

**Executive Session: Presenters In Person**

**Open Session: Via Zoom or In Person**

**Meeting ID: 873 0942 3204**

**Passcode: 498308**

**Call In: 1.253.205.0468**

## **AGENDA**

Hoopa Valley Tribal Council Regular Meeting

September 7, 2023

Executive Session

1:30 p.m.

Open Session

5:30 p.m.

### **EXECUTIVE SESSION:**

1. Small Business Discussion. – Jason Smith Sr. (sponsored by: Hailey)
2. Wage Dispute. – Kevin Orcutt (sponsored by: Hailey)
3. HVT Litigation Discussion. – Mike Orcutt (sponsored by: Chairman)
4. OTA Update. – Kristen Boyert (sponsored by: Colegrove)
5. DOJ Coordinated Tribal Assistance Resolution. – Richard Blake (sponsored by: Hailey)
6. Appointment of one (1) applicant to the K'ima:w Medical Center Board. – Natalie Scott (sponsored by: Chairman)
7. Salary Schedule Discussion. – Natalie Scott (sponsored by: Chairman)

### **COUNCIL MEMBER REPORTS:**

### **CONTINUING BUSINESS:**

1. Motion to reaffirm Council Polling Sheet for OTA. Motion to approve the Resolution of the Tribal Customary Adoption Order of the Hoopa Valley Tribe. - Chairman
2. Motion to reaffirm Council Polling Sheet for TANF. Motion to approve out of region travel for Executive Director and one Administrative Staff to attend 2023 Eaglesun TAS Conference August 27-September 1, 2023 in Tulsa, Oklahoma, account #5706-98009-0891, 5706-98009-0890, 5706-97100-0890 not to exceed \$8,000.00. - Chairman
3. Motion to reaffirm Council Polling Sheet for TEPA/Land Management. Motion to approve Independent Contract Agreement between HVT and Shawn Turner Construction in the amount of \$24,777.43. \$9,000.00 from account 3681-85000-0115 and \$15,777.43 from account 3751-85000-0115. – Chairman
4. Motion to reaffirm Council Polling Sheet for TEPA/Land Management. Motion to approve Service Agreement for Innovate! Inc. to provide IT Support to the Hoopa Land Management; Agreement term start January 15, 2023 ends September 31, 2023. The work is completed remotely only, from account 3662-85000-0115 not to exceed \$9,500.00. – Chairman
5. Motion to approve extension of Verdena Parkers contract and honorarium increase for Museum, IMLS grant, table from 8/17/23 rescheduled to 8/23/23. - Chairman
6. Motion to approve to ratify the resolution by Hoopa Valley Tribal Council declaring the Hoopa Valley Indian Reservation in a State of Emergency due to the 2023 Wildland Fire Events. – Greg Moon (sponsored by: Chairman)

### **NEW BUSINESS:**

1. Motion to approve the Hoopa Valley Tribe shall regulate commercial cannabis businesses under the Tribe's Business Ordinances, Titles 50, 53-57, whose said business is for the exclusive purpose of producing cannabis and cannabis products for sale to licensed Tribal dispensaries in California with

- Titles 50, 53-57. The Tribal Environmental Protection Agency (TEPA) shall regulate cannabis under all applicable codes that apply to agriculture and land use, including, but not limited to Title 15, The Conservation and Trespass Ordinance, Title 37, Pollutant Discharge Ordinance, Title 49, Solid Waste Ordinance. – Clifford Lyle Marshall Sr. (sponsored by: Hailey)
2. Motion to approve out of region travel for Ken Norton to testify at the Senate Environmental and Public Works, Subcommittee on EPA Drinking Water and Wastewater in Tribal communities held in Washington D.C. on September 20, 2023, from account #3751-98009-0110. – Ken Norton (sponsored by: Sherman-Warne)
  3. Motion to approve the updated K'ima:w Medical Center Governing Board By-laws and Charter as approved by the KMC Governing Board of Directors on August 1, 2023. – K'ima:w Medical Center Board of Directors (sponsored by: Hailey)
  4. Motion to approve to transfer \$1,470,663.00 to the K'ima:w Medical Center under FY23 HIS Amendment #9. – Manuel Mattz (sponsored by: Bussell)
  5. Motion to approve sole source contract with Robert West Construction of Willow Creek, CA building renovation by contractor, funds to come from account 5191-82030-0900 funds identified by Department of USDA, additional funds from CARES Act fund in the amount of \$26,000.00 – Lawrence Taylor (sponsored by: Bussell)
  6. Motion to accept year 3 of 5 DHHS Head Start contract 90C1010093 for the period of 8/1/23-7/31/24 in the amount of \$1,737,590; Early Head Start portion \$955,507, Head Start portion \$782,803. – Angel Korb/Lola Henry (sponsored by: Branham)
  7. Motion to accept CDSS contract CCTR3057 for Child Development for the period of 7/1/23-6/30/24 in the amount of \$120,727. – Angel Korb (sponsored by: Hailey)
  8. Motion to approve the following agenda request to add \$552 to 3368-1159; and to budget \$3548 that was accepted by council on 7/6/23, and modify 3368 balances to Capital Asset to assist with purchase of generator. – Angel Korb (sponsored by: Hailey)
  9. Motion to approve HCATEP to modify the budget by moving funds from NACTEP grant funds 2102-wages and fringe into our travel account to pay for LFM training expenses. – Misty Knight (sponsored by: Turner)
  10. Motion to approve the contract with Suzanne Burcell to serve as Project Evaluator and write the Final Local Evaluation Report for the Board of State and Community Corrections (BSCC) Tribal Youth Diversion Grant. The cost of her services will be \$10,000 and will be paid with BSCC funding. – Laura Hurwitz (sponsored by: Colegrove)
  11. Motion to approve the purchase of a Kubota RTV-Z1140R-a side by side (2 bids attached) from Nor Cal Tractor in the amount of \$22,252.04 funds from 2821-82060-3517. – Mike Orcutt (sponsored by: Colegrove)
  12. Motion to accept Dollar a Day Grant of \$1,000.00 and approve the budget. – Mike Orcutt (sponsored by: Bussell)
  13. Motion to approve Mod. II to McBain Associates FY2022 contract; add \$831,483.00 to increase total contract to \$1,010,532.00 (sole source), various funds (2823, CDFW Grant, PCSRF, and 11<sup>th</sup> Hour Grant). – Mike Orcutt (sponsored by: Colegrove)
  14. Motion to approve Hupa Family Resource Center to apply for Humboldt Area Foundation Holiday Funding Partnership Grant and if funded approve attached budget in the amount of \$2,000.00. All funds to be used for Thanksgiving, Christmas, and New Year food assistance. Must live on the Hoopa Reservation 250% of FPG, priority given to families with Children and 5 elders – 65 or older will be served. – Karen Kyle (sponsored by: Hailey)
  15. Motion to approve and accept new funding and the attached budget in the amount of \$250K for Noxious Weed Eradication for Barred Owl Research and Support. – Jeff Lindsey (sponsored by: Hailey)
  16. Motion to approve and accept new funding and the attached budget for Timber Harvest Initiative for Geological & Archaeological survey in the amount of \$100,000.00 & Forestry Inventories and Plan in the amount of \$57,019.00. – Jeff Lindsey (sponsored by: Colegrove)
  17. Motion to approve resolution and expenditure for FMD plan previously approved by Council in the 2023 budget. – Jeff Lindsey (sponsored by: Colegrove)

18. Motion to approve the resolution for the Indian Health Service Title V Agreement (TVA) for individual water and sewer service in Indian Homes and/or solid waste facilities. – Linnea Jackson (sponsored by: Colegrove)
19. Motion to approve use of Zoom for Council Members to attend Executive Session as necessary for the appropriate engagement of Councilmembers. Councilmembers will be expected to verbally confirm confidentiality will be adhered. – Council Member Sherman-Warne
20. Motion to approve to direct K'ima:w Chief Executive Officer and Administrative staff to include PUD in negotiations of M&I funds for water sanitization needs. – Council Member Sherman-Warne
21. Motion to approve to rescind approval of June 19<sup>th</sup> meeting motion to create interfund receivable on Mini Mart books for enterprise shortfall. – Council Member Sherman-Warne
22. Motion to approve to hold the General Meeting on October 7, 2023 with the single subject of the FY2024 Budget, notice to be sent out immediately. – Council Member Sherman-Warne
23. Motion to approve proposed amendments to Title 13, Tribal Employment Rights Ordinance to be routed under the Emergency LPA process. – Council Member Sherman-Warne
24. Motion to approve equipment purchase of Feller-Buncher, additional Mastication-Head, and Rubber Tire Skidder from Bejac utilizing ARPA funding, account #0702-82060-0011. Sole Source requested due to dealers not competing with each other, unable to obtain additional quotes. Cost of equipment, warranty, and delivery \$1,333,000 with a 2% discount totaling \$1,306,340. – Vice Chairman Colegrove
25. Motion to route FY-2024 budget through the LPA process. – Vice Chairman Colegrove