



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK 675

Date & Time Received: 10/18/23 at 14:18

Date & Time of Response: Oct. 30, 2023 at 10:00 AM

Entity Requesting FRF: Aneth Chapter

Title of Project: New Aneth Chapter Administration Building/Chapter House

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$880,234

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

- | | |
|--|---|
| <input type="checkbox"/> (1) Public Health and Economic Impact | <input type="checkbox"/> (2) Premium Pay |
| <input checked="" type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |

U.S. Department of Treasury Reporting Expenditure Category: _____

6.1, Provision of Government Services

<input type="checkbox"/> Missing Form	<input type="checkbox"/> Expenditure Plan incomplete
<input type="checkbox"/> Supporting documentation missing	<input type="checkbox"/> Funds will not be obligated by 12/31/2024
<input type="checkbox"/> Project will not be completed by 12/31/2026	<input type="checkbox"/> Incorrect Signatory
<input type="checkbox"/> Ineligible purpose	<input type="checkbox"/> Inconsistent with applicable NN or federal laws
<input type="checkbox"/> Submitter failed to timely submit CARES reports	
<input type="checkbox"/> Additional information submitted is insufficient to make a proper determination	

Other Comments:

Name of DOJ Reviewer: Lorenzo Curley

Signature of DOJ Reviewer: lorenzo Curley

If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

An NNDOJ Initial Eligibility Determination is based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR GOVERNANCE-CERTIFIED CHAPTERS

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Aneth Chapter Date prepared: 03/15/2023

Chapter's mailing address: Post Office Box 430 phone & email: (435) 651-3525
Montezuma Creek, Utah 84534 website (if any): aneth@navajochapters.org

This Form prepared by: Darrell Williams phone/email: (435) 651-3525
Chapter Manager dwilliams@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: New Aneth Chapter Administration Building / Chapter house

Chapter President: Wesley Jones phone & email: aneth@navajochapters.org

Chapter Vice-President: Elmerson Phillips phone & email: eray1760@hotmail.com

Chapter Secretary: Brenda Brown phone & email: bb_anethchp@yahoo.com

Chapter Treasurer: Brenda Brown phone & email: bb_anethchp@yahoo.com

Chapter Manager or CSC: Darrell Williams phone & email: dwilliams@nnchapters.org

DCD/Chapter ASO: Calvin E. Tsosie phone & email: cetsosie@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): _____

☐ document attached

Amount of FRF requested: \$880,234.00 FRF funding period: 10/01/2022³ - 09/30/2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Purpose of this project is for the Aneth Chapter Community. Due to economic impact and COVID-19 Pandemic there have been adverse consequences that require diligent planning and implementation as well as a meeting place for community members. Having a technologically sophisticated facility will ensure that community needs are met. Resume pre-pandemic level of service delivery to the community.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo communities, or the Navajo People:

The proposed chapter house will provide necessary faculties and infrastructure to properly plan and mitigate negative incidence. Provide a safe, sanitary, and healthy environment for staff, officers, and community members. Implementing the value of COVID-19 prevention strategies for our local governmental buildings and operations.

☐ document attached

(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

APPENDIX A

March 2023 select architectural and engineering firm with the State of Utah to begin design and pre planning activities.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Chapter Vice-President will monitor project. Chapter Manager will oversee project with Administrative Assistant overseeing invoices/expenditures. Utah Division of Facilities & Construction Management will handle project management aspects.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Chapter Manager will ensure staff is hired for proper maintenance and upkeep of the facility through budget process of the Public Employment Program funds.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

6.1 Provision of Government Services

This administrative building will address the conditions that contributed to poor public health and economic outcomes during the pandemic. By concentrating in the areas with limited economic opportunities & inadequate or poor housing quality, the access to resources facilitates improved health outcomes including services connecting residents with healthcare resources, public assistance & build healthier environments such as: government & housing services to support healthy living environments & communities conducive to mental & physical wellness. The exacerbation of health disparities during the pandemic & the role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

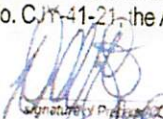
Budget Forms 1, 2, and 4; project budget schedule; chapter resolution ACDEC-23-014; Aneth 24-acre Master Planning Document.

☒ Chapter Resolution attached


Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. C.J. 11-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:


Chapter's
Preparer:


signature of Preparer (CONTACT PERSON)

Approved by:


signature of Chapter Manager or CSC

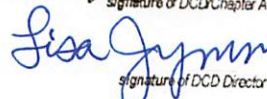
Approved by:


signature of Chapter President (or Vice-President)

Approved by:


signature of DCD Chapter ASO

Approved to submit
for Review.


signature of DCD Director

FY 2023


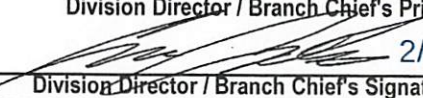
**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>New Aneth Chapter House - Administration Building</u>		Division/Branch: <u>Community Development</u>	
Prepared By: <u>Darrell Williams</u>		Phone No.: <u>(435) 651-3525</u>		Email Address: <u>aneth@navajochapters.org</u>	

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
CJN-29-22 NN Fiscal Recovery Funds	10/1/23 9/30/26	880,234.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services	6	<u>0</u>	880,234	880,234
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	880,234.00	880,234

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	
SUBMITTED BY: <u>James Adakai, Deputy Director (Program Manager)</u> <div style="text-align: center;"> <u>Program Manager's Printed Name</u>  <u>Program Manager's Signature and Date</u> </div>	APPROVED BY: <u>Calvin Castillo, Division Director</u> <div style="text-align: center;"> <u>Division Director / Branch Chief's Printed Name</u>  <u>Division Director / Branch Chief's Signature and Date</u> </div>

FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:Business Unit No.: NEW

Program Name/Title:

Chapter House
Aneth! *Admin. Bldg.*

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

To construct a new chapter house to aide in the mitigation of COVID-19.

PART III. PROGRAM PERFORMANCE CRITERIA:

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

1. Goal Statement:

Architectural & Engineering services for a new chapter house.

Program Performance Measure/Objective:

Plan and design new chapter house for the community.

1		1		1		1	
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2. Goal Statement:**Program Performance Measure/Objective:**

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3. Goal Statement:**Program Performance Measure/Objective:**

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4. Goal Statement:**Program Performance Measure/Objective:**

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5. Goal Statement:**Program Performance Measure/Objective:**

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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

James Adakai, Deputy Director (Program Manager)

Program Manager's Printed Name

[Signature] -27-23
Program Manager's Signature and Date

Calvin Castillo, Division Director

Division Director/Branch Chief's Printed Name

[Signature] 2/27/2023
Division Director/Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>New Aneth Chapter House - Administration Building</u>		Business Unit No.: <u>NEW</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
6600	CONTRACTUAL SERVICE		
6603	Other Professional Fees - 24 Acres (Design/Engineering)	880,234	880,234
TOTAL		880,234	880,234

Page 1 of 1
PROJECT FORM

FOR OMB USE ONLY: Resolution No: _____ FMIS Set Up Date: _____ Company No: _____ OMB Analyst: _____



**RESOLUTION OF
THE ANETH CHAPTER**

ACMAR-23-045

APPROVING APPENDIX-A, BUDGET FORM 1, AND SUPPORTING DOCUMENTS FOR PROPOSED REGIONAL PROJECT EXPENDITURE PLAN FOR \$880,234.00 FOR A NEW ANETH CHAPTER ADMINISTRATION BUILDING AS AN ELIGIBLE PROJECT OF THE NAVAJO NATION FISCAL RECOVERY FUND TO MITIGATE COVID-19

WHEREAS:

1. Pursuant to Navajo Tribal Council Resolution No. CMY-23-79, the Aneth Chapter is duly certified and recognized as an official local unit of the Navajo Nation Government with all duties, responsibilities, and authorities conferred according to 26 N.N.C. § 1 *et seq.* and has the power and authority to enact plans and development goals that are in the best interest of the community and to recommend, support, and approve community related projects.
2. The 24th Navajo Nation Council approved resolution CJN-29-22 which adopted the Navajo Nation Fiscal Recovery Fund Chapter and Regional Projects Assistance Expenditure Plan which approved total funding in the amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148.00) to be allocated equally among the twenty-four (24) delegate regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340.00) per Delegate Region and each Navajo Nation Council Delegate is responsible for compiling and selecting projects for their Delegate Region Projects Plan.
3. The Aneth Chapter is within legislative district 9 which consists of five (5) chapter represented by Honorable Council Delegate Curtis Yanito. Eight million eight hundred two thousand three hundred forty dollars (\$8,802,340.00) divided equally among the five (5) chapters amounts to one million seven hundred sixty-four hundred sixty-eight thousand dollars (\$1,760,468.00) per chapter for Chapter and Regional Projects Expenditure Plans.
4. In accordance with Section Three of Navajo Nation Council Resolution CJN-29-22 the Aneth Chapter is requesting eight hundred eighty thousand two hundred thirty-four dollars (\$880,234.00) of the Navajo Nation Fiscal Recovery Funds for a new Aneth Chapter Administration Building.
5. If, and when, the project is selected, the Delegate Yanito will add the Project as part of the Delegate Region Plan and will thereafter sponsor legislation to be approved by the Navajo Nation Council.

6. The New Aneth Chapter Administration Building Project is being submitted for consideration to be selected as part of the Delegate Region Plan for the purpose of addressing the conditions that contributed to poor public health and economic outcomes during the pandemic. By concentrating in areas with limited economic opportunities and inadequate or poor quality of living. The access to resources and facilitates improved health outcomes including services connecting residents with healthcare resources, public assistance and build healthier environments such as government facilities and services to support healthy living environments and communities conducive to mental and physical wellness. The exacerbation of health disparities during the pandemic and the role of pre-existing social vulnerabilities are responsive to the public health impact of the pandemic.
7. It is in the best interest of the Aneth Chapter and surrounding communities to support and fund this critical development project.


NOW THEREFORE BE IT RESOLVED:

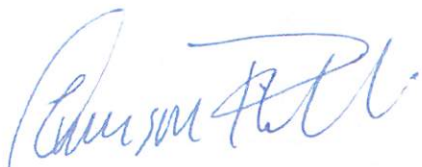
1. The Aneth Chapter hereby approves Appendix-A, Budget Form 1, and supporting documents for proposed regional project expenditure plan for \$880,234.00 for a new Aneth Chapter Administration Building as an eligible project of the Navajo Nation Fiscal Recovery Fund to mitigate COVID-19.
2. The Aneth Chapter affirms that chapter will only use awarded funds in compliance with the ARPA, the ARPA Regulations, and all other applicable Navajo Nation and federal laws and regulations.


CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Aneth Chapter membership at a duly called meeting at which a quorum was present and that the same was passed by a vote of 11 in favor, 0 opposed, and 1 abstained on this 15th day of March 2023.

Motioned By: Hayden Lansing
Seconded By: Phillip Lansing

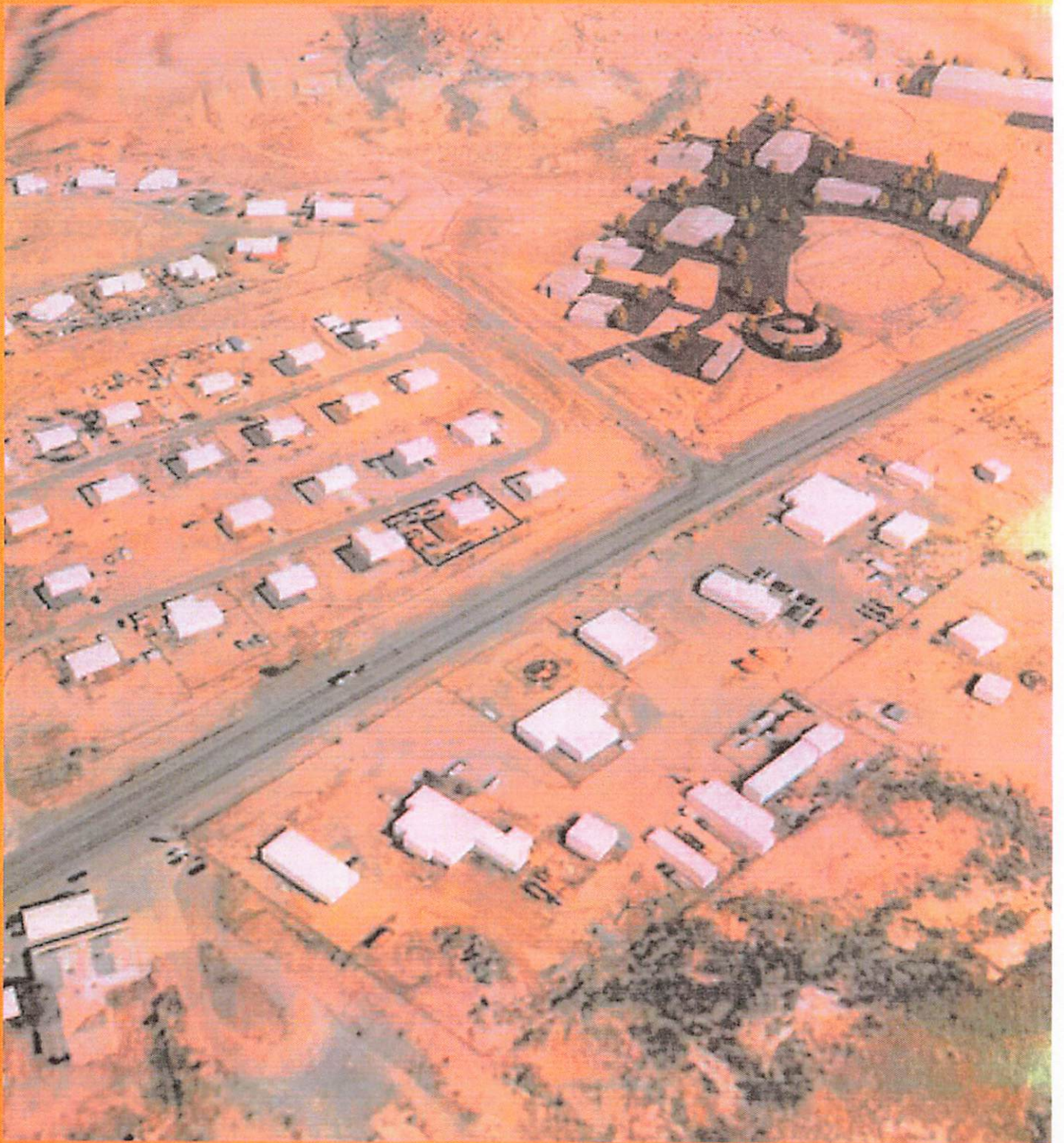

Wesley Jones, *President*
THE ANETH CHAPTER


Elmerson Phillips, *Vice President*
THE ANETH CHAPTER


Brenda Brown, *Secretary/Treasurer*
THE ANETH CHAPTER

ANETH MASTER PLAN

PROGRAMMING
STUDY



Executive Summary

Introduction

This program and master plan documents the current and potential future state of the Utah Aneth Chapter and the Aneth City. The intent of this study is to provide a guide and vision for understanding the community and the buildings and spaces necessary to help facilitate their current needs and future needs. This document is intended to provide a basis of design for future projects, necessary public buildings and master planning for a 24-acre parcel of land in Aneth City.

The master plan concept provided summarizes a information gathering process that included a number of discussions with the Aneth Chapter officials as well as other Navajo Nation tribal authorities and other interested entities. The master plan document will present and illustrate the proposed design concepts for the Aneth Chapter as observed by the consultant team (see acknowledgements).

Conclusions

Aneth City has been in need of amenities and infrastructure to support community cohesion and unity as well as current and future needs. Over time the community of Aneth has experienced population growth as well as decline. This population fluctuation can be attributed to many factors; however, the leaders of the Aneth community are highly committed to the success of the local residents and families and are intent on providing a place where community growth and harmony and can be nurtured. The proposed master plan presented for the City of Aneth is intended to provide a center place in Aneth to obtain the services and needs of the local citizens and foster a greater sense of community and a vision for the residents.

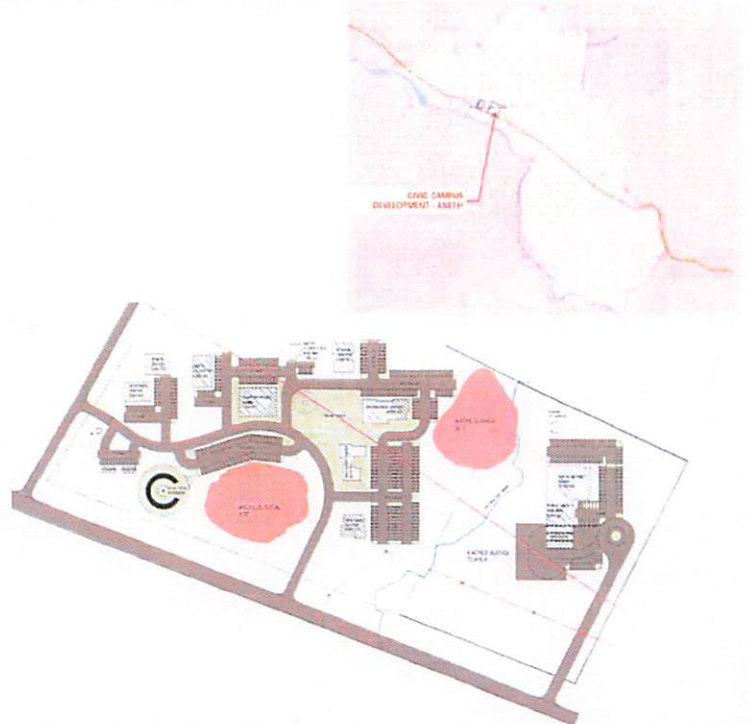
Future State

a. Overview

The Aneth community has been in need of services and amenities for their residents, both old and young, for many years. The master plan area chosen is 24 acre parcel adjacent to the North side of state highway 162 and East of the current Aneth Chapter house. The intent of this master plan is to provide many of these services that will support the needs of the residents and at the same time create a sense of place and belonging by bringing a focal point to the community. The proposed master plan is intended to be a community hub by fostering the Navajo culture through integration of a cultural pavilion, a new Aneth Chapter house, a recreation building, a public safety building, various senior support centers, wellness clinics, vendor opportunities, and a school. The Aneth Chapter is focused on providing this infrastructure and various amenities and services to the community and creating a connected town center area that can facilitate the needs of the residents for many years to come.

Master plan building square footages

Chapter House	7,500
Recreation Center	8,000
Veteran's Center	3,500
Senior Center	3,500
Senior Care Center	4,000
Wellness Center	4,000
Women's Shelter	4,000
Public Safety Building	21,000
Headstart School	4,000
Cultural Pavilion	7,000
Vendor	500
Vendor	500
Water Purification Building	1,000
Hogan	800
Total	69,300

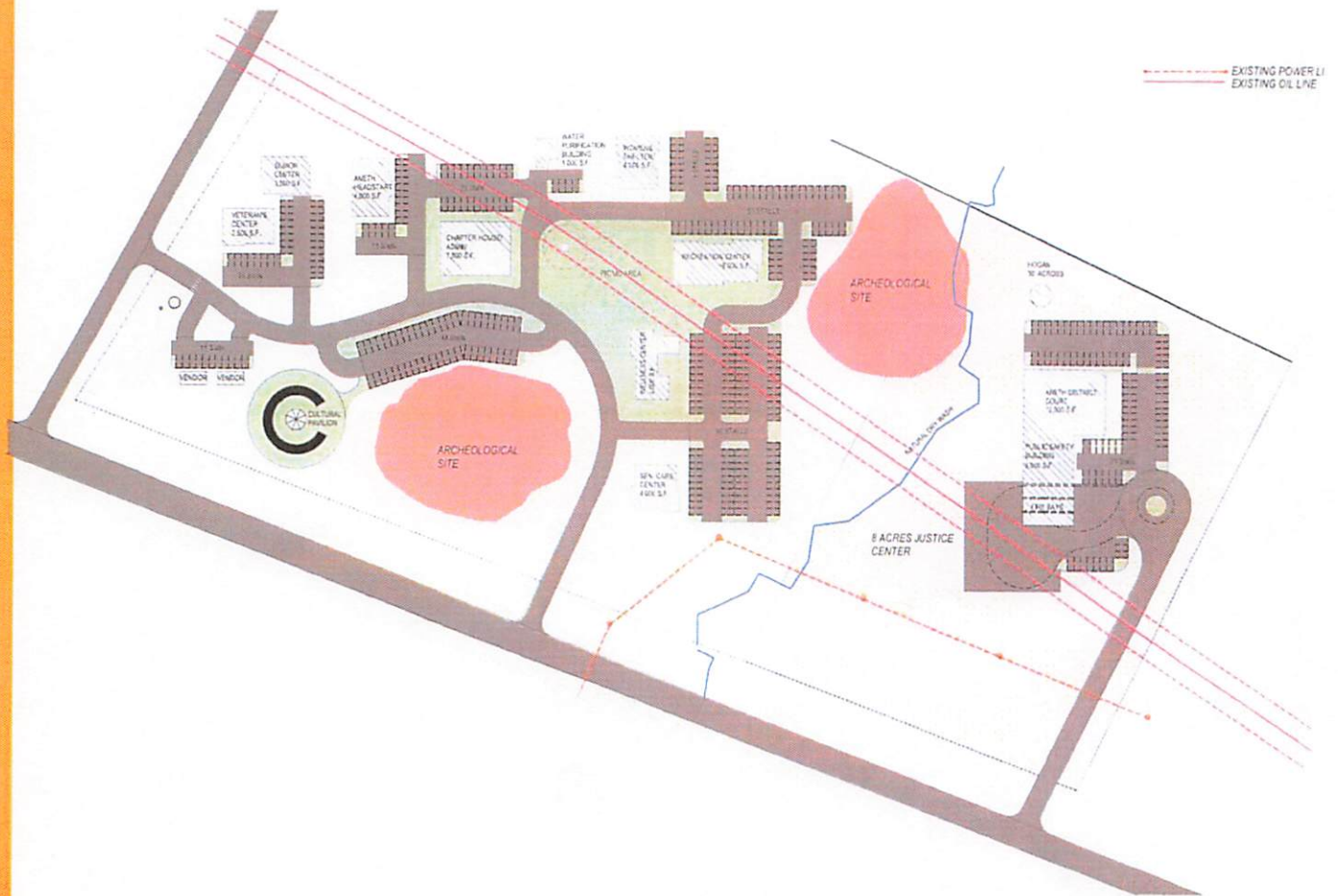


Future State

Future State

a. Overview

1. Aneth Master Plan



Future State

e. Phasing

The proposed master plan and buildings associated are intended to be built in phases as outlined:

Phase 1

Aneth Chapter building,
Water Purification building
Public Safety building
Hogan

Phase 2

Women's Center
Wellness Center
Senior Care Center
Senior Center
Veteran's Center

Phase 3

Recreation Center
Headstart School
Vendor Buildings
Cultural Pavilion

Future State

b. Building descriptions

The proposed buildings included in this master plan include:

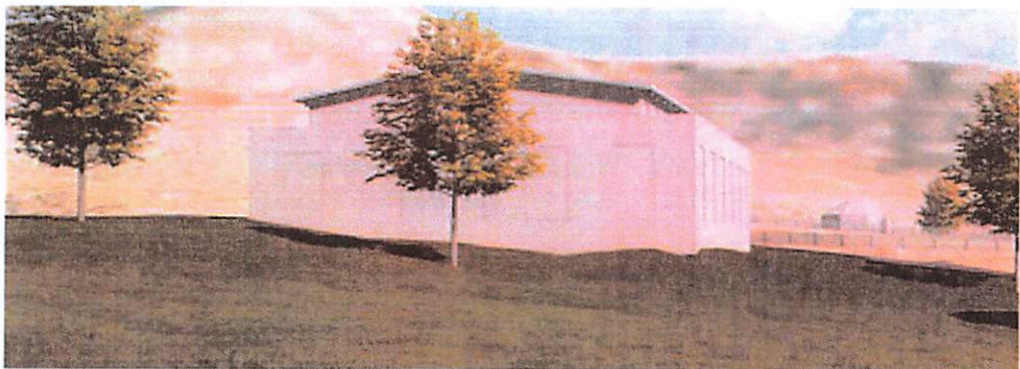
1. *Aneth Chapter house*

The master plan proposal includes a new Aneth Chapter house that will provide a gathering place to conduct administrative procedures and facilitate Chapter coordination and cohesion. This is designed to be near the center of the development and the cultural pavilion.



2. *Recreation Center*

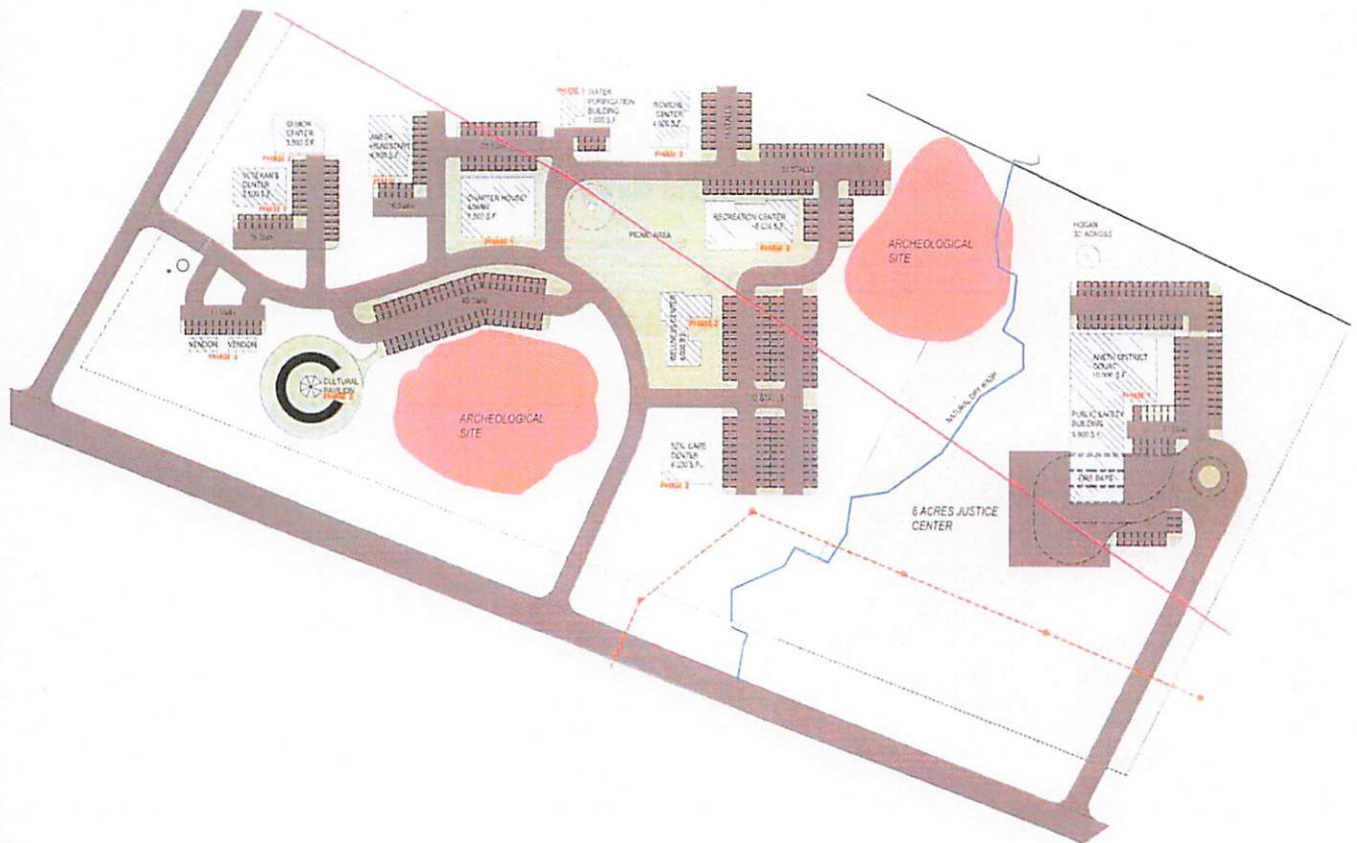
The proposed Recreation Center will be a great amenity for the entire community and will provide a source of recreation and relaxation as well as a gathering place for the youth. The recreation center is surrounded with lawns and landscaped to allow additional outdoor uses and gathering areas.



Future State

Future State

e. Phasing map



Concept Development

Concept Development

a. Assumptions

This Aneth master plan is a design exercise to better understand how the community of Aneth will need to be serviced in the future. Although, many efforts have been made to understand the nuances of needs that exist in the community and to provide potential answers for those needs, this document is not comprehensive in nature and does not account for all situations or potential buildings and services that the community of Aneth may require. It is assumed that this document will provide a baseline on which to begin moving toward full design services which may or may not include; civil, landscaping, architectural, structural, mechanical, plumbing, and electrical services, as well as other specialty design and engineering as the project may require.

The building massing and forms show in this proposed master plan are intended as general massing and do not necessarily reflect the size, shape, or orientation of the buildings final position and form. They are intended to provide context and for conceptual purposes only.

Cost Analysis and Phasing

Cost Analysis and Phasing

Initial cost analysis is outside of the scope of work for this project and it to be based upon DFCM's general cost estimate of \$20 to \$30 million for this project. Construction costs would be subject to current market value and material costs. Whereas this project is divided up into phases of construction, the hard and soft costs for the project would need to be calculated as refinement of the project continued and each new phase was undertaken.

Future State

11. Vendor

The proposed Vendor buildings will provide a business and employment opportunities to the residents of the community. These are situated near the main road to provide access to travelers and community members alike.

12. Water Purification Building

The proposed Water Purification building will provide a vital resource to the community through monitoring and treating the water system needed for the master plan.

13. Hogan

The proposed Hogan is a structure dedicated to assisting those undergoing recovery and in the judicial system.

Summary

Summary

The proposed Aneth master plan as it comes to fruition will provide the residents of Aneth as well as visitors to the area many services and amenities to enrich their lives through better public safety access, better health care provisions, better recreational opportunities, and a cultural experience that generate a sense of belonging and pride for current and future generations.