vice Chair Myers/Councilmember Vanlandingham to approve the motion to intervene in the Federal Energy Regulatory Commission proceeding regarding the Klamath Dam Amended Surrender License Application, subject to OTA’s edits, and authorize Chairman to sign the motion to intervene. Motion carries by consensus.**

Amy Cordalis present for agenda item

OTA21-018, Renew Civil Offenses Ordinances Amendment
Submitted by D. Baum

**Motion made by Councilmember Ray/Councilmember Vanlandingham to renew the emergency civil offenses ordinance amendment which adds violation of a reservation closure order for an additional 60 days and funding to come from 11014 for OTA to mail out ordinance and summaries to membership to increase participation. Roll call; Vice Chair Myers-yes, Councilmember Hodge-np, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-6, no-0, abs-0, np-2. Motion carries.**

Planning

P20-043, General Engineering Consultant Contract
Submitted by Grant Klopmeyer

**Motion made by Councilmember/Councilmember to review and approve the attached general engineering contract and Action Item P20-043 in the amount of $80,000 for Trinity Valley Consulting Engineers, Inc. Selected bid is a TERO qualified entity. Item pulled.**

Previous completed.

P21-008, Limited Waiver of Sovereign Immunity
Submitted by Patty Ulmer
Motion made by Councilmember Ray/Councilmember Williams to approve Resolution #21-06 Limited Waiver of Sovereign Immunity in Favor of Del Norte County for the encroachment permit for the Klamath Blvd. Crosswalk Project and authorize Chairman to sign. Roll call; Vice Chair Myers-yes, Councilmember Hodge-np, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-6, no-0, abs-0, np-2. Motion carries.

P21-010, PG&E Service Line Agreement
Submitted by Cynthia Bones

Motion made by Councilmember Vanlandingham/Vice Chairman Myers to approve and authorize the Chairman to sign the PG&E Service Line Agreement and Resolution No. 21-010 granting authorization for the construction and maintenance of a 12kv overhead power line extension to the new Natural Resources Office and Lab located in Weitchpec. Motion carries by consensus.

Redwood Hotel Casino
Ray Bacon present for agenda item
RHC21-01, Limited Waiver of Sovereign Immunity
Submitted by David Hernandez and Raymond Bacon

Motion made by Councilmember Vanlandingham/Councilmember Ray to approve limited waiver of sovereign immunity in favor of Allbridge LLC and authorize chair to sign and secretary to attest. Roll call; Vice Chair Myers-yes, Councilmember Hodge-np, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-6, no-0, abs-0, np-2. Motion carries.

Tribal Court
Jessica Carter present for agenda item
TC21-005, Two vehicles for Yurok Youth At-Risk Program
Submitted by Bessie Shorty

Motion made by Councilmember Ray/Councilmember Williams to approve the purchase of two vehicles for the Yurok Youth at Risk Program. Motion carries by consensus.

TC21-007, Youth Build Grant
Submitted by Daniel Norton Luna

Motion made by Councilmember Provolt/Councilmember Williams to retroactively approve the submission of the Youth Build Grant Project working with TERO, YIHA, NCIDC, Education and YTEP, and approve the Chairman to sign all necessary documents. Motion carries by consensus.

Wildlife
Tiana Williams-Claussen present for agenda item

February 11, 2021 Council Action meeting
Motion made by Councilmember Provolt/Councilmember Williams to approve submission of a request for a one-year extension to funding received through the US Fish and Wildlife Service, Grant #F20AP00047 and all necessary Chairman signatures. Motion carries by consensus.

Yurok Health & Human Services
Alita Redner present for agenda item
YHHS21-02, Nohsueno’w Yurok Youth Suicide Prevention
Submitted by Alita Redner
Motion made by Vice Chairman Myers/Councilmember Vanlandingham to approve Budget Nohsueno’w Yurok Youth Suicide Prevention Program including Manager and Coordinator Job descriptions with edits pending HR Director approval on job descriptions. Motion carries by consensus.

YHHS21-03, CDSS Memorandum of Understanding
Submitted by Alita Redner
Motion made by Councilmember Vanlandingham/Vice Chairman Myers to approve MOU for CDSS and provision of services to administer payment to YHHS to develop CDSS CWS-CARES system for case management for CWS. Tribal input to practice, including IV E and Tech. Motion carries by consensus.

Annelia Hillman present for agenda item
YHHS21-04, Refrigeration truck purchase
Submitted by Annelia Hillman
Motion made by Councilmember Ray/Councilmember Vanlandingham to approve purchase of refrigeration truck from Monarch Truck Center for $81,274.00. Motion carries by consensus.

Yurok Indian Housing Authority
Peggy O’Neill present for agenda item
YIHA21-06, Monthly Report
Submitted by Nicole Sager
Motion made by Councilmember Ray/Councilmember Provolt to approve the monthly report for the Yurok Indian Housing Authority Executive Director, Nicole Sager. Motion carries by consensus.

YIHA21-07, Title VI
Submitted by Nicole Sager
Motion made by Councilmember Ray/Councilmember Vanlandingham to approve the Title VI construction loan to fund the Yurok Homes #3 Low Income Housing Tax Credit project in

February 11, 2021 Council Action meeting
Arcata, CA by Resolution No. 21-12, and for the Chairman to sign and the Secretary to attest. Motion carries by consensus.

YIHA21-08, Indian Housing Block Grant CARES Annual Report
Submitted by Nicole Sager

Motion made by Councilmember Natt/Councilmember Provolt to approve the annual performance report for the Indian Housing Block grant CARES funds as submitted to HUD and for the Chairman to sign any related documents. Motion carries by consensus.

LUNCH: 12:47-1:36

TRIBAL MEMBER COMMENT: None provided.

AGENDA ITEMS:
OTA21-016, Designating Program Contract for IV-E Agreement
Submitted by Tamara Honrado

Motion made by Councilmember Provolt/Councilmember Williams to approve Chairman’s signature on letter to the Office of Tribal Affairs-California Department of Social Services designating Tamara Honrado, Associate General Counsel as program contact for stat-tribal IV-E agreement. Motion carries by consensus

OTA21-017, Chairman’s Declaration-ongoing litigation
Submitted by Tamara Honrado

Motion made by Councilmember Provolt/Councilmember Williams to approve Chairman’s signature on forthcoming FINAL declaration in support of Opposition to Motion for Summary Judgment in litigation related to federal rule-making failure to include Indian Child Welfare Act data points in Adoption and Foster Care Analysis and reporting system. Motion carries by consensus

OTA21-031, Patagonia Grant
Submitted by Amy Cordalis

Motion made by Councilmember Williams/Vice Chairman Myers to retroactively authorize submission and acceptance of a 2019-2020 grant from Patagonia to support OTA’s dam removal work. Motion carries by consensus.

YHHA21-001, M. Rainer Contract ASW Supervision
Submitted by Alita Redner

Motion made by Councilmember Provolt/Vice Chairman Myers to approve a sole source contract with M. Rainer LCSW a Licensed Clinical Social Worker (LCSW) to provide the required clinical supervision of (ASW) per the guidelines from the Board of Behavioral Sciences to Alita Redner, a YHHS professional who is preforming clinical coursework. Roll call; Vice Chair Myers-yes, Councilmember Hodge-np, Councilmember Ray-abs, Councilmember...
Vanlandingham‐yes, Councilmember Provolt‐yes, Councilmember Natt‐yes, Councilmember Williams‐yes, Councilmember McCovey‐np. Yes‐5, no‐0, abs‐1, np‐2. Motion carries.

Statement for the Record: Councilmember Ray: I have to abstain from this vote, conflict of interest- family.

Note: Chairman steps out for appointment

AGENDA ITEMS:

Council

CA21‐013, UIHS BOD Delegate
Submitted by Taralyn Ipina

Motion made by Councilmember Provolt/Councilmember Williams to ratify Chairman’s appointment of Lana McCovey as delegate to the United Indian Health Services Board of Directors. Roll call; Vice Chair Myers-chairing, Councilmember Hodge‐np, Councilmember Ray‐yes, Councilmember Vanlandingham‐no, Councilmember Provolt‐yes, Councilmember Provolt‐yes, Councilmember Provolt‐yes, Councilmember Provolt‐yes, Councilmember Natt‐yes, Councilmember Williams‐yes, Councilmember McCovey‐np. Yes‐4, no‐1, abs‐0, np‐2. Motion carries.

CA21‐014, UIHS BOD Appointments
Submitted by Taralyn Ipina

Motion made by Councilmember Provolt/Councilmember Williams to ratify Resolution 21‐14, appointing Councilmember McCovey as delegate and Councilmember Williams as alternate to the United Indian Health Services Inc., Board of Directors. Roll call; Vice Chair Myers-chairing, Councilmember Hodge‐np, Councilmember Ray‐yes, Councilmember Vanlandingham‐no, Councilmember Provolt‐yes, Councilmember Provolt‐yes, Councilmember Williams‐yes, Councilmember Natt‐yes, Councilmember Williams‐yes, Councilmember McCovey‐np. Yes‐4, no‐1, abs‐0, np‐2. Motion carries.

CA21‐015, NCAI dues and membership
Submitted by Taralyn Ipina

Motion made by Councilmember Ray/Councilmember Natt to ratify Resolution 21‐15 for renewal of Yurok Tribe membership, appointments, and dues of $1300.00 or National Congress of American Indians. Motion carries by consensus.

CA21‐016, NIGA resolution and dues
Submitted by Taralyn Ipina

Motion made by Councilmember Ray/Councilmember Williams to ratify Resolution 21‐16 authorizing National Indian Gaming Association membership and dues of $800.00 for 2021. Motion carries by consensus.

CA21‐018, Prey-Go-Neesh 8a Filing application
Submitted by Vice Chairman Myers

Motion made by Councilmember/Councilmember to discuss/action on Pre-Go-Neesh (8a) filing application. Item pulled.

February 11, 2021 Council Action meeting
Note: Chairman returns to meeting.

CA21-020, Purchase fencing for Sregon orchard
Submitted by Taralyn Ipina

**Motion made by Councilmember Natt/Councilmember Williams to approve $5,000 dollars to purchase fencing for the Community Orchard at Sregon. Funding to come from Carryover FY20 Project #50. Motion carries by consensus.**

CA21-022, ATNI Renewal Resolution and dues
Submitted by Taralyn Ipina

**Motion made by Councilmember Williams/Councilmember Provolt to ratify Resolution 21-18 for Affiliated Tribes of Northwest Indians membership renewal, appointment, and dues. Motion carries by consensus.**

CA21-025, Dedication of the Klamath Emergency Operations Center
Submitted by Council member Ray

**Motion made by Councilmember Ray/Councilmember Williams to rename the Klamath Emergency Operations Center to the “aawok’ Ada Charles Klamath Emergency Operations Center”. Motion carries by consensus.**

CA21-021, Letter to UIHS
Submitted by Councilmember Provolt

**To submit a letter to United Indian Health Services regarding Yurok Tribe position on upcoming Indian Self-Determination Sub-Contract Agreement with California Rural Indian Health Board which expires on 3.31.2021. Council consensus to table to a work session.**

OTA21-011, Amended Tribal Council Ordinance
Submitted by Geneva Thompson

**Motion made by Councilmember Provolt/Vice Chairman Myers to approve the amended Tribal Council Ordinance as presented via OTA20-080 and continue to work on specific sections of the ordinance. Roll call; Vice Chair Myers-yes, Councilmember Hodge-np, Councilmember Ray-yes, Councilmember Vanlandingham-yes, Councilmember Provolt-yes, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-6, no-0, abs-0, np-2. Motion carries**

BREAK: 2:49pm -3:00pm

**EXECUTIVE SESSION: 3:00pm-5:40pm**


*February 11, 2021 Council Action meeting*
February 11, 2021 Council Action meeting

Items reported out from Executive Session:

P21-014, Potential Land Purchase: Mainville Parcels
Submitted by Michael Gerace

To grant Planning and OTA Staff from the Cannabis Task Force permission to negotiate a purchase of two parcels located immediately adjacent to and outside of Reservation boundaries in accordance with direction from Council during executive session. Discussion only, no action.

P21-015, Potential Bee Mountain Land
Submitted by Michael Gerace

Motion made by Councilmember Vanlandingham/Councilmember Provolt to grant Planning and OTA staff from the Cannabis Task Force permission to negotiate and draft a land dedication agreement with the owners of 162 acre parcel (534-191-001) on Bee Mountain in accordance with the direction provided by Council during executive session. Motion carries by consensus.

P21-016, Black Bear Farms
Submitted by Michael Gerace

Motion made by Councilmember Provolt/Councilmember Williams to grant Planning and OTA Staff from the Cannabis Task Force permission to negotiate and draft a land dedication agreement with the owners of 60-acre parcel (531-082-003) on Bald Hills Road, near Weitchpec in accordance with direction provided by Council in executive session. Motion carries by consensus.

OTA21-020, Waiver of Conflict for Greenburg Traurig
Submitted by Dawn Baum

Motion made by Councilmember Vanlandingham/Councilmember Ray to approve the Waiver of conflict of interest so that Greenberg Traurig can represent Native American Bank in a loan transaction with YIHA. Motion carries by consensus.

CA21-026, YEDC Executive Session
Submitted by Taralyn Ipiña

Executive Session with YEDC Executive Director RE: Investigation. No action, update only.

CA20-237, A. Cordalis contract
Submitted by Chairman James

Motion made by Councilmember Vanlandingham/Vice Chairman Myers to authorize Chairman to sign Amy Cordalis attorney contract. Roll call; Vice Chair Myers-yes, Councilmember Hodge-np, Councilmember Ray-no, Councilmember Vanlandingham-yes, Councilmember Provolt-no, Councilmember Natt-yes, Councilmember Williams-yes, Councilmember McCovey-np. Yes-4, no-2, abs-0, np-2. Motion carries.
To schedule a planning session, in executive session, on the Yurok Lands Act and Karuk Lands act. Discussion only, no action.

Directive to Executive Director to coordinate with Fisheries to get our fishing permits available at our local tribal owned businesses to the Tribal members and general public.

TRIBAL MEMBER COMMENT: None provided.

CLOSING PRAYER: Provided by Councilmember Williams.

ADJOURN: 5:55pm

MEETING MINUTES APPROVED ON: February 25, 2021

Sherri K. Provolt, Secretary

Date

03/16/21