

LEGISLATIVE SUMMARY SHEET
Tracking No. 0125-23

DATE: June 2, 2023

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CD-62-22 AND THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CRYSTALYNE CURLEY'S DELEGATE REGION (CHAPTERS: TACHEE/BLEU GAP, MANY FARMS, NAZLINI, TSELANI/COTTONWOOD, LOW MOUNTAIN)

PURPOSE: This resolution, if approved, will amend Hon. Crystalyne Curley's Fiscal Recovery Fund Delegate Region Projects Plan (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain)

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each Council Delegate to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: A Johnson
Website Posting Time/Date: 7:55pm; 06-02-23
Posting End Date: 06-07-23
Eligible for Action: 06-08-23

Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL — First Year, 2023

INTRODUCED BY



Primary Sponsor

TRACKING NO. 0125-23

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION
COUNCIL; AMENDING CD-62-22 AND THE NAVAJO NATION FISCAL
RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR
HONORABLE CRYSTALYNE CURLEY'S DELEGATE REGION
(CHAPTERS: TACHEE/BLEUE GAP, MANY FARMS, NAZLINI,
TSELANI/COTTONWOOD, LOW MOUNTAIN)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).
- B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law

1 by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) and 2 N.N.C.
2 §§ 1005 (C) (10), (11), and (12).

- 3 D. Navajo Nation Council Resolution No. CD-62-22, attached as **Exhibit 1** (without
4 project exhibits), mandates that amendments to the Navajo Nation Fiscal Recovery
5 Fund Delegate Region Project Plan for Honorable Crystalyne Curley's Delegate
6 Region (Chapter: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low
7 Mountain) be approved by a Navajo Nation Council resolution and signed into law by
8 the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17), and 2 N.N.C.
9 §§ 1005 (C) (10), (11), and (12).

10
11 **SECTION TWO. FINDINGS**

- 12 A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO
13 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
14 ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY
15 FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND
16 EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC
17 SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL
18 ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS;
19 HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS;
20 BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND
21 ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND
22 MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION
23 PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED
24 ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo
25 Nation on July 15, 2022.

- 26 B. CJN-29-22, Section Three, states, in part and among other things, that

- 27 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter
28 and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal
29 Recovery Fund in the total amount of two hundred eleven million two
30 hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148)

1 to be divided equally between the twenty-four (24) Delegate Regions in the
2 amount of eight million eight hundred two thousand three hundred forty
3 dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate
4 Region Project Plans approved by Navajo Nation Council resolution and
5 signed into law by the President of the Navajo Nation . . . See CJN-29-22,
6 Section Three (B).

- 7 2. The Delegate Region Project Plan funding will be allocated to the Navajo
8 Nation Central Government, specifically the Division of Community
9 Development or other appropriate Navajo Nation Division or Department,
10 to implement the projects rather than directly to the Chapters. See CJN-29-
11 22, Section Three (D).
- 12 3. The Navajo Nation Central Government, specifically the Division of
13 Community Development or other appropriate Navajo Nation Division or
14 Department, shall manage and administer funds and Delegate Region
15 Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation
16 Central Government may award funding to LGA-Certified Chapters through
17 sub-recipient agreements to implement and manage specific projects, but
18 shall maintain Administrative Oversight over such funding and Delegate
19 Region Project Plans. See CJN-29-22, Section Three (E).
- 20 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund
21 eligible projects within their Delegate Region to be funded by the NNFRF
22 Chapter and Regional Projects Expenditure Plan through a Delegate Region
23 Projects Plan. The total cost of projects selected by each Delegate shall not
24 exceed their Delegate Region distribution of eight million eight hundred two
25 thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section
26 Three (F).
- 27 5. Each Delegate Region Project shall identify its Administrative Oversight
28 entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ
29 initial eligibility determination. See CJN-29-22, Section Three (L)(5) and
30 (L)(6).

1 C. The Navajo Nation Council Resolution No. CD-62-22, AN ACTION RELATING TO
2 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
3 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE
4 REGION PROJECT PLAN FOR HONORABLE KEE ALLEN BEGAY, JR.'S
5 DELEGATE REGION (CHAPTERS: TACHEE/BBLUE GAP, MANY FARMS,
6 NAZLINI, TSELANI/COTTONWOOD, LOW MOUNTAIN), was signed into law
7 by the President of the Navajo Nation on January 9, 2023. **Exhibit 1.**

8 D. CD-62-22, Section Four, states that:

- 9 1. Amendments to this legislation or to the Delegate Region Project Plan approved
10 herein shall only be adopted by resolution of the Navajo Nation Council and
11 approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17)
12 and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

13 E. The Hon. Crystalyne Curley has requested to amend CD-62-22 to delete the *Nazlini*
14 *Chapter Bathroom Additions* project (NNDOJ Review No. HK0232) and to delete the
15 *Nazlini Chapter House Wiring* project (NNDOJ Review No. HK0233) from the
16 Delegate Region Projects Plan covering the Tachee/Blue Gap, Many Farms, Nazlini,
17 Tselani/Cottonwood, Low Mountain Chapters. The removal of these projects will
18 revert \$265,000.00 back to Hon. Crystalyne Curley's Delegate Region's Project Plan's
19 Un-Allocated Amount.

20 F. In addition to the removal of the *Nazlini Chapter Bathroom Additions* project and the
21 removal of the *Nazlini Chapter House Wiring* project, Hon. Crystalyne Curley has
22 requested that additional projects be added to the Delegate Region Projects Plan
23 covering the Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low
24 Mountain Chapters originally approved by CD-62-22. The additional projects, which
25 have all been deemed Fiscal Recovery Fund eligible by NNDOJ, as well as the deleted
26 projects, are set forth in **Exhibit 2**. After the deletion and addition of the project(s), the
27 Hon. Crystalyne Curley's Delegate Region Projects Plan does *not* exceed the amount
28 of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

29 G. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo
30 Nation and the Hon. Crystalyne Curley's Delegate Region Chapters and communities

1 to approve and adopt the removal of two-projects and add additional projects as part
2 of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon.
3 Crystalyne Curley's Delegate Region (Chapters: Tachee/Blue Gap, Many Farms,
4 Nazlini, Tselani/Cottonwood, Low Mountain) as set forth in **Exhibit 2**.

5
6 **SECTION THREE. AMENDING CD-62-22, THE NAVAJO NATION FISCAL**
7 **RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE**
8 **CRYSTALYNE CURLEY'S DELEGATE REGION (CHAPTERS: TACHEE/BLEU**
9 **GAP, MANY FARMS, NAZLINI, TSELANI/COTTONWOOD, LOW MOUNTAIN)**

- 10 A. The Navajo Nation hereby approves the removal of two projects (the *Nazlini Chapter*
11 *Bathroom Additions* project under NNDOJ Review No. HK0232 and the *Nazlini*
12 *Chapter House Wiring* project under NNDOJ Review No. HK0233) listed in CD-62-
13 22 for Hon. Crystalyne Curley's Delegate Region Projects Plan as stricken in **Exhibit**
14 **2**. The removal of these projects from Hon. Crystalyne Curley's Delegate Projects
15 Plan will revert \$265,000.00 back to her Delegate Region's Project Plan's Un-
16 Allocated Amount.
- 17 B. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation
18 Fiscal Recovery Fund Delegate Region Project Plan for Hon. Crystalyne Curley's
19 Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini,
20 Tselani/Cottonwood, Low Mountain) set forth in **Exhibit 2**.
- 21 C. The Delegate Region Project Plan approved herein shall comply with all applicable
22 provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- 23 D. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the
24 individual project appendix, shall be resolved in favor of the project appendix reviewed
25 by Department of Justice during their eligibility determination(s).

26
27 **SECTION FOUR. AMENDMENTS**

28 Amendments to this legislation or to the Delegate Region Project Plan approved herein
29 shall only be adopted by resolution of the Navajo Nation Council and approval of the
30

1 President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005
2 (C) (10), (11), and (12).

3
4 **SECTION FIVE. EFFECTIVE DATE**

5 This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C.
6 § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

7
8 **SECTION SIX. SAVING CLAUSE**

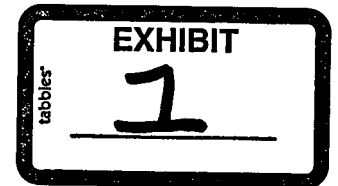
9 If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court,
10 or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court,
11 those provisions of this legislation not determined invalid shall remain the law of the Navajo
12 Nation.

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



January 6, 2023



Hon. Otto Tso
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CD-62-22, *An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Kee Allen Begay, Jr. 's Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain)*

Dear Speaker Tso,

The Nez/Lizer Administration appreciates the Chapters' endeavors to work collaboratively with their respective Council Delegate in completing the process to access funding made available with the \$211,256,148 allocated for regional expenditure plans under CJN-29-22.

The process to secure funding also involves collaborative efforts between the Chapters, the Division of Community Development, Navajo Nation Fiscal Recovery Fund (NNFRF) Office and the Navajo Nation Department of Justice (NNDOJ). Per BFS-31-21, each proposed expenditure must obtain NNDOJ verification that each proposed project is an eligible expense within ARPA/NNFRF regulations. Each of the projects within CD-62-22 has met all the requirements.

The ARPA/NNFRF process is still evolving since the inception of this funding. Within the United States Treasury and the Navajo Nation, processes have been updated at various times. An example is the Treasury guidelines referenced within Navajo Nation Council resolutions CJY-41-21 and CJN-29-22; the Treasury guidelines exhibit was updated by the United States Treasury on September 20, 2022. Accordingly, the legal guidance provided by NNDOJ and Office of Legislative Counsel is modified to comply with the Treasury guidelines.

One such modification of legal guidance involved the processing of regional expenditure plans. Originally, the guidance was that all projects had to equal \$8,802,340 to be considered as completed and ready for legislative action. This guidance was modified in December 2022 to allow partial funding of the \$8,802,340 allocations so that proposed ARPA/NNFRF projects ready for legislative action could be processed by Office of Legislative Counsel. Because of the time constraints for the 24th Navajo Nation Council to act on proposed legislation, programs did not have sufficient time to provide written verification to Chapters regarding the change in legal guidance.

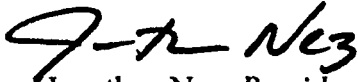
THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

Pursuant to the authority vested in the Navajo Nation President, I am signing Resolution CD-62-22 into law.

Sincerely,


Jonathan Nez, *President*
THE NAVAJO NATION


Myron Lizer, *Vice President*
THE NAVAJO NATION

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 24th NAVAJO NATION COUNCIL - FOURTH YEAR, 2022

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION
 PROJECT PLAN FOR HONORABLE KEE ALLEN BEGAY, JR.'S DELEGATE REGION
 (CHAPTERS: TACHEE/ BLUE GAP, MANY FARMS, NAZLINI, TSELANI/
 COTTONWOOD, LOW MOUNTAIN)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

SECTION TWO. FINDINGS

- A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.

B. CJN-29-22, Section Three, states, in part and among other things, that:

1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation See CJN-29-22, Section Three (B).
2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).
5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial

eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).

- C. All projects listed in the Hon. Kee Allen Begay, Jr.'s Delegate Region Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Kee Allen Begay, Jr.'s Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- D. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Kee Allen Begay, Jr.'s Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Kee Allen Begay, Jr.'s Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain) as set forth in **Exhibit A**.

SECTION THREE. APPROVAL OF HON. KEE ALLEN BEGAY, JR.'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Kee Allen Begay, Jr.'s Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain) set forth in **Exhibit A**.
- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

SECTION FOUR. AMENDMENTS

Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) (17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

SECTION FIVE. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164 (A) (17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

SECTION FIVE. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions of this legislation not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 21 in Favor, and 00 Opposed, on this 29th day of December 2022.



Honorable Otto Tso, Speaker
24th Navajo Nation Council

12/30/2022

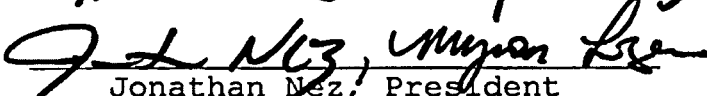
DATE

Motion: Honorable Vince James
Second: Honorable Daniel E. Tso

Speaker Otto Tso not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 9th day of January, 2023.


Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2022 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this _____ day of _____, 2022.

Jonathan Nez, President
Navajo Nation

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Kee Allen Begay, Jr.

CHAPTERS: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Leach Field Project	Division of Community Development	5.3	HK0226	\$ 120,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Bathroom Additions	Division of Community Development	1.14	HK0232	\$ 160,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Housing Wiring	Division of Community Development	2.18	HK0233	\$ 105,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Consulting Services	Division of Community Development	7.1	HK0234	\$ 150,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Warehouse Project	Division of Community Development	6.1	HK0235	\$ 400,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Administration Bldg	Division of Community Development	6.1	HK0237	\$ 350,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Cemetery Project	Division of Community Development	6.1	HK0238	\$ 150,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Water Conservation Project	Division of Community Development	2.22	HK0239	\$ 590,468.00
Division of Community Development	NONE IDENTIFIED	Many Farms Chapter Housing Support: Bathroom Additions	Division of Community Development	1.14	HK0305	\$ 400,000.00
Division of Community Development	NONE IDENTIFIED	Many Farms Chapter Local Rural Addressing - E911	Katherine O. Arthur, Chapter President	2.22	HK0307	\$ 100,000.00
TOTAL:						\$ 2,525,468.00

*Per CUN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

NAVajo NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Kee Allen Begay, Jr.

CHAPTERS: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 2,525,468.00
Division of Community Development	NONE IDENTIFIED	Many Farms Chapter HVAC Systems	Division of Community Development	1.4	HK0308	\$ 150,000.00
Division of Community Development	NONE IDENTIFIED	Many Farms Chapter Broadband/Cellular Tower	Division of Community Development	1.14	HK0309	\$ 750,000.00
Division of Community Development	NONE IDENTIFIED	Blue Gap/Tachee Chapter Cellular Service Tower	Division of Community Development	1.14	HK0332	\$ 750,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter Elderly Bathroom Makeover/Modification Project	Division of Community Development	1.14	HK0333	\$ 81,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter Cellular Tower Project	Division of Community Development	1.14	HK0334	\$ 700,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter New Homes Waterline Extension Project	Division of Community Development	5.13	HK0336	\$ 48,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter Drainage/Septic System Project	Division of Community Development	5.5	HK0312	\$ 140,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter New Homes Electric and Powerline Extension	Division of Community Development	2.18	HK0335	\$ 60,000.00
Division of Community Development	NONE IDENTIFIED	Blue Gap/Tachee Chapter Warehouse Building	Division of Community Development	6.1	HK0341	\$ 450,000.00
TOTAL:						\$ 5,654,468.00

*Per C.J.N-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

CHAPTERS: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain

Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Hon. Crystalyne Curley

CHAPTERS: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CD-62-22 on January 9, 2023				\$ 5,948,733.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Bathroom Additions	Division of Community Development	1.14	HK0232	-\$ 160,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter House Wiring	Division of Community Development	2.18	HK0233	-\$ 105,000.00
Division of Community Development	None Identified	Low Mountain Chapter Hire of Personnel for Home Renovations Project	Division of Community Development	2.18	HK0310-2	\$ 122,191.30
Division of Community Development	None Identified	Low Mountain Chapter New Home Construction Project	Division of Community Development	2.15	HK0311-2	\$ 420,000.00
Division of Community Development	None Identified	Low Mountain Chapter Drainage/Septic System Project	Division of Community Development	5.5	HK0312	\$ 140,000.00
Division of Community Development	None Identified	Blue Gap/Tachee Chapter Administration Building Renovation Project	Division of Community Development	2.22	HK0339	\$ 266,203.00
Division of Community Development	None Identified	Low Mountain Chapter Home Renovations Construction Project	Division of Community Development	2.18	HK0432	\$ 92,067.70
Division of Community Development	None Identified	Low Mountain Chapter Septic Services Project	Division of Community Development	5.5	HK0433	\$ 67,200.00
Division of Community Development	None Identified	Low Mountain Chapter Heating/Cooling System Project	Division of Community Development	1.4	HK0441	\$ 30,000.00
TOTAL:						\$ 6,821,395.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Hon. Crystalyne Curley

CHAPTERS: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 6,821,395.00
		UN-ALLOCATED AMOUNT				\$ 1,980,945.00
TOTAL:						\$ 8,802,340.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."



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 0310-2

Date & Time Received: 3/30/23 at 12:11

Date & Time of Response: 4/11/23 at 718 pm

Entity Requesting FRF: Low Mountain Chapter

Title of Project: (Personnel (Hire for Home Renovation Project))

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$122,191.30

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

- ☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

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

2.18, Housing Support: Other Housing Assistance

<input type="checkbox"/>	Missing Form
<input type="checkbox"/>	Supporting documentation missing
<input type="checkbox"/>	Project will not be completed by 12/31/2026
<input type="checkbox"/>	Ineligible purpose
<input type="checkbox"/>	Submitter failed to timely submit CARES reports
<input type="checkbox"/>	Additional information submitted is insufficient to make a proper determination

- ☐ Expenditure Plan incomplete
 - ☐ Funds will not be obligated by 12/31/2024
 - ☐ Incorrect Signatory
 - ☐ Inconsistent with applicable NN or federal laws

[illegible]

Name of DOJ Reviewer: Rudy Anaya, Tax and Finance Unit

Signature of DOJ Reviewer: Randy Cz

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.

Page 2 of 2



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

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

RFS/HK Review #: HK0310

Date & Time Received: 12/16/22 1:30

Date & Time of Response: 23 December, 2022; 2:26 pm

Entity Requesting FRF: Low Mountain Chapter

Title of Project: Home Renovation Personnel Hire

Administrative Oversight: Division of Community Development

Amount of Funding Requested: TBD

Eligibility Determination:

- ☐ FRF eligible
☐ FRF ineligible
☒ Additional information requested

FRF Eligibility Category:

- ☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.18 Housing Support:

Other Housing Assistance

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- | | |
|--|--|
| <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: Please note that the documents submitted contain conflicting amounts requested – the Appendix A document lists \$122,191.30 as the requested project cost, but the supporting Chapter resolution states \$60,000 in its concluding paragraph. Please resubmit a packet with matching amounts throughout, so DOJ may properly evaluate the proposed project. Thank you.

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: _____



Disclaimers: An NNDOJ Initial Eligibility Determination will be 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.

RESOLUTION OF THE
LOW MOUNTAIN CHAPTER

LMC-2023-018

SUPPORTING RESOLUTION REQUESTING THE NAVAJO NATION TO FUND THE LOW MOUNTAIN CHAPTER IN THE AMOUNT OF \$122,190.30 FROM THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST AND EXPENDITURE PLANS AS AUTHORIZED BY THE AMERICAN RESCUE PLAN ACT (ARPA) FOR LOW MOUNTAIN CHAPTER TO HIRE LOCAL MANPOWER TO RENOVATE HOMES AND BATHROOM MODIFICATION FOR COMMUNITY MEMBERS.

WHEREAS:

01. Pursuant to Title 26 N.N.C., § 3 (A) and as listed pursuant to Title 11 N.N.C., Part 1 § 10 the LMC is a duly recognized certified chapter of the Navajo Nation government and as such may preserve or promote community interests; AND,
02. Pursuant to Title 26 N.N.C., § 1 (B) the LMC is a duly certified Chapter of the Navajo Nation Government and recognized as a local tribal entity vested with the authority to review all matters affecting the community and to make appropriate recommendations to the Navajo Nation concerning matters that are in the best interest of the community; AND,
03. Low Mountain Chapter will hire 4-Personnel, local manpower to renovate homes and bathroom modification for dilapidated houses and bathroom modification for community members in dire need; AND,
04. According to a community assessment conducted by the Low Mountain Chapter, we have identified several families to assist home renovation and elderly bathroom modification which is in dire need; AND,
05. Upon renovating homes and bathroom modification are completed; the community will benefit from this project in areas of personal hygiene and daily sanitizing.

NOW, THEREFORE BE IT RESOLVED THAT:

01. Supporting Resolution Requesting the Navajo Nation to Fund Low Mountain in the amount of \$122,190.30 from the Navajo Nation Fiscal Recovery Funds Request and Expenditure Plans as Authorized by the American Rescue Plan Act (ARPA) for Low Mountain Chapter to hire local manpower to renovate homes and bathroom modification for community members.
02. Low Mountain Chapter affirms that the Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies.

Motioned by: John Pehin

Second by: Sullivan John

We, hereby certify that the foregoing resolution was duly considered at a duly called Low Mountain Chapter Meeting in Low Mountain, (Arizona), Navajo Nation, at which a quorum was present and that same was passed by a vote of 11 in favor, 0 opposed, and 2 abstained on this 10 day of November, 2022.

[Signature]
Ben L. Gonnle, Chapter President

[Signature]
Roger B. George, Chapter Vice-President

[Signature]
Rose Ann Charley, Chapter Secretary/Treasurer

**NAVAJO NATION LISTING OF CLASIFICATION
TITLES, CLASS CODES AND ASSIGNED PAY GRADES**

Class Code	Position Classification Title	Salary Grade	Class Code	Position Classification Title	Salary Grade
2155	Chief Prosecutor	74	4085	Custodian	56
3632	Child Development Aide	55	1230	Department Manager I	68
3631	Child Development Worker	59	1231	Department Manager II	69
2172	Child Support Case Management Specialist	63	1232	Department Manager III	70
2170	Child Support Enforcement Officer	60	0400	Deputy Attorney General	75
2171	Child Support Regional Manager	65	2179	Deputy Chief of Police	72
3311	Civil Engineer	67	2156	Deputy Chief Prosecutor	72
3754	Clinical Director	69	2023	Deputy Contracting Officer	68
3804	Clinical Family Therapist	68	1191	Deputy Division Director	70
3753	Clinical Psychologist	69	1192	Deputy Executive Director	70
3702	Clinical Social Worker	68	2316	Deputy Fire Chief	67
3750	Clinical Specialist	67	4142	Derrick Operator	58
3755	Clinical Specialist - Intern	66	3697	Developmental Specialist	64
3433	Collection Clerk	56	2241	Digital Evidence Technician	64
3432	Collection Officer	60	3693	Director of Administrative Services	69
3820	Community Center Supervisor	61	2178	Director of Corrections	72
3798	Community Health Environmental Research Tech	62	2177	Director of Criminal Investigations	71
3792	Community Health Nurse	66	0411	Director of Ethics and Rules	70
3790	Community Health Nurse Director	69	3699	Director of Financial Services	69
3791	Community Health Nurse Supervisor	67	1840	Director of Information Technology	70
3795	Community Health Worker	62	0301	Division Director	71
3799	Community Health Worker Intern	60	4140	Driller	60
3793	Community Health Worker Supervisor	64	4141	Driller Helper	56
3821	Community Involvement Specialist	62	4144	Driver	57
3737	Community Library Manager	68	3655	Early Head Start Teacher	60
3830	Community Resource Coordinator	58	3403	Economic Development Specialist	63
3831	Community Services Coordinator	62	3408	Economist	70
1843	Computer Operations Manager	68	3676	Education Administrator	70
1892	Computer Operator	56	1859	Education Data Network Specialist	65
2022	Construction Employment Analyst	59	3688	Education Data Specialist	63
3515	Construction Inspector	63	3677	Education Program Manager	68
3501	Construction Supervisor	62	3762	Education Specialist	64
2018	Contract Analyst	63	3516	Electrical Inspector	63
2020	Contract Compliance Officer	64	4175	Electrician	61
2015	Contracting Officer	70	2065	Electronic Technician	62
0402	Controller	74	3741	Eligibility Technician	58
3849	Cook	57	2288	Emergency Management Director	68
3850	Cook's Aide	54	2287	Emergency Medical Responder	59
2264	Corrections Captain	69	2284	Emergency Medical Technician - Basic	60
2265	Corrections Lieutenant	67	2283	Emergency Medical Technician - Intermediate	61
2267	Corrections Officer	63	2285	Emergency Medical Technician - Intern	57
2268	Corrections Officer Trainee	61	2286	Emergency Medical Technician - Recruit	57
2266	Corrections Sergeant	65	2281	Emergency Medical Technician Instructor/Coordinator	62
3802	Counselor	62	2280	Emergency Medical Technician Supervisor	64
3430	Credit Manager	66	2290	Emergency Services Coordinator	66
2351	Criminal Information System Specialist	64	2291	Emergency Services Liaison	59
2207	Criminal Investigations Supervisor	70	1213	Employee Housing Specialist	67
2209	Criminal Investigator	67	1423	Employee Insurance Representative	59
0591	CSE-DOL Employee		3673	Employment Assistance Officer	59
4083	Custodial Supervisor	58	3696	Employment Development Specialist	64

NAVAJO NATION LISTING OF CLASIFICATION TITLES, CLASS CODES AND ASSIGNED PAY GRADES

Class Code	Position Classification Title	Salary Grade	Class Code	Position Classification Title	Salary Grade
2258	911 Dispatcher	61	2007	Associate Statistical I Research Analyst	63
1519	Accountant	63	2146	Attorney	68
1360	Accounting Clerk	56	2142	Attorney Candidate	67
1510	Accounting Manager	69	0303	Attorney General	76
1522	Accounting Supervisor	67	2055	Audio-Visual Technician	59
1525	Accounting Technician	57	1654	Auditor	65
1523	Accounting Technician (Cashier)	58	0304	Auditor General	72
1524	Accounts Maintenance Specialist	58	4049	Auto Body Repairer	59
1534	Accounts Maintenance Specialist (AP/PCard)	59	4048	Auto Body Shop Supervisor	62
1533	Accounts Payable Specialist	60	4042	Auto Parts Supervisor	60
3745	Adaptive Education Teacher	66	4044	Auto Parts Technician	57
1260	Administrative Assistant	62	4053	Automotive Service Writer	61
1292	Administrative Legal Secretary	63	4046	Automotive Technician	61
1211	Administrative Services Officer	64	2245	Background Adjudicator (DPS)	65
3314	Air Quality Engineer	66	1435	Background Investigations Manager	68
1212	Air Transportation Director	70	2246	Background Investigator (DPS)	61
4093	Aircraft Maintenance Technician/ Pilot	68	3756	Behavioral Health Director	71
4092	Aircraft Mechanic	61	1422	Benefits Clerk	56
4090	Aircraft Pilot	68	3735	Benefits Coordinator	67
4094	Airport Maintenance Coordinator	62	3245	Biologist	65
0506	AmeriCorp Participant		3246	Botanist	65
3185	Animal Control Officer	59	2068	Broadcast Engineering Technician	64
1854	Application Systems Programmer	66	2072	Broadcast Technician	62
3411	Appraiser	62	1683	Budget Analyst	64
3619	Archaeological Aide	56	1680	Budget Officer	68
3618	Archaeological Technician	57	4080	Building Maintenance Supervisor	62
3616	Archaeologist	64	4082	Building Maintenance Worker	58
3610	Archaeologist (Program Manager)	69	3405	Business Analyst	67
0401	Assistant Attorney General	74	4004	Buyer	61
1233	Assistant Department Manager	68	4171	Cabinet Maker	61
3678	Assistant Superintendent	71	3711	Caregiver Resource Specialist	64
1531	Associate Accountant	62	4173	Carpenter	60
2149	Associate Attorney	66	3764	Case Assistant	56
1655	Associate Auditor	63	3761	Case Management Specialist	64
3312	Associate Civil Engineer	65	3763	Case Worker	57
2019	Associate Contract Analyst	62	3760	Caseworker Supervisor	64
3318	Associate Environmental Engineer	63	1529	Cashier Services Supervisor	65
3043	Associate Environmental Specialist	64	0592	CBP-DOL Employee	
3342	Associate Geologist	64	1530	Chapter Accounting Technician	59
1418	Associate Human Resources Analyst	63	0597	Chapter Employee	
3363	Associate Hydrologist	64	0507	Chapter Youth Employee	
2164	Associate Juvenile Presenting Officer	62	3247	Chemist	65
1983	Associate Management Analyst	62	1515	Chief Financial Officer	71
1660	Associate Minerals Auditor	63	3350	Chief Geologist (Minerals)	73
3345	Associate Mining Engineer	63	2150	Chief Hearing Officer	69
3846	Associate Nutrition Worker	54	0211	Chief Legislative Counsel	76
3851	Associate Nutritionist	62	2361	Chief Medical Investigator	69
3348	Associate Petroleum Engineer	63	2176	Chief of Police	73
2042	Associate Public Information Officer	62	0201	Chief of Staff	71
3038	Associate Reclamation Specialist	64	0206	Chief Operating Officer	72

**NAVAJO NATION LISTING OF CLASIFICATION
TITLES, CLASS CODES AND ASSIGNED PAY GRADES**

Class Code	Position Classification Title	Salary Grade	Class Code	Position Classification Title	Salary Grade
1290	Senior Legal Secretary	61	2002	Statistical Research Analyst	65
4075	Senior Maintenance Mechanic	60	2003	Statistical Technician	57
1981	Senior Management Analyst	66	2004	Statistician/Demographer	68
3001	Senior Mineral Assessment Specialist	65	4007	Stores Clerk	55
1662	Senior Minerals Auditor	67	3732	Substance Abuse Counselor	56
3343	Senior Mining Engineer	68	3733	Substance Abuse Health Educator	63
1847	Senior Network Specialist	65	0403	Superintendent of Schools	73
3844	Senior Nutrition Worker	59	3611	Supervisory Archaeologist	68
3841	Senior Nutritionist	65	3320	Supervisory Land Surveyor	66
1365	Senior Office Specialist	60	1841	Systems and Programming Manager	69
4177	Senior Painter	62	2148	Tax Attorney	68
3270	Senior Parks Maintenance Worker	59	1657	Tax Auditor	65
1527	Senior Payroll Technician	61	1671	Tax Compliance Officer	63
3346	Senior Petroleum Engineer	69	3178	Telecommunications Supervisor	63
3008	Senior Petroleum Technician	65	0500	Temporary Employee	
1961	Senior Planner	65	4170	Trades Helper	56
4179	Senior Plumber	62	3811	Traditional Counselor	60
2183	Senior Police Officer	65	3810	Traditional Practitioner	62
1991	Senior Program Analyst	65	0505	Trainee	
1852	Senior Programmer Analyst	65	1444	Training & Development Supervisor	66
1251	Senior Programs and Projects Specialist	67	1443	Training Instructor	64
4016	Senior Property Clerk	59	1441	Training Manager	67
2157	Senior Prosecutor	67	4032	Transit Dispatcher	59
2040	Senior Public Information Officer	64	1250	Transit Manager	70
3036	Senior Reclamation Specialist	68	1966	Transit Planner	64
3042	Senior Remedial Project Manager	68	3743	Treatment Coordinator	64
3419	Senior Right-Of-Way Agent	62	2162	Tribal Court Advocate	64
4026	Senior Safety Technician	62	3797	Tuberculosis Control Technician	59
3707	Senior Social Service Representative	60	1842	User Services Manager	68
3704	Senior Social Worker	65	4047	Vehicle Service Worker	56
2001	Senior Statistical Research Analyst	66	3829	Veterans Claims Examiner	64
4006	Senior Stores Clerk	57	3825	Veterans Service Officer	61
3731	Senior Substance Abuse Counselor	60	3073	Veterinarian	69
3365	Senior Superfund Hydrogeologist	68	3075	Veterinary Aide	55
2147	Senior Tax Attorney	70	3710	Victim and Witness Advocate	62
1656	Senior Tax Auditor	67	1229	Vital Statistics Manager	65
1670	Senior Tax Compliance Officer	65	2005	Vital Statistics Technician	58
2161	Senior Tribal Court Advocate	66	3692	Vocational Rehabilitation Counselor	64
3709	Senior Victim and Witness Advocate	64	3826	Volunteer Services Coordinator	60
3691	Senior Vocational Rehabilitation Counselor	65	4078	Voter Machine Technician	58
4002	Senior Warehouse Worker	58	3835	Voter Registration Specialist	62
3285	Senior Zookeeper	61	4001	Warehouse Supervisor	61
3456	Slot Compliance Assistant	64	4003	Warehouse Worker	56
3455	Slot Compliance Manager	68	3025	Water Code Compliance Officer	64
3796	Social Hygiene Technician	59	3021	Water Development Technician	62
3708	Social Service Representative	58	1849	Web Developer	66
3705	Social Worker	63	3007	Weights and Measures Inspector	60
3807	Speech Language Pathologist	69	4181	Welder	60
0205	Staff Assistant	64	3180	Wildlife Biologist	65
1442	Staff Training Coordinator	64	3181	Wildlife Conservation Officer	65

**NAVAJO NATION LISTING OF CLASIFICATION
TITLES, CLASS CODES AND ASSIGNED PAY GRADES**

Class Code	Position Classification Title	Salary Grade	Class Code	Position Classification Title	Salary Grade
3421	Housing Specialist	64	4143	Laborer	55
1426	HR Background Check Technician	60	3412	Land Agent	63
1407	HR IT Manager	67	3414	Land Support Agent	60
1411	HR Position Control Analyst	65	3770	Laundry Worker	55
1431	HR Records Supervisor	62	2154	Law Clerk - Intern	63
1408	HR Recruitment Manager	67	2251	Lead Police Records Clerk	58
1432	HR Support Services Specialist	66	3413	Leasing Agent	63
1433	HR Technical Specialist	65	0202	Legal Counsel	70
1430	HR/IT Support Technician	62	1291	Legal Secretary	59
3675	HS Admin Regional Mgr.	64	1017	Legislative Accounts Maintenance Specialist	60
3664	HS Community Partnership Mgr.	67	1014	Legislative Advisor I	65
3660	HS Director of Educational Svcs	70	1013	Legislative Advisor II	67
3683	HS Employee Relations Spec	65	1010	Legislative Analyst	66
3633	HS Facilities & Safety Officer	64	1015	Legislative Assistant	60
3679	HS Mental Health & Disabilities Liaison	63	1011	Legislative Associate	66
3668	HS Paraprofessional	60	0210	Legislative Chief of Staff	70
3634	HS Prof Dev & Planning Spec	67	1297	Legislative Clerk Supervisor	63
3684	HS Regional Partnership Coordinator	64	1016	Legislative District Assistant	65
3687	HS School Readiness & Lang Immersion	67	1002	Legislative Financial Advisor	68
3689	HS Student Data Specialist	63	1005	Legislative Financial Manager	69
3669	HS Student Trans Supervisor	64	1012	Legislative Liaison	60
1427	Human Resource Adjudicator	66	1004	Legislative Manager	69
1417	Human Resources Analyst	64	1295	Legislative Reporter	59
i405	Human Resources Classification and Pay Manager	67	1296	Legislative Reporter Supervisor	65
1401	Human Resources Director	70	1298	Legislative Secretary I	58
1410	Human Resources Employee Relations Specialist	66	1299	Legislative Secretary II	59
1412	Human Resources Information Systems Supervisor	65	1300	Legislative Secretary III	60
1413	Human Resources Operations & Development Mgr.	68	1003	Legislative Staff Assistant	68
1424	Human Resources Records Clerk	58	1307	Legislative Transcriptionist	60
1428	Human Resources Specialist (Behavioral Health)	64	1355	Library Assistant	56
1403	Human Resources Systems Manager	67	3738	Library Services Coordinator	64
1419	Human Resources Technician	60	3431	Loan Officer	63
2166	Human Rights Investigator	64	3434	Loan Processor	58
3364	Hydrologic Technician	58	2350	Local Agency Security Officer	64
3362	Hydrologist	65	4176	Locksmith	62
3404	Industrial Development Specialist	67	1362	Mail Clerk	56
1877	Information Security Officer	68	4076	Maintenance Mechanic	58
1872	Information Systems Technician	60	4077	Maintenance Technician	60
1470	Insurance Claims Analyst	64	1982	Management Analyst	64
1471	Insurance Claims Examiner	60	3407	Marketing Specialist	66
0504	Intern	56	2057	Media Production Specialist	65
2206	Internal Affairs Investigator	65	2070	Media Production Technician	62
2205	Internal Affairs Supervisor	68	2056	Media Representative	64
1668	Internal Auditor	68	2360	Medical Examiner	74
2236	Investigator	63	2362	Medical Investigator	64
1511	Investment Manager	71	4028	Mine Safety Officer	67
4070	Irrigation Supervisor	60	3002	Mineral Assessment Specialist	63
2163	Juvenile Presenting Officer	64	3355	Minerals & Royalty Management Director	73
3189	Kennel Officer	56	1664	Minerals Audit Manager	70
2021	Labor Compliance Officer	61	1661	Minerals Auditor	65

**NAVAJO NATION LISTING OF CLASIFICATION
TITLES, CLASS CODES AND ASSIGNED PAY GRADES**

Class Code	Position Classification Title	Salary Grade	Class Code	Position Classification Title	Salary Grade
3421	Housing Specialist	64	4143	Laborer	55
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1432	HR Support Services Specialist	66	3413	Leasing Agent	63
1433	HR Technical Specialist	65	0202	Legal Counsel	70
1430	HR/IT Support Technician	62	1291	Legal Secretary	59
3675	HS Admin Regional Mgr.	64	1017	Legislative Accounts Maintenance Specialist	60
3664	HS Community Partnership Mgr.	67	1014	Legislative Advisor I	65
3660	HS Director of Educational Svcs	70	1013	Legislative Advisor II	67
3683	HS Employee Relations Spec	65	1010	Legislative Analyst	66
3633	HS Facilities & Safety Officer	64	1015	Legislative Assistant	60
3679	HS Mental Health & Disabilities Liaison	63	1011	Legislative Associate	66
3668	HS Paraprofessional	60	0210	Legislative Chief of Staff	70
3634	HS Prof Dev & Planning Spec	67	1297	Legislative Clerk Supervisor	63
3684	HS Regional Partnership Coordinator	64	1016	Legislative District Assistant	65
3687	HS School Readiness & Lang Immersion	67	1002	Legislative Financial Advisor	68
3689	HS Student Data Specialist	63	1005	Legislative Financial Manager	69
3669	HS Student Trans Supervisor	64	1012	Legislative Liaison	60
1427	Human Resource Adjudicator	66	1004	Legislative Manager	69
1417	Human Resources Analyst	64	1295	Legislative Reporter	59
1405	Human Resources Classification and Pay Manager	67	1296	Legislative Reporter Supervisor	65
1401	Human Resources Director	70	1298	Legislative Secretary I	58
1410	Human Resources Employee Relations Specialist	66	1299	Legislative Secretary II	59
1412	Human Resources Information Systems Supervisor	65	1300	Legislative Secretary III	60
1413	Human Resources Operations & Development Mgr.	68	1003	Legislative Staff Assistant	68
1424	Human Resources Records Clerk	58	1307	Legislative Transcriptionist	60
1428	Human Resources Specialist (Behavioral Health)	64	1355	Library Assistant	56
1403	Human Resources Systems Manager	67	3738	Library Services Coordinator	64
1419	Human Resources Technician	60	3431	Loan Officer	63
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3362	Hydrologist	65	4176	Locksmith	62
3404	Industrial Development Specialist	67	1362	Mail Clerk	56
1877	Information Security Officer	68	4076	Maintenance Mechanic	58
1872	Information Systems Technician	60	4077	Maintenance Technician	60
1470	Insurance Claims Analyst	64	1982	Management Analyst	64
1471	Insurance Claims Examiner	60	3407	Marketing Specialist	66
0504	Intern	56	2057	Media Production Specialist	65
2206	Internal Affairs Investigator	65	2070	Media Production Technician	62
2205	Internal Affairs Supervisor	68	2056	Media Representative	64
1668	Internal Auditor	68	2360	Medical Examiner	74
2236	Investigator	63	2362	Medical Investigator	64
1511	Investment Manager	71	4028	Mine Safety Officer	67
4070	Irrigation Supervisor	60	3002	Mineral Assessment Specialist	63
2163	Juvenile Presenting Officer	64	3355	Minerals & Royalty Management Director	73
3189	Kennel Officer	56	1664	Minerals Audit Manager	70
2021	Labor Compliance Officer	61	1661	Minerals Auditor	65

NAVAJO NATION
SALARY SCHEDULE

PAY GRADE	HOURLY RATES BY PAY GRADE AND STEP														Maximum	
	A	B	C	D	E	F	G	H	I	J	K	L				
51	7.22	7.43	7.66	7.88	8.13	8.35	8.60	8.87	9.15	9.40	9.68	10.01				
52	7.86	8.12	8.34	8.59	8.84	9.14	9.39	9.67	9.99	10.28	10.57	10.91				
53	8.58	8.83	9.11	9.36	9.64	9.95	10.26	10.54	10.88	11.20	11.53	11.90				
54	9.34	9.62	9.92	10.20	10.51	10.85	11.18	11.48	11.83	12.18	12.57	12.94				
55	10.18	10.49	10.82	11.12	11.45	11.80	12.14	12.52	12.90	13.30	13.69	14.10				
56	11.09	11.42	11.77	12.11	12.47	12.85	13.27	13.66	14.05	14.48	14.91	15.35				
57	12.09	12.45	12.83	13.21	13.63	14.02	14.44	14.88	15.31	15.80	16.25	16.75				
58	13.18	13.59	13.99	14.39	14.83	15.26	15.73	16.22	16.72	17.22	17.73	18.26				
59	14.37	14.81	15.24	15.69	16.18	16.69	17.18	17.71	18.24	18.59	18.98	19.53				
60	15.63	16.10	16.57	17.07	17.61	18.11	18.49	18.86	19.44	20.00	20.60	21.22				
61	17.03	17.56	18.08	18.63	18.83	19.37	19.96	20.56	21.17	21.81	22.48	23.18				
62	18.60	18.78	19.34	19.93	20.52	21.13	21.76	22.40	23.09	23.77	24.38	25.10				
63	19.87	20.44	21.06	21.70	22.34	23.02	23.71	24.33	25.02	25.78	26.54	27.36				
64	21.66	22.26	22.94	23.67	24.39	24.97	25.74	26.49	27.28	28.12	28.97	29.84				
65	23.62	24.32	24.91	25.67	26.44	27.21	28.05	28.88	29.74	30.65	31.54	32.49				
66	25.59	26.37	27.16	28.00	28.80	29.68	30.58	31.47	32.43	33.39	34.40	35.44				
67	27.91	28.72	29.58	30.49	31.39	32.36	33.33	34.33	35.35	36.38	37.48	38.61				
68	30.41	31.32	32.28	33.24	34.27	35.26	36.33	37.42	38.55	39.70	40.90	42.13				
69	33.15	34.14	35.16	36.23	37.34	38.42	39.55	40.78	42.00	43.24	44.56	45.90				
70	36.14	37.20	38.33	39.48	40.69	41.88	43.16	44.47	45.81	47.14	48.33	49.78				
71	39.40	40.56	41.78	43.04	44.33	45.65	47.03	48.44	49.67	51.15	52.67	54.25				
72	42.93	44.21	45.54	46.91	48.33	49.54	51.02	52.54	54.13	55.73	57.40	59.14				
73	46.78	48.21	49.39	50.90	52.44	54.00	55.61	57.28	59.00	60.75	62.61	64.46				
74	50.77	52.30	53.85	55.49	57.15	58.84	60.63	62.43	64.33	66.25	68.25	70.31				
75	55.33	56.98	58.69	60.47	62.28	64.16	66.07	68.05	70.10	72.20	74.36	76.59				
76	60.31	62.15	63.97	65.92	67.87	69.92	72.03	74.20	76.41	78.73	81.06	83.49				
77	65.74	67.74	69.75	71.85	74.00	76.23	78.51	80.87	83.31	85.79	88.37	91.00				

THE NAVAJO NATION
Estimated Employee Benefit Rates
Fiscal Year 2023

TYPE OF TAX/BENEFIT	Regular Status Employees	Political Appointees	*Temporary Employees/ Employee for Tax Purposes	Law Enforcement (Police Officers)	Navajo Nation Judges	President, Vice-Pres, Speaker, Council Deleg
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F.I.C.A./Medicare Taxes	7.65%	7.65%	7.65%	7.65%	7.65%	7.65%
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Unemployment Taxes	1.83%	1.83%	1.83%	1.83%	1.83%	1.83%
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OTHER BENEFITS:

Annual Leave	1.28%			1.28%	1.28%	
Group Insurance	23.80%	23.80%		23.80%	23.80%	23.80%
Retirement	14.50%	14.50%		18.50%	44.50%	14.50%
401K Plan	3.00%	3.00%		3.00%	3.00%	3.00%
Deferred Compensation		10.00%				20.00%

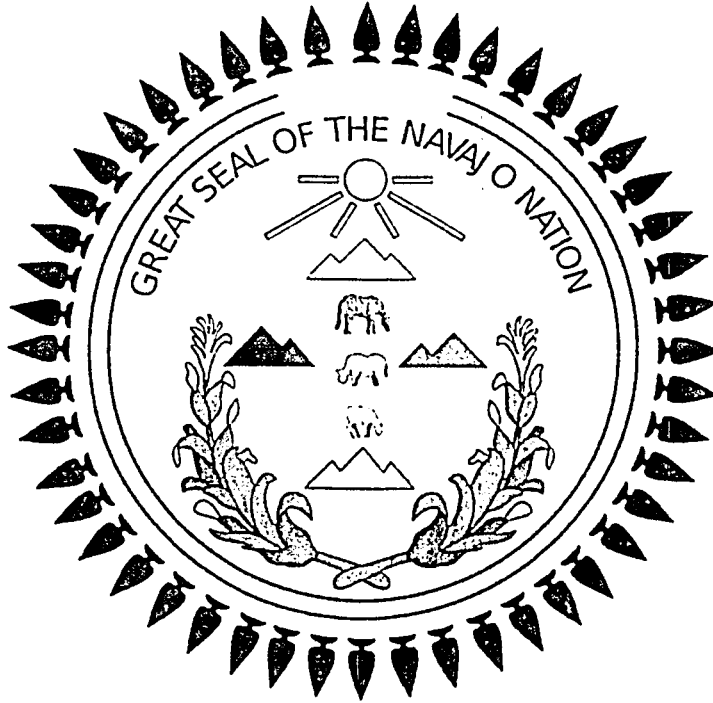
Total Estimated Rates:	52.06%	60.78%	9.48%	56.06%	82.06%	70.78%
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*Includes but not limited to: Youth, PEP Programs, Members of Committee, Boards, and Commissions.

Reviewed & Approved by: Robert Willie Date: 05/20/22
 Robert Willie, Accounting Manager

Reviewed & Approved by: Elizabeth Begay Date: 05/20/22
 Elizabeth Begay, Acting Controller
 Updated: 05/20/22

LOW MOUNTAIN CHAPTER



PUBLIC EMPLOYMENT PROGRAM (PEP) POLICY AND PROCEDURES

Low Mountain Chapter
P.O. Box 4416
Blue Gap, Arizona 86520
Phone: (928)725-3700
Fax: (928)725-3703
Email: lowmountain@navajochapters.org

**LOW MOUNTAIN CHAPTER
PUBLIC EMPLOYMENT PROGRAM
POLICY AND PROCEDURES**

I. ESTABLISHMENT:

The Low Mountain Chapter Public Employment Program (PEP) is hereby established a short-term employment program (as amended) under the Low Mountain Chapter Government.

II. PURPOSE:

The purpose of the PEP Policy and Procedures is to provide guidance to the Low Mountain Chapter in administering the Chapter PEP funds to provide short-term employment opportunities for registered and/or non-registered Chapter residents in the community to work on prioritized Chapter Emergency Projects.

- A. The Policy of the Low Mountain chapter is to comply with applicable laws that governs the employment relations between the Chapter and the PEP employees and consistent with the Nation's laws, regulations, and policies, the Chapter shall not discriminate against an applicant or employee(s).
- B. Reduce the unemployment rate within the Chapter community and Navajo Nation level.
- C. Provide on-the-job training to selected Chapter PEP participants, to bring them to a desired standard of efficiency or condition or behavior etc. so they may seek and obtain other outside employment with non-Chapter employers.
- D. During the Coronavirus emergency health crisis, the policy of the Chapter shall be to educate the PEP participants about how the virus spreads and raise their awareness about the crucial roles of self-distancing, hand washing, sanitizing and also face mask use to help in controlling the outbreak of COVID-19. We need to have that degree of compliance with these simple measures for self-protections of PEP participants, Chapter Staff, Officials and others.

III. DEFINITIONS:

- A. "Chapter Official" means the following public officials elected by the Chapter membership" Chapter President, Chapter Vice President, and Chapter Secretary/Treasurer.
- B. "Community Service Coordinator" means the individual who is responsible for administering the Five Management (FMS) and the administrative functions of the Chapter operation. Administrative head staff performing the duties prescribed in Local Governance Act (LGA) Title 26 N.N.C. Subsections 1004 (B) (C) and 2003 (B).
- C. "Chapter Administration" means the employees of the Chapter which includes, but is not limited to Community Service Coordinator (CSC) and Account Maintenance Specialist (AMS).
- D. "Chapter Employee" means any person or entity working for or rendering or exchanging any services or performing any act for or on behalf of the Chapter, in return for any form of payment or other compensation. This can be temporarily, permanently or indefinitely, in any capacity.
- E. "Participants" means Chapter Residents participating in Chapter-approved Public Employment Program projects whether hired or voluntarily.

- F. "Chapter Resident" means one who dwells permanently or continuously within the boundaries of the Chapter.

IV. STAFFING AND ORGANIZATION:

- A. **CHAPTER OFFICERS;** In accordance with the Local Governance Act as approved by the N.N.C. by Resolution CAP-34-98, the Chapter Officials having Legislative oversight hereby through adoption of this policy, delegates to the Community Services Coordinator oversight authority over the operation of the PEP.
- B. **COMMUNITY SERVICES COORDINATOR (CSC):** The CSC under the direct supervision of the selected Chapter Official shall have the primary daily oversight of the PEP and further, shall have the ultimate authority over all the Chapter PEP projects
- C. **PROJECT SUPERVISOR:** The Project Supervisor under the direct supervision of the Community Services Coordinator shall oversee all the PEP and/or other Chapter-approved project participants to assure continuity of ongoing project(s) and that they are completed on a timely manner and/or within the annual Budget Cycle or an extension shall be reflected in the ensuing year's budget and approved by the Chapter. In the event the Chapter CSC is unavailable, in his/her absence, the Project Supervisor shall report directly to the Chapter Accounts Maintenance Specialist (AMS).

V. ELIGIBILITY CRITERIA:

- A. During the difficult time period of the Regional Navajo Nation Coronavirus epidemic, it is especially important the Chapter first and foremost recognize the need of maintaining or establishing a norm of Chapter operations with a common message of self-care, protection and personal accountability during the global COVID-19 virus pandemic.
- B. In times of this uncertainty, the Chapter for purposes of services and benefits to the community continues to carry out Chapter-approved PEP and other emergency project activities for the general health, safety and welfare of the Chapter membership and thus, the Chapter Official shall have the ultimate authority to select hire active Chapter registered voters and employable non-registered Chapter residents.
- C. During the Coronavirus emergency health crisis if a Chapter PEP and/or an emergency project employee(s) gets tested for COVID-19 the employee shall notify employer with the test result and based on the results, the employer shall abide by the Navajo Department of Health and the Health Command Operations Center instruction policy.
- D. PEP and/or other emergency projects, applicants shall not be employed with other entities at the time of submitting and employment application.
- E. Elected Chapter Officials or an Administrative staff shall recuse oneself from hiring process participation determining employment eligibility for an applicant due to personal relationship because of a potential conflict of interest or lack of impartiality.
- F. The Chapter Officials shall select a Chapter Project Supervisor based on experience, skill and qualifications for the designated Chapter Project. The CSC can utilize the Navajo Nation pay scales or recommend the Chapter pay scale based on funds availability to pay the Project Supervisor and likewise with other skilled employees their appropriate wages.

- C. All payroll checks will be prepared and distributed in accordance with the Chapter's Fiscal Management Policies and Procedures.
- D. All payroll checks will be picked up by the PEP participant (payee) only, unless a written authorization by the payee designating another individual to pick up the check is submitted to and acknowledged by the Chapter administration.

VIII. SEXUAL AND OTHER UNLAWFUL HARASSMENT:

- A. A participant who wants to report an incident of sexual or other unlawful harassment shall immediately report the matter to the Community Services Coordinator, who shall report the incident to appropriate authorities.
- B. The Community Services Coordinator shall address the matter in a timely, appropriate and confidential manner pursuant to the Chapter's Five Management System XVI (F) Conduct of Employee Sexual Harassment.

IX. ILLEGAL DRUG, ALCOHOL OR OTHER ILLEGAL SUBSTANCE USE:

- A. It is the Chapter policy to provide a drug-free, healthy and safe workplace. To promote this goal, employees are required to report to work in an appropriate mental and physical condition to perform their jobs in a satisfactory manner.
- B. Employees shall not use, possess, distribute, sell or be under the influence of alcohol, drugs or other illegal substance while conducting Chapter related business, Chapter premises and/or project sites.
- C. The legal use of prescribed drugs by a licensed physician is permitted on the job only if it does no impair an employee's ability to perform the essential function of the job effectively and in a safe manner that does not endanger other individuals in the workplace.
- D. Violation of this policy shall lead to disciplinary action including an IMMEDIATE TERMINATION OF EMPLOYMENT!

X. ABSENTISM:

- A. If an employee fails to show up for work two consecutive days, shall result to disciplinary action of IMMEDIATE TERMINATION OF EMPLOYMENT!

XI. EXPENDITURE REPORTING:

- A. At the end of each month, quarterly, and calendar year-ending, all required reporting documents shall be submitted to the appropriate departments.
- B. The Accounts Maintenance Specialist shall make a written expenditure report to the Chapter Officials, and the Secretary/Treasurer shall then make an oral report at a dully called Chapter Meeting on a monthly basis.

XII. AMENDMENT:

The Low Mountain Chapter shall strictly abide and comply with set Policies and Procedures unless otherwise changes or amendments have been made to the Chapter Public Employment Program Policy and Procedures. The process to amend the Policy and Procedure shall be recommended in writing by any registered community member at a duly called Chapter Planning Meeting.

C-E-R-T-I-F-I-C-A-T-I-O-N

We, hereby certify that the forgoing Chapter Public Employment Program (PEP) Policy and Procedures was duly considered at a duly call Low Mountain Chapter, Chapter Meeting in Low Mountain (Navajo Nation), Arizona, at which a quorum was present and that same was passed by a vote of 04 in favor, 0 opposed, and 01 abstained, on this 15th day of September 2021.

MOTIONED BY: Roger B. George

SECONDED BY: Raymond Y. Begay

Ben Gonn
Ben Gonn, Chapter President

Roger B. George
Roger B. George, Chapter Vice-President

Rose Ann Charley
Rose Ann Charley, Chapter Secretary/Treasurer

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

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: LOW MOUNTAIN CHAPTER Date prepared: 11/28/2022

Chapter's mailing address: PO BOX 4416 phone/email: 925-725-3700
BLUE GAP, AZ 86520 website (if any): lowmountain.nndes.org

This Form prepared by: MAREITA DENNY, Project Manager phone/email: 505-978-3001 mareitajdenny@yahoo.com
ROGER GEORGE, Chapter Vice-President rgeorge@naataanii.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: PERSONNEL (HIRE FOR HOME RENOVATION PROJECT)

Chapter President: BEN L. GONNIE phone & email: 928-313-8726 m63563963@gmail.com

Chapter Vice-President: ROGER B. GEORGE phone & email: 928-401-1935 rgeorge@naataanii.org

Chapter Secretary: ROSE ANN CHARLEY phone & email: 928-386-3511 girlyazzie1947@hotmail.com

Chapter Treasurer: ROSE ANN CHARLEY phone & email: 928-386-3511 girlyazzie1947@hotmail.com

Chapter Manager or CSC: ELLA F. NELSON, Acting phone & email: 928-814-7122 elnelson@navajochapters.org

DCD/Chapter ASO: Robert Jumbo, ASO-ASC-DCD phone & email: 928-674-2251 rjumbo@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): LOCAL MANPOWER - PERSONNEL

☐ document attached

Amount of FRF requested: 122,190.30 FRF funding period: 5/1/23 - 12/31/26
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:

The chapter will hire 4-Personnel (local community members) to renovate community homes that are dilapidated homes and elderly bathroom modification of which are dilapidated and some are non-operatable. Community membership with dilapidated homes and bathroom are struggling with malfunction of bathroom facility.

☐ document attached

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

The community membership will have indoor water and plumbing facility for daily personal hygiene care and drinking water.

☐ document attached

(c) Provide 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:

Construction Period: Beginning date - February 2023 and ending date December 31, 2025.

☐ document attached

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

Low Mountain Chapter and the administration.

☐ 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:

Homeowners will be responsible for maintenance of the indoor plumbing operation.

☐ 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:

Fiscal Recovery Fund expenditure categories - Housing Support: Other Housing Assistance. 2.18

Personnel will renovation dilapidated homes and bathroom modification.

☐ document attached**Part 3. Additional documents.**

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

Chapter Approved Resolution.

☐ 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. CJY-41-21, 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 President (or Vice-President)

Approved by:

signature of GSC

Approved by:

signature of Chapter ASO

12/12/2022

Approved to submit
for Review:

signature of DCD Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

PART I. Business Unit No.: <u>New</u>		Program Title: <u>LOW MOUNTAIN CHAPTER</u>		Division: <u>Personnel</u>		DCD/Executive	
Prepared By: <u>MAREITA DENNY, Project Manager</u>		Phone No.: <u>928-725-3700</u>		Email Address: <u>lowmountain@navajochapters.org</u>			

PART II. FUNDING SOURCE(S)		Fiscal Year	Amount	% of Total	PART III. BUDGET SUMMARY		Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
		Term								
NN ARPA FUNDS		5/11/2023-12/31/26	122,190.30	100%	2001 Personnel Expenses		6	0	122,190.30	122,190.30
					3000 Travel Expenses					
					3500 Meeting Expenses					
					4000 Supplies					
					5000 Lease and Rental					
					5500 Communications and Utilities					
					6000 Repairs and Maintenance					
					6500 Contractual Services					
					7000 Special Transactions					
					8000 Public Assistance					
					9000 Capital Outlay					
					9500 Matching Funds					
					9500 Indirect Cost					
					TOTAL			0	122,190.30	122,190.30

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>Sonlata Jim-Martin</u> Program Manager's Printed Name <u>12/12/2022</u> Program Manager's Signature and Date	APPROVED BY: <u>Dr. Pearl Yellowman</u> Division Director / Branch Chief's Printed Name <u>12.13.22</u> Division Director / Branch Chief's Signature and Date
--	--

PART I. PROGRAM INFORMATION:

Business Unit No.: New

Program Name/Title: LOW MOUNTAIN CHAPTER

Personnel

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

PART III. PROGRAM PERFORMANCE CRITERIA:

1. Goal Statement:

Hire temporary employee to complete chapter ARPA Projects.

Program Performance Measure/Objective:

Hire 4 Personnel to Complete Chapter Projects.

2. Goal Statement:

1st QTR

2nd QTR

3rd QTR

4th QTR

Goal

Actual

Goal

Actual

Goal

Actual

Goal

Actual

3. Goal Statement:

Program Performance Measure/Objective:

4. Goal Statement:

Program Performance Measure/Objective:

5. Goal Statement:

Program Performance Measure/Objective:

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

Sonlatia Jim-Martin

Program Manager's Printed Name

12/12/2022

Program Manager's Signature and Date

Dr. Pearl Yellowman

Division Director/Branch Chief's Printed Name

12-13-23

Division Director/Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:		Business Unit No.: New	
Name/Title:	LOW MOUNTAIN CHAPTER Personnel		
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Objec Description and Justification (LOD 7)			
2001	Personnel Expense 2310 - Temporary 2330 - Person - Temporary Part-Time: Hire 1-Carpenter @ \$17.07 x 2080 hrs. = \$35,505.60. Hire 3-Laborers @ \$12.11 x 2080 hrs. = \$111,072.00. 2910 - FICA 2912 - FICA: FICA Expenses for 1-Carpenter, 3-Laborers @ 6.2% X \$111,072.00 = \$6,886.46. 2914 - Medicare: Medicare Expenses for 1-Carpenter and 3-Laborers @ 1.45% x \$111,072.00 = \$1,610.54. Unemployment Tax 2951 - State Unemployment Tax @ 1.83% x \$111,072.00 = \$2,032.62. Workmen's Compensation 2961 - Workmen's Compensation - Self: Workmen's Compensation for 1-Carpenter and 3-Laborers @ 100/53 = \$588.68.	Total by DETAILED Object Code (LOD 6) 111,072.00 6,886.46 -46,610.54 1,610.54 2,032.62 588.68	Total by MAJOR Object Code (LOD 4) 122,190.30
2950			
2960			
		122,190.30	
TOTAL		122,190.30	122,190.30



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 #: HK0311-2

Date & Time Received: 4/12/2023 at 16:20

Date & Time of Response: 4/13/2023 at 18:20

Entity Requesting FRF: Low Mountain Chapter

Title of Project: Low Mountain Chapter New Home Construction Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$420,000

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

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

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

2.15, Long-term Housing Security: Affordable Housing

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):

- | | |
|--|--|
| <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: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: *MRodis*

Disclaimers:

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.



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

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

RFS/HK Review #: HK0311

Date & Time Received: 12/16/2022 at 13:40

Date & Time of Response: 23 December, 2033; 2:33 pm

Entity Requesting FRF: Low Mountain Chapter

Title of Project: New Home Construction

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$420,000

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 type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |

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

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- | | |
|---|--|
| <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 checked="" type="checkbox"/> Additional information submitted is insufficient to make a proper determination | |

Other Comments: More information is needed to determine if the proposed housing assistance is an eligible use. To assist us, please provide answers to the following questions in as much detail as possible and include any other relevant information, including any applications or other attachments:

1. What are the criteria to be approved for a new home/how will recipients be selected? Please be specific, including any family size and income limitations, as well as any other specific needs of the intended recipients.
2. Please describe in more detail the homes to be built, including square footage, number of bedrooms, etc.
3. Please describe how the estimated size and cost per home compares to homes already existing in the area these homes will be located.
4. Please explain whether the home construction projects would qualify for any federally funded housing programs, including but not limited to the National Housing Trust Fund, Indian Housing Block Grant program, the Indian Community Development Block Grant program, or the Bureau of Indian Affairs Housing Improvement Program.

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:  _____

If you wish to provide the additional information requested, 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 can only be

ADDITIONAL INFORMATION REQUESTED BY DOJ.

- 1. What are the criteria to be approved for a new home/how will recipients be selected? Please be specific, including any family size and income limitations, as well as any other specific needs of the intended recipients.**

Answer (a): "In Navajo teaching it is said a home is a strong indicator of true stability, a home is a strength for family's prayer, song and teaching of life".

To fulfill the chapter membership's needs, the Low Mountain Chapter administration undertook the task to conduct community housing needs assessment(s) assisting the chapter memberships with housing applications to determine the needs of their requests. Exhibit "A" application on file as specific needs confidential information. For every specific major project as Housing Needs, assessments are continual or ongoing and moving forward. Attached Exhibit "A", Low Mountain Chapter Housing Application and Process for eligibility and Ranking/Eligibility Forms.

Answer (b): The Low Mountain Chapter Housing Client Applications when completed indicates, Family Composition for household members including applicant and client characteristics as elderly, disability, children employed or unemployed.

NOTE: An elderly person is an individual 60 years of age or older and determination of whether a family member in the household is disabled or handicap through means of written verifications i.e. Social Services, Federal, State or other Agency Sources. The Low Mountain Chapter as sub grantee observes visible handicap. Any Family Size – Family size is determined based on application filed, which has a list of family members in the household.

Answer (c): Income Limitations: For household members including applicant's "Source of Income" such as employment, Social Security, Social Supplemental, Retirement, Tribal Assistance, etc. are determined along with family composition using client application and Low Mountain Chapter Housing Discretionary Policy and Procedures in areas of Income Guidelines.

Answer (d): As well as other specific needs – Other specific needs are determined based on application on filed, such as elderly, disabled, handicap, homeless, and dilapidated home structure and etc.

The selected family will have an approved Homesite Leases and to ensure that all utilities are nearby for easy connections.

- 2. Please describe in more detail the homes to be built, including square footage, number of bedrooms, etc.:**

Answer (a): The Low Mountain Chapter's primary consideration for the "Intent for Labor Commitment" is to obtain or hire a Contractor for the Housing Construction Project, due to the

Low Mountain Chapter needs to commit to completing this project in a timely manner from the date of the fund appropriation. It will be the responsibility of the Contractor for the Plan and Designing of floor plans and square footages for each home. Attached: Exhibit "B".

- 3. Please describe how the estimate size and cost per home compares to homes already existing in the area these homes will be located.**

Answer (a): It will be the hired Contractors responsibility in addition to its Plan and Design of the homes to provide cost per home for each size home to be built whether a 1-bedroom, 2-bedrooms or 3-bedroom conform to Federal Housing Standard Square Footage. It is the LMC's intent to negotiate a reasonable cost effectiveness for the homes to be built, the Chapter is aware of the continuing rise in the general price level of materials and labor attributed to COVID-19 and to an increase in the volume of money and credit. Homes were cheaper or were constructed with less cost maybe prior to 2020 compared to today. The cost of building a house in rural community has its drawback to building supplies. High cost is associated with the delivery and trades people in rural area.

1-Bedroom size: 16x28

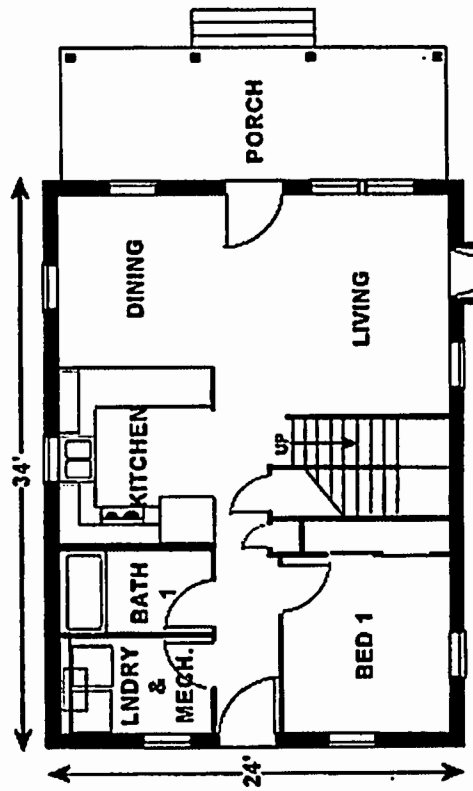
2-Bedroom size: 24x34

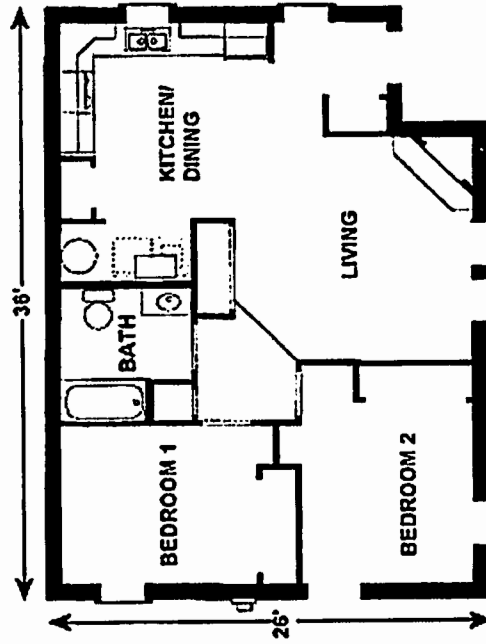
3-Bedroom size: 34x40

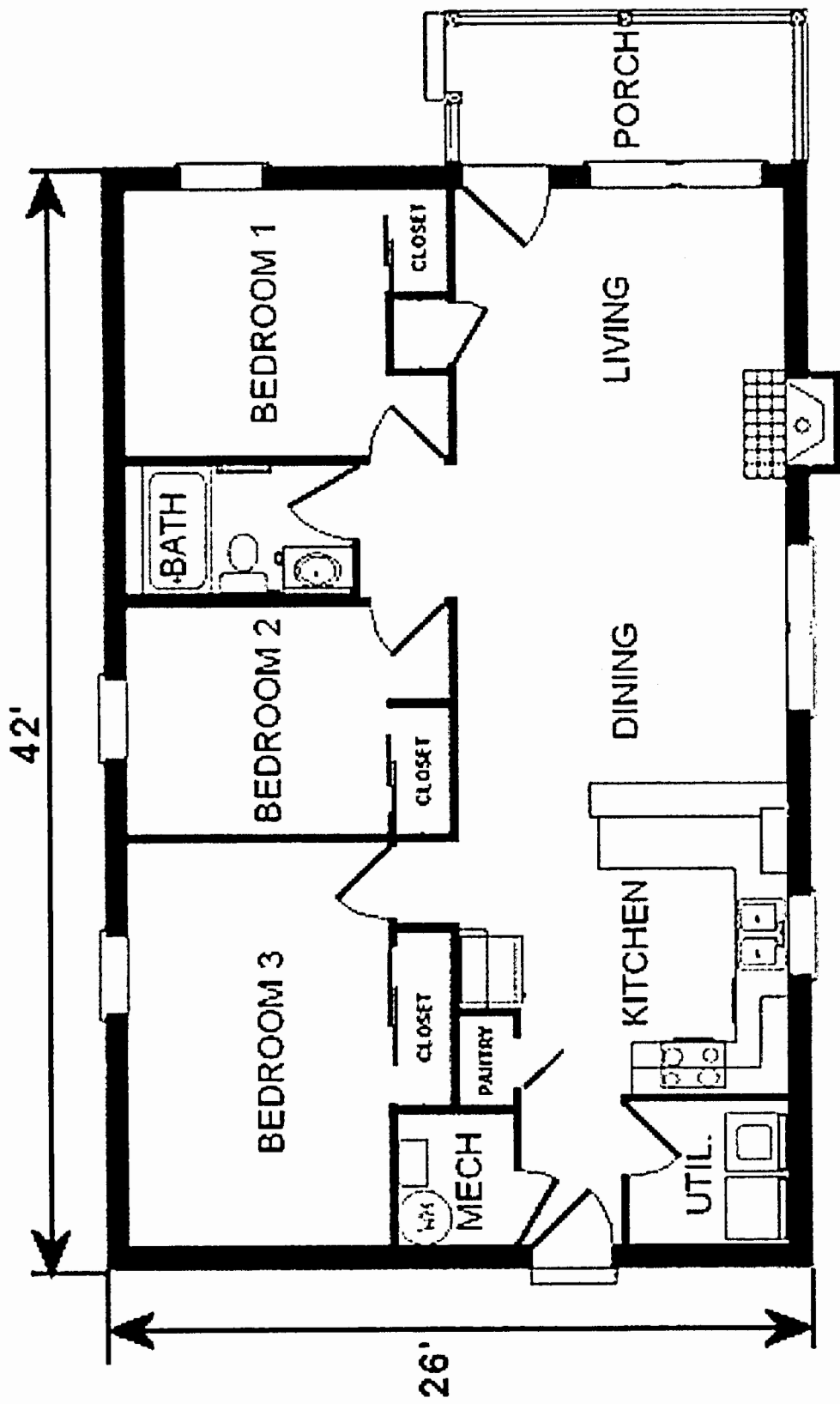
- 4. Please explain whether the home construction projects would qualify for any federally funded housing programs, including but not limited to the National Housing Trust Fund, Indian Housing Block Grant program, the Indian Community Development Block Grant program, or the Bureau of Indian Affairs Housing Improvement Program.**

Answer (a): The New House will be constructed by a Contractor and will have a certified Blue Print Design and the Contractor will comply with the Housing Development Specifications, NTUA, IHS and ADA requirements. And upon completion, the Contractor shall release the design and the cost to the homeowner qualifications for programs, whether Block Grant Programs, Bureau of Indian Affairs (BIA), etc. Yes, these Home Construction Project, based on good applications, proposals and cost estimate effectiveness would qualify for any federally funded housing programs.

- To protect source of funding, once a family occupies a home, an agreement will be secure to maintain a house for fifteen years. An agreement will restrict selling and renting, and no illegal activities in house.







NAHN PLAN 1092

CHAPTER 10

HOUSING QUALITY STANDARDS

10.1 CHAPTER OVERVIEW

The goal of the housing choice voucher program is to provide “decent, safe and sanitary” housing at an affordable cost to low-income families. To accomplish this, program regulations set forth basic housing quality standards (HQS) which all units must meet before assistance can be paid on behalf of a family and at least annually throughout the term of the assisted tenancy. HQS defines “standard housing” and establishes the minimum criteria necessary for the health and safety of program participants.

HQS regulations provide performance requirements and acceptability criteria to meet each performance requirement. HQS includes requirements for all housing types, including single and multi-family dwelling units, as well as specific requirements for special housing types such as manufactured homes, congregate housing, single room occupancy (SROs), shared housing and group residences (GRs). Requirements for Special Housing Types are discussed in Chapter 17.

The HUD Housing Inspection Manual for Section 8 Housing, available through the HUD user at 800-245-2691, and the HUD Inspection Form, form HUD-52580 (3/01) and Inspection Checklist, form HUD 52580-A (9/00), available through HUDCLIPS website: www.hudclips.org, provide guidance to PHAs in interpreting the standards, as well as HUD regulations.

10.2 HOUSING QUALITY STANDARDS GENERAL REQUIREMENTS

At least annually, it is the responsibility of the PHA to conduct inspections of units to determine compliance with HQS prior to the execution of the entire term of the assisted lease. Inspections may be completed by PHA staff or by contract personnel. HQS consists of the following thirteen (13) performance requirements:

- Sanitary facilities;
- Food preparation and refuse disposal;
- Space and security;
- Thermal environment;
- Illumination and electricity;
- Structure and materials;
- Interior air quality;
- Water supply;
- Lead-based paint;
- Access;
- Site and neighborhood;
- Sanitary condition; and
- Smoke Detectors.

Acceptability criteria for each performance requirement help PHAs determine if the unit meets mandatory minimum standards. For some standard, specific guidance is provided to PHAs, but PHA's must rely upon inspector judgement in the areas. In some instances, family preference should be considered in the determination of acceptability.

HUD may grant approval for a PHA to use acceptability criteria variations which apply standards contained in local housing codes or other codes adopted by the PHA or because of local climatic or geographic conditions.

Acceptability criteria variations may only be approved by HUD, if the variation meets or exceeds the performance requirement and does not unduly limit the amount and type of rental, housing available at or below the fair market rent. HUD will not approve variations if the change is likely to adversely affect the health or safety of participant families or severely restrict housing choice.

PHAs should strive to ensure consistency among staff in areas requiring judgment. Not all areas of HQS are exactly defined while acceptability criteria specifically state the minimum standards necessary to meet HQS, inspector judgment or tenant preference may also need to be considered in determining whether the unit meets minimum standards or desirable. Staff can receive the tools to make sound decisions through training, access to written policy and procedures, and consistent written and oral instruction.

Potential safety hazards that are not specifically addressed in the acceptability criteria, such as damaged kitchen cabinet hardware, may present a cutting hazard to small children is an example of an area that requires judgement. Less than optimal conditions, such as a water heater with a small capacity, is another example. A good practice is to assess potential hazards based on the family residing in the unit. Some potential hazards may only apply when small children are in occupancy. Some less than perfect conditions, such as a water heater that appears too small for optimal use by the tenant, should be discussed with the tenant, but should not lead to denial of program assistance if the family is willing to accept the existing condition.

In order to keep assisted units from having to meet higher standard than units in the unassisted market, PHAs should be cautious and thoughtful when requesting HUD approval of a standard higher standard than HQS. Though adopted into local law, local codes, are often not consistently enforced among all units, or are enforced only when complaints are made. Sometimes, certain aspects of a local code are not enforced at all. If the PHA adopts local code requirements, housing choice may be restricted in these instances.

The PHA administrative plan should include any HUD-approved variations to HQS acceptability criteria that will be used to judge the condition of the unit. This practice formalizes the PHA's inspection standards for inspection staff, as well as for owners and tenants. For example, if the PHA has received HUD approval to require that assisted units must have deadbolt locks on all doors leading from the unit to the exterior or public areas, the requirement should be included in the PHA administrative plan as an addition to HQS standards.

10.3 PERFORMANCE REQUIREMENTS AND ACCEPTABILITY STANDARDS

Each of the 13 HQS performance requirements and acceptability criteria is identified below. A discussion of how PHAs should interpret the requirements and tenant preference options follows. Refer to the inspection checklists contained in Form HUD-52580 and Form HUD-52580-A and the *Housing Inspection Manual for the Section 8 Existing Housing Program* for more detailed explanation and guidance.

Sanitary Facilities

Performance Requirement

- The dwelling unit must include sanitary facilities within the unit.
- The sanitary facilities must be in proper operating condition and adequate for personal cleanliness and disposal of human waste.
- The sanitary facilities must be usable in privacy.

Acceptability Criteria

- The bathroom must be located in a separate room and have a flush toilet in proper operating condition.
- The unit must have a fixed basin (lavatory) with a sink trap and hot and cold running water in proper operating condition.
- The unit must have a shower or tub with hot and cold running water in proper operating condition.
- The facilities must utilize an approved public or private disposal system, including a locally approved septic system.

The bathroom must be contained within the dwelling unit, afford privacy (usually meaning a door, although no lock is required), and be for the exclusive use of the occupants.

All public or private waste disposal systems servicing the unit or facilities must be either state or local agency approved.

The tub/shower, toilet, and basin/lavatory must have a proper sewer trap, drain, and vents to prevent the escape of sewer gases or severe leakage of water. Drains must not be clogged and the toilet must flush. Hot and cold water must be available at the tub, shower, and lavatory taps. The definition of hot water (temperature) required at the lavatory, tub, or shower should be determined from local health standards or applicable local code.

The PHA must determine if the bathroom facilities are free of hazards which may endanger the occupants such as damaged or broken fixtures and plumbing leaks. Conditions which do not affect the acceptability of the bathroom include tenant preference items (listed below) and minor faucets drips.

EXAMPLE:

What are bathroom hazards that may endanger occupants?

- Broken ceramic, metal, or glass fixtures that may pose a hazard. This includes towel racks, soap dishes, medicine cabinets, and mirrors as well
- A leaking hot water faucet may pose a scalding threat.

Only one bathroom is required to meet HQS. Additional bathrooms do not have to contain all plumbing fixtures (tub/shower, toilet or lavatory), but if present, they must not create any unsanitary conditions, be properly plumbed, and be free of sewer gases.

Other room standards that apply to bathroom facilities, such as illumination and electricity, are discussed under those performance requirements.

Tenant Preference

The tenant may determine acceptability of the cosmetic condition and quality of the sanitary facilities, including the size of the lavatory, tub, or shower, condition of faucets, minor leaks, scratches, or worn enamel on fixtures, and the location of the sanitary facilities within the dwelling unit.

Food Preparation and Refuse Disposal

Performance Requirement

- The dwelling unit must have suitable space and equipment to store, prepare, and serve food in a sanitary manner.

Acceptability Criteria

- The dwelling unit must have an oven and a stove or range. A microwave oven may be substituted for a tenant-supplied oven and stove or range. A microwave may be substituted for an owner-supplied oven and stove or range if the tenant agrees and microwave ovens are furnished to both subsidized and unsubsidized tenants in the same building or premises.
- The dwelling unit must have a refrigerator of appropriate size for the family.

- All required equipment must be in proper operating condition. According to the lease, equipment may be supplied by either the owner or the family.
- The dwelling unit must have a kitchen sink in proper operating condition, with a sink trap and hot and cold running water. The sink must drain into an approved public or private system.
- The dwelling unit must have space for storage, preparation, and serving of food.
- Facilities and services for the sanitary disposal of food waste and refuse, including temporary storage facilities where necessary, are required.

Hot plates are not acceptable substitutes for stoves or ranges. The oven must heat and all burners on the stove or range must work. All stove or range knobs must be present. The stove or range must be free of hazardous gas hook-ups, gas leaks, or electrical hazards.

The refrigerator must be of adequate size for the family and capable of maintaining a temperature low enough to keep food from spoiling. The PHA may reject the size of the refrigerator only if it clearly cannot serve the needs of the family. For example, a counter-top or compact type would not meet the needs of a family of four. The freezer space must be present and working, and the equipment must present an electrical hazard.

EXAMPLE:

What temperature must a refrigerator maintain to keep food from spoiling?

- Above 32° F, but generally below 40° F.
- Consider how often the refrigerator will be opened. Proper temperatures are difficult to maintain if the refrigerator is frequently opened during warm weather, door seals are removed or broken, or the door sits open.

The sink must have hot and cold running water from the faucets and a proper working sink drain with gas trap. It must also be hooked to an approved water and sewer system. The definition of hot water should be determined by the local health department or applicable local code.

Space for storage, preparation, and serving of food must be present. Built-in space, equipment, table(s), or portable storage facilities are acceptable.

Waste and refuse storage facilities are determined by local practice and may include trash cans or dumpster facilities.

Other room standards apply to the food preparation area and are discussed under those specific requirements below.

Tenant Preference

The family selects a unit with the size and type of equipment it finds acceptable and may choose to accept a microwave oven in place of a conventional oven, stove, or range if the oven/stove/range are tenant supplied or if microwaves are furnished in both subsidized and unsubsidized units in the building or premises. The amount and type of storage space, the cosmetic conditions of all equipment, and the size and location of the kitchen are all determined by the family.

Space and Security

Performance Requirement

- The dwelling unit must provide adequate space and security for the family.

Acceptability Criteria

- At a minimum, the dwelling unit must have a living room, a kitchen and a bathroom.
- The dwelling unit must have a least one bedroom or living/sleeping room for every two persons. Other than very young children, children of opposite sex, may not be required to occupy the same bedroom or living/sleeping room.
- Dwelling unit windows that are accessible from the outside must be lockable.
- Exterior doors to the unit must be lockable.

A living room may be used as sleeping (bedroom) space, but no more than two persons may occupy the space.

Unit windows located on the first floor, at the basement level, on a fire escape, porch, or other outside space that can be reached from the ground and that are designed to be opened must have a locking device. (Windows with sills less than six feet off the ground are considered accessible.) Traditional window locks, those provided by storm/screen combination windows, window pins, and nails are acceptable. Windows leading to a fire escape or required to meet ventilation requirements may not be permanently nailed shut.

Doors leading to the outside and common hallways, fire escapes, and porches or otherwise accessible from the ground must have locks. No specific type of lock is required.

Window and door surfaces (including the door frame) must be in sufficient condition to support the installation and proper operation of window and door locks.

Tenant Preference

The family may determine the adequacy of room sizes and room locations. The family is also responsible for deciding the acceptability of the type of door and window locks.

Thermal Environment

Performance Requirement

- The dwelling unit must be able to provide a thermal environment that is healthy for the human body.

Acceptability Criteria

- There must be a safe system for heating the dwelling unit, such as electric baseboard, radiator, or forced air systems. In order to ensure a healthy living environment appropriate for the climate the system must be able to provide adequate heat either directly or indirectly to each room.
- If present, the air conditioning system or evaporative cooler, must safely provide adequate cooling to each room.
- The heating and/or air conditioning system must be in proper operating condition.
- The dwelling unit must not contain unvented room heaters that burn gas, oil, or kerosene. Electric heaters are acceptable.

The PHA must define “a healthy living environment” for the local climate. Local or state codes will help the PHA determine when and how much heat is adequate. For example, a PHA may define a heating system capable of maintaining an interior temperature of 65° between October 1 and May 1 as adequate.

Adequate heat is required in all rooms used for living; the heat source does not have to be located in each room as long as the heat can pass to the appropriate space and meet the definition of adequate. Portable electric room heaters or kitchen stoves with built-in heating units are not acceptable as a primary source of heat for units located in climatic areas where permanent heat systems are required.

Improper operating conditions, including all conditions that may be unsafe, such as broken or damaged source vents, flues, exhausts, gas or oil lines that create a potential fire hazard or threats to health and safety are not permitted. Heating unit safety devices must be present, and the heating equipment must have proper clearance from combustible materials and location of oil storage tanks. There must be proper gas and oil connections. Local plumbing, fire, or mechanical codes are instructive in providing details about acceptable materials for furnace and water heater hookups and required clearances appropriate to the jurisdiction where units are

located. Seek assistance from local code enforcement offices to determine health and safety standards for equipment hook-up and clearance requirements.

Heating system inspections are often required by local or state authorities especially for large multi-family buildings. If the heating system has passed inspection from the inspecting authority within the past two years, the PHA may accept this as proof of heating equipment safety.

Working cooling equipment refers to a central ventilation system, evaporative cooling system, room or central air conditioning. These systems are not required by HQS, but if present, must be operating safely so as not to create a potential fire hazard or other threat to health and safety.

Tenant Preference

The PHA has no control over energy conservation measures, such as dwelling insulation or installation of storm windows and doors. The family must assess whether a dwelling without these items is acceptable; the family must take into account the cost of utilities billed to the family and personal feelings about adequate heat. Dwellings that are poorly insulated or lack storm windows are generally drafty and more difficult to heat and cool.

Illumination and Electricity

- Each room must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of occupants.
- The dwelling unit must have sufficient electrical sources so occupants can use essential electrical appliances.
- Electrical fixtures and wiring must not pose a fire hazard.

Acceptability Criteria

- There must be at least one window in both the living room and each sleeping room.
- The kitchen area and the bathroom must have a permanent ceiling or wall-mounted fixture in proper operating condition.
- The kitchen must have at least one electrical outlet in proper operating condition.
- The living room and each sleeping space must have at least two electrical outlets in proper operating condition. Permanent overhead or wall-mounted light fixtures may count as one of the required electrical outlets.

The PHA must be satisfied that the electrical system is free of hazardous conditions, including: exposed, uninsulated, or frayed wires, improper connections, improper insulation or grounding of

any component of the system, overloading of capacity, or wires lying in or located near standing water or other unsafe places.

Outlets must be properly installed in the baseboard, wall, or floor. Hanging light fixtures or outlets from electric wiring, missing cover plates on switches and outlets, badly cracked outlets or cover plates, exposed fuse box connections and, overloaded circuits are unacceptable.

Tenant Preference

The family may determine whether the location and the number of outlets and fixtures (over and above those required for acceptability standards) are acceptable or if the amount of electrical service is adequate for the use of appliances, computers, or stereo equipment.

Structure and Materials

Performance Requirement

- The dwelling unit must be structurally sound.
- The structure must not present any threat to the health and safety of the occupants and must protect the occupants from the environment.

Acceptability Criteria

- Ceilings, walls, and floors must not have any serious defects such as severe bulging or leaning, large holes, loose surface materials, severe buckling, missing parts, or other serious damage.
- The roof must be structurally sound and weather-proof.
- The foundation and exterior wall structure and surface must not have any serious defects such as serious leaning, buckling, sagging, large holes, or defects that may result in air infiltration or vermin infestation.
- The condition and equipment of interior and exterior stairs, halls, porches, and walkways must not present the danger of tripping and falling.
- Elevators must be working safely.

The PHA must examine each of the elements listed in the acceptability criteria to determine that each is structurally sound, will not collapse, and does not present a danger to residents through falling or missing parts, or tripping hazards. The PHA must determine that the unit is free from water, excessive air, and vermin infiltration.

Handrails are required when four or more steps (risers) are present, and protective railings are required when porches, balconies, and stoops are thirty inches off the ground.

The elevator servicing the unit must be working. A current city or state inspection certificate suffices to determine working condition of the elevator.

Manufactured homes must have proper tie-down devices capable of surviving wind loads common to the area.

Tenant Preference

Families may determine whether minor defects, such as lack of paint, or worn flooring or carpeting will affect the livability of the unit.

Interior Air Quality

Performance Requirement

- The dwelling unit must be free of air pollutant levels that threaten the occupants' health.

Acceptability Criteria

- The dwelling unit must be free from dangerous air pollution levels from carbon monoxide, sewer gas, fuel gas, dust, and other harmful pollutants.
- There must be adequate air circulation in the dwelling unit.
- Bathroom areas must have one openable window or other adequate ventilation.
- Any sleeping room must have at least one window. If the window was designed to be opened, it must be in proper working order.

The PHA must be satisfied that air pollutants such as gas leaks, industrial outputs, and heavy traffic would not present a health hazard.

Air circulation should be checked to determine adequate ventilation. Air conditioning (A/C) provides adequate circulation as do ceiling and vent fans.

The windows must adequately protect the unit's interior from the weather. Windows designed to open must not be painted or nailed shut. The ventilating bathroom fan in the bathroom must operate as intended.

Tenant Preference

Tenants may determine whether window and door screens, filters, fans, or other devices for proper ventilation are adequate to meet personal needs.

Water Supply

Performance Requirement

- The water supply must be free of contamination.

Acceptability Criteria

- The dwelling unit must be served by an approved public or private water supply that is sanitary and free from contamination.

The PHA should be satisfied that the water supply is approved by the State or local jurisdiction.

Clean water must be distributed to all unit fixtures and waste water must leave the unit to an approved area without presence of sewer gas and backups.

Plumbing fixtures and pipes must be free of leaks and threats to health and safety.

Water-heating equipment must be installed safely and must not any present safety hazards to families. All water heaters must be free of leaks, have temperature/pressure relief valves, and a discharge line. Unless safety dividers or shields are installed water heaters must not be located in bedrooms or living areas where safety hazards may exist. Fuel burning equipment must have proper clearance from combustible materials and be properly vented.

Tenant Preference

The family may decide if the water heater has a large enough capacity for personal family use.

Lead-Based Paint

- The Lead-Based Paint Poisoning Prevention Act as amended (42 U.S.C. 4821 - 4846) and the Residential Lead-Based Paint Hazard Reduction Act of 1992 and implementing regulations 24 CFR Part 35 Subparts A, B, M, and R apply to the housing choice voucher program.

Acceptability Criteria

- The requirements apply to dwelling units built prior to 1978 that are occupied or can be occupied by families with children under six years of age, excluding zero bedroom dwellings.

- During initial and annual inspections of pre-1978 units that are occupied or will be occupied by families with children under 6 years of age, the inspector must conduct a visual assessment for deteriorated paint surfaces and the owner must stabilize deteriorated surfaces. Applicable areas include painted surfaces within the dwelling unit, exterior painted surfaces associated with the dwelling unit, and common areas of the building through which residents must pass to gain access to the unit and areas frequented by resident children under six years of age, including play areas and child care facilities.
- For units occupied by environmental intervention blood lead level (lead poisoned) children under six years of age, a risk assessment must be conducted (paid for by the PHA), and the owner must complete hazard reduction activities if lead hazards are identified during the risk assessment.

Section 10.4 of this Chapter discusses all PHA responsibilities.

Tenant Preference

Families with children under 6 years of age have no decision-making authority related to the presence of lead-based paint.

Access

- Use and maintenance of the unit must be possible without unauthorized use of other private properties.
- The building must provide an alternate means of exit in case of fire.

Acceptability Criteria

- The unit must have private access.
- In case of fire, the building must contain an alternate means of exit such as fire stairs, or windows, including use of a ladder for windows above the second floor.

The PHA must determine that the unit has private access without unauthorized passage through another dwelling unit or private property.

The emergency (alternate) exit from the building (not the unit) may consist of fire stairs, a second door, fire ladders, or exit through windows. The emergency exit must not be blocked. It must be appropriate for the family and considered adequate by local officials. Guidance from the local fire agency is advisable.

Tenant Preference

The tenant should assist the PHA in determining if the type of emergency exit is acceptable.

Site and Neighborhood

Performance Requirement

- The site and neighborhood must be reasonably free from disturbing noises and reverberations or other dangers to the health, safety, and general welfare of the occupants.

Acceptability Criteria

- The site and neighborhood may not be subject to serious adverse natural or manmade environmental conditions, such as dangerous walks or steps, instability, flooding, poor drainage, septic tank back-ups or sewer hazards, mudslides, abnormal air pollution, smoke or dust, excessive noise, vibration, or vehicular traffic, excessive accumulations of trash, vermin, or rodent infestation, or fire hazards.

The PHA determines whether any of the above conditions seriously and continually affect the health or safety of the residents. PHAs should be careful not to restrict housing choice in deciding acceptability. Failing a unit because the neighborhood is considered “bad” is not appropriate. Take into account whether private unassisted residents are living in the same neighborhood.

Tenant Preference

Taking into consideration the type of neighborhood, presence of drug activity, commercial enterprises, and convenience to shopping and other facilities, the family selects a unit.

Sanitary Condition

Performance Requirement

- The dwelling unit and its equipment must be in sanitary condition.

Acceptability Criteria

- The dwelling unit and its equipment must be free of vermin and rodent infestation.

The PHA must ensure that the unit is free of rodents and heavy accumulations of trash, garbage, or other debris that may harbor vermin. Infestation by mice, roaches, or other vermin particular to the climate must also be considered. The unit must have adequate barriers to prevent infestation.

EXAMPLE:

What is infestation of rodents or vermin?

- By definition infestation means more than one bug or mouse. It is easily identified by observing mouse and/or rodent droppings or gnaw marks. If no visible evidence exists, there is probably no infestation. Based on the type of pest, PHAs must decide for themselves what the limits are for determining infestation and be consistent. Is one rat or roach too much?

Tenant Preference

Provided the minimum standards required by the acceptability criteria have been met, the tenant must determine whether the unit is in an adequate sanitary condition. Occasional mice and roaches may be acceptable to the tenant.

Smoke Detectors

- On each level of the dwelling unit including basements, but excluding spaces and unfinished attics at least one battery-operated or hard-wired smoke detector in proper operating condition must be present.
- Smoke detectors must be installed in accordance with and meet the requirements of the National Fire Protection Association Standards (NFPA) 74 or its successor standards.
- If a hearing-impaired person is occupying the dwelling unit, the smoke detectors must have an alarm system designed for hearing-impaired persons as specified in NFPA 74.

Acceptability Criteria

The PHA must insure that the location of smoke detectors conforms with local and/or State Fire Marshall's requirements.

The PHA must determine that smoke detectors are located and installed in accordance with NFPA Standards. All smoke detectors must be in operating condition.

Local codes, such as housing or fire codes, often address responsibilities between owners and tenants for installation and maintenance of smoke detector batteries. At initial, inspection smoke detectors must have good batteries and be operable. PHAs may follow local codes to determine if missing or dead smoke detector batteries constitute a tenant or owner-caused failure in occupied units.

Consultation with the local fire officials is recommended regarding acceptable types and location of smoke detectors.

Tenant Preference

The family is not permitted to exercise any tenant preference regarding smoke detector requirements.

10.4 LEAD-BASED PAINT REQUIREMENTS AND RESPONSIBILITIES

Regulation Background

Lead-based paint requirements were originally written to implement Section 302 of the Lead-based Paint Poisoning and Prevention Act. In the late 1970s, Code of Federal Regulations, Title 24, Part 35 was promulgated, setting forth the general procedures for inspection and treatment of defective paint surfaces in HUD assisted housing.

Under Part 35, Assistant Secretaries were given authority to develop regulations pertaining to their specific areas of responsibility, and varying program regulations were issued. The regulations have been amended several times. A major change that occurred in 1995 amended housing quality standards that applied to tenant-based programs.

New lead-based paint regulations effective September 15, 2000 have been implemented to incorporate Title X of the Housing and Community Development Act of 1992. These regulations consolidate all lead-based paint requirements under one section of the Code of Federal Regulations (24 CFR Part 35), stress identification of lead-paint hazards, notification to occupants of the existence of these hazards, and control of lead-based paint hazards to reduce lead poisoning among young children.

Housing choice voucher program units are subject to the following subparts of 24 CFR Part 35:

- Subpart A, Disclosure;
- Subpart B, General Lead-Based Paint Requirements and Definitions for All Programs;
- Subpart M, Tenant-Based Rental Assistance; and
- Subpart R, Methods and Standards for Performing Lead Hazard Evaluation and Reduction Activities.

The Section 8 moderate rehabilitation program and the project-based housing choice voucher or certificate program units are subject to requirements under 24 CFR Subparts A, B, H, and R. Those requirements are not discussed in this Guidebook.

Exempt Units

Exempt housing includes:

- Units built after December 31, 1977;
- Zero (0) bedroom and SRO units;
- Housing built for the elderly or persons with disabilities, unless a child of under age six (6) resides or is expected to reside in such housing;
- Property for which a paint inspection was completed in accordance with the new regulations and certified to have no lead-based paint;
- Property in which all lead-based paint was identified, was removed, and received clearance in accordance with the new regulations.

For dwellings built before January 1, 1978, *and* occupied or to be occupied by assisted families with one or more children under age six, lead-based paint requirements apply to:

- The unit interior and exterior paint surfaces associated with the assisted unit; and
- The common areas servicing the unit, including those areas through which residents must pass to gain access to the unit, and other areas frequented by resident children less than six such as play areas, and child care facilities. Common areas also include garages and fences on the assisted property.

Basic Lead-Based Paint Requirements

The PHA is the responsible party for the following activities:

- Visual assessment for deteriorated paint (i.e., peeling, chipping, flaking) surfaces at initial and annual inspections;
- Assuring that clearance examination is conducted when required;
- Carrying out special requirements for children under age six who have environmental intervention blood lead levels as verified by a medical health care provider;
- Collecting data from the local health department on program participants under age six who have identified environmental intervention blood lead levels; and
- Record keeping.

Unit owners have responsibilities to:

- Disclose known lead-based paint hazards to all potential residents prior to execution of a lease;
- The owner must also provide all prospective families with a copy of *Protect Your Family From Lead in Your Home* or other EPA approved document;
- When necessary, perform paint stabilization to correct deteriorated paint;
- Each time such an activity is performed, notify tenants about the conduct of lead hazard reduction activities and clearance (if required);
- Conduct lead hazard reduction activities when required by the PHA;
- Perform all work in accordance with HUD prescribed safe work practices and conduct clearance activities when required; and
- Perform ongoing maintenance. As part of ongoing maintenance, the owner must provide written notice to each assisted family asking occupants to report deteriorated paint. The notice must include the name, address, and phone number of the person responsible for accepting the occupant's complaint.

10.5 NOTIFICATION AND DISCLOSURE OF LEAD-BASED PAINT HAZARDS PRIOR TO OCCUPANCY

Before the execution of the lease the owner or owner's agent is required to disclose any knowledge of lead-based paint or lead-based paint hazards in housing built prior to 1978, to all prospective residents (See Exhibit 10-1, *Sample Disclosure Notice*.) The PHA must keep a copy of the disclosure notice executed by the owner and tenant in the tenant file. The owner should not send the PHA the original disclosure notice executed by the owner and tenant.

Visual Assessment for Deteriorated Paint

During the conduct of initial and annual inspections of pre-1978 units that are occupied or will be occupied by families with children under 6 years of age, the PHA must conduct a visual inspection for deteriorated paint surfaces at these locations:

- All unit interior and exterior painted surfaces associated with the assisted unit; and
- Common areas such as common hallways, access and egress areas, playgrounds, child-care facilities, or other areas including fences and garages frequented by children under age six.

Deteriorated paint surfaces are defined as interior or exterior paint or other coating that is peeling, chipping, flaking, cracking, is otherwise damaged or has separated from the substrate of the surface or fixture.

The inspection may be conducted by an HQS inspector or other party designated by the PHA, but all inspectors must be trained in visual assessment in accordance with procedures established by HUD. A visual assessment training course is available on the Office of Healthy Homes and Lead Hazard Control's website.

Stabilization of Deteriorated Paint Surfaces

When the visual inspector identifies deteriorated paint surfaces, the PHA must notify and require the owner to perform stabilization of the surfaces within thirty (30) days of notification in occupied units and before commencement of an assisted tenancy. When weather conditions prevent stabilization of deteriorated paint surfaces on exterior surfaces within 30-day period, stabilization may be delayed for a reasonable time.

Owner requirements for compliance with a PHA's paint stabilization notice differ, depending upon the amount of deteriorated paint surface to be corrected. The use of lead-safe work practices during paint stabilization activities are characterized as above or below de minimis levels. De minimis deteriorated paint surfaces are as follows:

- 20 square feet on exterior surfaces;
- 2 square feet on an interior surface in a single room or interior space; or
- 10 percent of individual small components (e.g., window skills) on the interior or exterior.

Owners must perform paint stabilization on all deteriorated paint surfaces *regardless of the size of the deteriorated surface*. Paint stabilization is defined as:

- Repair of any physical defect in the substrate of the painted surface or building component. Examples of defective substrate conditions include dry-rot, rust, moisture-related defects, crumbling plaster, missing siding, or other components not securely fastened;
- Removal of all loose paint and other loose material from the surface being treated; and
- Application of a new protective coat of paint to the stabilized surface.

If the amount of deteriorated paint is below the de minimis level, the owner must perform paint stabilization. Owners are not required to perform lead-safe work practices and clearance.

Correction of deteriorated paint above de minimis levels requires owners to perform additional activities to gain compliance with HUD lead-based paint requirements, including:

- Conducting the stabilization activities with trained staff;
- Employing acceptable methods for preparing the surface to be treated, including wet scraping, wet sanding, and power sanding performed in conjunction with a HEPA filtered local exhaust attachment operated according to manufacturer's instruction;
- Dry sanding and dry scraping is not permitted except within one (1) square foot of electrical outlets.
- Protecting the occupants and their belongings from contamination;
- Notifying the occupants within fifteen (15) calendar days of the stabilization activity and providing the results of the clearance examination (See Exhibit 10-3, *Summary Notice of Completion of Lead-Based Paint Hazard Reduction Activity*); and
- HUD has provided funds to PHAs to cover the cost of the first clearance examination. The owner covers funds for the cost of subsequent tests.
- The PHA is responsible for clearance activities. Clearance examinations must be performed by persons who have EPA or state-approved training and are licensed or certified to perform clearance examinations.

In no instance may an owner employ any paint stabilization methods that are strictly prohibited by federal, state, or local law such as:

- Open flame burning and torching;
- Machine-sanding or grinding without a high-efficiency particulate air (HEPA) local exhaust control;
- Heat guns operating above 1,100 degrees Fahrenheit;
- Abrasive blasting or sandblasting without HEPA exhaust control;
- Dry sanding and scraping except limited conditions stated above for limited areas; and
- Paint stripping in poorly ventilated space using a volatile stripper or a hazardous chemical as defined by Occupational Safety and Health Administration (OSHA).

Failure to comply with paint stabilization requirements, regardless of the amount of deteriorated surface, results in disapproval of the tenancy, abatement of payment to the owner, and/or termination of the HAP contract. The HQS violation for paint stabilization is considered closed when the PHA receives an executed copy of the Lead Based Paint Owner's Certification. (See Exhibit 10-2, *Sample Certification*.)

Requirements for Children with Environmental Intervention Blood Lead Level

HUD has defined environmental intervention blood lead level as a confirmed concentration of lead in whole blood equal or greater than 20 ug/dL (micrograms of lead per deciliter) for a single test or 15-19 ug/dL in two tests taken at least three (3) months apart in children under age six.

Notification

A medical health care provider, public health department, the family, owner, or outside source may notify the PHA of an environmental intervention blood lead level child living in a program unit.

When information regarding an environmental intervention blood lead level child under age six is received from the family, owner, or other sources not associated with the medical health community, the PHA must immediately verify the information with a public health department or other medical health care provider.

If either the public health department or a private medical health agency provides verification that the child has an environmental intervention blood lead level, the PHA must proceed to complete a risk assessment of the unit, common areas and exterior surfaces. This requirement does not apply if the public health department has already conducted an evaluation between the date the child's blood was last sampled and the receipt of notification of the child's condition.

When a PHA receives a report of an environmental intervention blood lead level child from any source other than the public health department, the PHA must notify the health department within five (5) working days.

Risk Assessment

Within 15 days of notification by a public health department or medical health care provider, the PHA must complete a risk assessment of the dwelling unit, including common areas servicing the dwelling unit, if the child lived in the unit at the time the child's blood was sampled. In most areas of the country, the local health department will complete the risk assessment free of charge to the PHA. In areas where this is not possible, the PHA must hire and pay for a certified risk assessor and, upon completion of the risk assessment, the PHA must provide the report to the owner.

Persons trained and certified by an EPA or state-approved agency must complete risk assessments.

Risk assessments involve on-site investigations to determine the existence, nature, severity, and location of lead-based paint hazards. The investigation includes dust and soil sampling, and visual evaluation, and may include paint inspections (tests for lead in paint). The assessor issues a report explaining the results of the investigation, as well as options and requirements for reducing lead-based paint hazards.

The owner must notify the building residents of the results of the risk assessment within 15 days of receipt from the PHA. (See Exhibit 10-4, *Summary Notice of Lead-Based Paint Risk Assessment*.)

Hazard Reduction

The owner must complete reduction of identified lead-based paint hazards as identified in the risk assessment within 30 days (or date specified by PHA if an extension is granted for exterior surfaces).

Hazard reduction activities may include paint stabilization, abatement, interim controls, or dust and soil contamination control. The appropriate method of correction should be identified in the risk assessment.

Hazard reduction is considered complete when a clearance examination has been completed and the report indicates that all identified hazards have been treated and clearance has been achieved, or when the public health department certifies that the hazard reduction is complete.

The owner must notify all building residents of any hazard reduction activities within 15 days of completion of activities. (See Exhibit 10-3, *Summary Notice of Completion of Lead-Based Paint Hazard Reduction Activities*.)

Like paint stabilization compliance, PHA receipt of the owner's certification signals compliance with lead hazard reduction activities. (See Exhibit 10-2, *Owner's Certification*.)

Failure to complete hazard reduction activities (including clearance) within 30 days (or later if PHA grants an extension for exterior surfaces) of notification constitutes a violation of HQS, and appropriate action against the owner must be taken if a program family occupies the unit. If the unit is vacant when the PHA notifies the owner, the unit may not be reoccupied by another assisted family, regardless of the ages of children in the family, until compliance with the lead-based paint requirement.

Ongoing Maintenance

In addition to the visual assessment completed by the HQS inspector, the owner is required to conduct a visual assessment for deteriorated paint and failure of any hazard reduction measures at unit turnover and every 12 months of continued occupancy.

The owner is required to make corrections of deteriorated paint and any failed lead hazard reduction measures. Correction methods are the same as those for paint stabilization activities discussed earlier.

The owner must provide written notice to each assisted family asking occupants to report deteriorated paint. The notice must include the name, address, and phone number of the person responsible for accepting the occupant's complaint.

The owner certifies that this requirement is being met by presenting the owner's certification to the PHA before the execution of the lease and at annual inspection. (See Exhibit 10-2, *Owner's Certification*.)

PHA Data Collection and Record Keeping

Quarterly, the PHA must attempt to obtain from the public health department having jurisdiction in the same area as the PHA, the names and addresses of children under age six with an identified environmental intervention blood lead level.

The PHA must match information received from the health department with information about program families. If a match occurs, the PHA must follow all procedures for notifying owners and conducting risk assessments as stated above.

Quarterly, the PHA must report a list of addresses of units occupied by children under age six, receiving assistance to the public health department, unless the health department indicates that such a report is not necessary.

Staff should be thoroughly trained about the requirements for lead-based paint so inspection activities are properly done and questions from owners about processes and requirements can be adequately addressed.

The PHA is responsible to inform owners of lead-based paint regulations especially those related to prohibited and safe work practices, tenant protection during lead-based paint activities, and notification requirements. Many owners do not know about the new regulations and requirements that were effective September 15, 2000. The PHA may wish to include information about these requirements in HQS notices and other mailings to owners. If the PHA routinely conducts owner workshops or owner meetings, lead-based paint is a good topic to place on the agenda.

Risk assessors and public health departments conducting risk assessments involving environmental intervention blood lead level children will issue a report on any needed corrections and appropriate methods to correct lead hazards. The PHA must notify the owner of the deadline for completing the corrections.

To carry out its responsibilities for matching PHA and public health records, PHA staff may need to develop a closer working relationship with staff at the public health department.

PHAs should also develop a tracking report to track known environmental intervention blood lead level children until the child reaches age six. This will assure that all PHA required activities are addressed in a timely manner and that inspections conducted on behalf of the family will include the inspection for deteriorated paint. If the PHA is using a computerized inspection system with hand-held units, information about the child's condition should be entered into the system.

Units that have been certified to be clear of lead paint hazards may be placed on a list and affirmatively marketed to families with children under six.

10.6 HQS INSPECTION PROCESSES AND PROCEDURES

Overview

The purpose of HQS inspections is to ensure that housing is decent, safe and sanitary. This section discusses types of HQS program inspections PHAs are required to conduct, methods for conducting inspections, inspection scheduling, and HQS enforcement. Sample letters and notices are provided to help PHAs carry out inspections. (See Exhibit 10-4a, *Annual Inspection Appointment Letter*, and Exhibit 10-4b, *Second Notice of Inspection Appointment*.)

PHAs are required to conduct three types of inspections: initial, annual, and special inspections, including quality control inspections. Inspections result in pass, fail, or inconclusive reports. Pass inspections require no further action by the PHA. Fail or inconclusive inspections require follow-up reinspections or PHA verification to confirm the correction of the HQS infractions.

Depending upon the nature of the item responsibility for correction of fail or inconclusive items may be the responsibility of the owner or tenant. Failure to comply with correction notices results in owner or tenant sanctions.

Scheduling Inspections

Program Requirements

The PHA must schedule initial inspections in accordance with program requirements. Annual inspections, quality control inspections, and all resulting reinspections must be scheduled to comply with SEMAP requirements as discussed in Section 10.7 of this Chapter. Other special inspections, such as complaint inspections, should be scheduled as quickly as possible after receipt of request.

Efficiently scheduling inspections that comply with SEMAP requirements can be challenging and complex, especially for PHAs with large programs. PHAs are allowed to determine their own procedures for scheduling inspections and may choose to complete the task manually or use of computer programs.

PHAs should plan efficient and cost effective inspection procedures that produce the best results, as well as good customer service for both families and owners. The size of the PHA's program plays a big part in determining scheduling details.

Annual inspections must be scheduled so that all units are inspected every 12 months. Annual inspections are likely to be the largest part of the PHA's inspection workload, followed by reinspections of units that fail HQS. Since many PHAs coordinate the scheduling of annual inspections with annual reexaminations, the number of inspections is not constant from month to

month, with more inspections required in the heavy leasing months (e.g., the summer months). This may also be the period with the greatest number of initial inspections.

The PHA should consider the following factors to determine how many total inspections will need to be scheduled and completed each year:

- Number of units under contract;
- Anticipated number of requests for expected tenancy approvals (new families and transfers) in the coming year;
- Unit fail rates for initial and annual inspections;
- Reinspection fail rates for annual inspections;
- Number of complaint inspections anticipated annually; and
- Number of quality control inspections required.

After estimating the number of required unit inspections, the PHA should determine the number of staff needed to complete required inspections. The PHA should take into account the following factors:

- Number of days employees actually conduct inspections each year (exclude time in office, training days, vacation, sick days, and approximate number of days lost to weather conditions for the area); and
- Number of inspections each employee completes per day.

This analysis will indicate the number of inspections each inspector must have scheduled and completed each day. The PHA should determine the amount of time required for an inspector to complete thorough inspections, taking into account the type of unit and the number of bedrooms. The PHA should also consider travel time.

Automated Inspection Systems

In order to meet all HQS requirements, inspections must be conducted and recorded using form HUD 52580-A or 52580. If the PHA has received HUD approval to include additional requirements, these changes must be reflected on the inspection instrument.

PHAs may conduct inspections using paper forms, checklists, or computer devices. Several automated HQS products are available on the private market. The PHA's program size will dictate the most cost effective and efficient method.

Computer inspection hardware comes in many forms; most are Windows-based. The computer, often referred to as a “hand-held,” is available in various sizes and weights, and is available with printing devices that can be used in the field. Data entry can also take many forms, including use of a stylus to enter comments on the computer screen, typing comments into the system, or using programmed codes to describe fail items.

Most hand-held systems can be connected to the office computer system. Inspection results are then uploaded to the office computer to produce required letters to owners and/or tenants. Some systems will allow for the inspections data to be “tied” to other PHA computer mainframe applications to fill in tenant data fields for date of inspection, record inspection results to track and monitor SEMAP requirements, and perform other tasks.

PHAs considering the use of hand-held systems should consult several companies to determine the best and most cost effective system. Careful planning and programming of the hand-held system should occur.

Initial Inspection Process and Procedure

The PHA’s established tenancy approval process triggers an initial inspection. The PHA may deny a request to inspect a unit on behalf of a tenant as discussed in Chapter 6. (See Exhibit 10-5, *Sample Notice Denying Request for Inspection*.)

Program Requirements

- The PHA is required to conduct an initial inspection for each unit as part of the tenancy approval process discussed in Chapter 6. The family and owner must be notified of the inspection results.
- The unit must pass the HQS inspection before the execution of the assisted lease and housing assistance payments (HAP) contract and the initiation of payments.
- PHAs with up to 1,250 budgeted units must conduct the inspection within 15 days after the family or owner submits a request for tenancy approval.
- PHAs with more than 1,250 budgeted units must conduct the inspection within a reasonable time after the family submits a request for tenancy approval. If possible, the inspection should be completed within 15 days.
- The 15-day period is suspended when the unit is not unavailable for inspection. For example, if a family and owner submit a request for tenancy approval on the 15th of month but the owner indicates that unit will not be available until 1st of next month, the 15-day clock starts on the 1st of the next month.

A thorough unit inspection is required for the PHA to determine compliance with HQS and to determine the reasonableness of the rent. (Rent Reasonableness is discussed in Chapter 9.)

Regardless of how inspection results are recorded the PHA must produce and retain a facsimile that includes PHA-adopted standards. Form HUD-52580, *Inspection Checklist*.

The family and the owner must receive inspection results. (See Exhibit 10-6, *Sample Notice, Initial Unit Inspection*.) The owner must receive detailed information for all failed and inconclusive inspection items so that he or she is fully aware of the work necessary to pass the HQS inspection.

If the unit does not comply with HQS requirements within the PHA specified time frame, the PHA may cancel the tenancy approval and instruct the family to search for another unit.

The PHA is responsible for establishing a tenancy approval procedure. The procedure should clearly describe the process for the tenant and owner to request an inspection, keeping in mind:

- The requirement to conduct inspections within 15 days or as quickly as possible.
- The PHA may set a deadline for completion of repairs which, if not met, will result in cancellation of the tenancy approval.
- If the time to complete repairs is expected to be lengthy, the tenant may wish to find another unit, or the PHA may decide that the unit is unacceptable for leasing because the owner is non-responsive or has failed to comply with HQS within a reasonable period of time.

The PHA should request that the owner disclose the date the unit will be ready for inspection, as well as all phone numbers where the owner can be reached.

The PHA may either ask the owner to schedule unit inspection or may accept this responsibility itself. In either instance, the PHA should determine its policy and procedure for cases where owner requests are not timely, one or more appointments are cancelled, access is denied or the unit does not pass inspection after a reasonable time.

PHAs with a large number of tenancy approval requests may monitor their processing through a manual or computerized tracking system, which records actions from the time of the request through the execution of the HAP contract. This lets the PHA know where each unit stands in the scheduling and approval process, and provides management data on time frames from request for tenancy approval to HAP execution.

Prior to inspection, PHAs can use several methods to inform owners about HQS requirements: owner briefing materials, telephone discussion, inclusion of HQS requirements in tenancy approval materials, monthly newsletters to owners in the program, owner workshops, and public meetings with current and prospective owners. It is advantageous to the PHA and the prospective tenant if the unit passes inspection on the first attempt. The PHA should have a system to track units requiring reinspection to determine HQS compliance for all fail and inconclusive items.

Annual Inspection Process and Procedure

The annual inspection process includes scheduling the unit for inspection, notifying owners and tenants of the inspection date and time, conducting the inspection, enforcing HQS requirements, and when necessary, taking action to abate payments and terminate HAP contracts and program assistance.

- The unit must be in compliance with HQS requirements throughout the assisted tenancy.
- Each unit must be inspected annually during assisted tenancy to determine if the unit meets HQS. The inspection must be conducted within twelve months of the previous inspection to meet SEMAP requirements discussed in Section 10.7.
- The PHA must notify owners and tenants of HQS deficiencies in writing, and indicate a time period in which to make HQS corrections of that the PHA complies with SEMAP requirements discussed in Section 10.7.
- The PHA must abate housing assistance payments to the owner for failure to correct an HQS violation under the following circumstances:
 - An emergency (life-threatening) violation is not corrected within 24 hours of inspection and the PHA did not extend the time for compliance;
 - A routine violation is not corrected within 30 days of the inspection and the PHA did not extend the time for compliance.
- Abatements must begin on the first of the month following the failure to comply.
- The PHA must terminate the HAP contract if repairs are not made. The PHA must decide how long abatement will continue prior to contract termination. The PHA should not terminate the contract until the family finds another unit provided the family does so in a reasonable time.
- The PHA must terminate program assistance to families who fail to correct HQS deficiencies that they caused. The PHA should notify the owner of its intent to terminate the family's program assistance so the owner can begin eviction procedures. The PHA should continue to pay the owner until the eviction is completed.

The PHA may set policy regarding tenant and owner presence at the inspection.

The inspector conducts the unit inspection. Each item on the inspection checklist must receive a rating of pass, fail, or inconclusive. The inspector should make clear notes about the nature of all fail and inconclusive items. For the unit to receive a pass rating, no fail or inconclusive items can be noted on the inspection checklist.

Improvements which have occurred since the previous unit inspection, addition of amenities or services, and changes in type of or responsibility for utilities should be noted and reported to appropriate PHA staff.

The inspector may record recommended improvements or items that should be brought to the attention of the owner or tenant, but are not HQS deficiencies.

Written notification to the owner and/or tenant is required for all items for which fail or are inconclusive. The notice must include a list of HQS deficiencies and the correcting deadline. (See Exhibit 10-7a and Exhibit 10-7b, *Sample Notice, Owner and Tenant HQS Deficiencies*.) Reinspection or PHA verification that failed and/or inconclusive items are corrected is required.

Any time an inspector is present in an assisted unit, the inspector has the right to conduct a full inspection. If new HQS items are discovered during the time of a reinspection, the new items must be noted and the owner and/or tenant must be notified to correct the deficiencies.

Owners are responsible to the PHA for compliance with all HQS items except those specifically assigned to tenants.

Tenants are responsible to correct HQS fail and inconclusive items resulting from:

- Failure to pay for tenant-supplied utilities;
- Failure to supply appliance(s) required by the lease; or
- Damage to the unit.

10.7 COMPLAINT INSPECTIONS

The PHA must investigate complaints about HQS matters that are registered by tenants, owners or the general public.

Violations resulting from complaint inspections are treated in the same manner as annual inspection violations. Failure to comply with violation notices issued from complaint inspections result in abatement of payment to owners and/or termination of program assistance for tenants.

PHAs should schedule complaint inspections based upon the nature of the complaint. Staff that receive complaints should distinguish between emergency (life threatening) and routine matters and act accordingly.

Abatement of Payments

The PHA must abate HAP payments to owners who do not comply with notifications to correct HQS deficiencies within the specified time period: 24 hours or 30-days depending upon the

nature of the deficiency. For valid reasons, the PHA may extend the time period. Placement of abatement must occur by the first of the month following expiration of the notice.

Except in the case of life threatening violations requiring corrections within 24 hours, the owner must receive 30-day written notification of the abatement. Therefore, it is important that PHAs include the 30-day notice to abate in the original violations notice. (See sample notice, Sample Notice of HQS Deficiency; Exhibit 10-7b.) If this does not occur, a separate Notice of Abatement, Sample Notice Exhibit 10-8, which delays the placement of abatement and has implications under SEMAP compliance, must be sent to the owner. (See Section 10.7.3.)

Following a failure to comply with a notice of deficiency owners are not entitled to HAP payments from the first of the month until the day the unit passes HQS. Examples include:

- The owner receives a notice of violation in May to correct deficiencies by June 20 or abatement of payment will occur on July 1. The owner does not comply on June 20th. An abatement is placed on July 1 unless the owner complies prior to July 1. (The PHA may allow the owner to request a reinspection of the unit for compliance with HQS before or after the abatement has been placed.) If the unit passes re-inspection, the PHA may reinstate HAP payments on the day the owner complies and reverse any notice of abatement or cancellation of HAP contract that may have been issued.
- The owner receives a notice of violation in May to correct deficiencies by June 20, but the notice does not contain language that abatement of payment will occur on July 1. The owner must be given a 30-day notice before the abatement can occur. Abatement may not be placed before August 1.
- In May, the owner receives a notice of violation requesting a correction of deficiencies by June 20 and the notice contains language that failure to comply will result in abatement of payment July 1. The owner does not comply and abatement is placed on July 1. The owner requests a re-inspection following abatement and passes the reinspection on July 10. HAP payments may be re-instated on July 10, resulting in a nine-day sanction. The PHA may not withhold HAP payments to recover the time the unit was out of compliance with HQS from June 20 through June 30.

Termination of HAP Contract

The PHA may terminate the HAP contract for an owner's failure to comply with its terms and conditions, including non-compliance with HQS. Both the owner and the tenant must be notified of intent to terminate. (See Exhibit 15-1, *Sample Notice of Termination*.)

The PHA may issue a voucher to the family to move, provided the family is eligible (not in violation of the terms of assistance, including HQS responsibilities). The family should be reminded of its responsibility to the owner to give notice of intent to move, and must continue to pay its portion of the rent as long as the family remains in the unit. Procedures for terminating

the HAP contract should be stated in the PHA administrative plan. (See Guidebook Chapter 15, Termination of Assistance and Housing Assistance Payment Contracts.)

Termination of Assistance

Termination of program assistance is discussed in Chapter 15. (See Exhibit 15-2, *Sample Notice of Termination of Program Assistance*.)

Special Inspection Process and Procedure

Special inspections include inspections in response to complaints registered with the PHA by families, owners or other sources regarding the unit's condition, quality control inspections, or any other inspection the PHA may deem appropriate to conduct.

PHAs are obligated to investigate complaints which may indicate non-compliance with HQS requirements. When repeated complaints about an assisted property are received, the PHA may wish to conduct regular or routine inspections more often than annually.

Quality control inspections are a second type of special inspection and are required by program regulations. See the discussion on quality control inspections in Section 10.7 of this Chapter.

Special inspections resulting in a fail or inconclusive HQS determination require the same notification actions and enforcement processes described above for annual inspections.

As discussed in Section 10.7 of this Chapter, the PHA should use tracking systems to monitor compliance with deadlines for correction of HQS violations, abatements, and terminations resulting from annual and special inspections.

The PHA should develop a procedure and tracking system to record, track, and schedule all unit inspections to ensure that inspection-related SEMAP requirements are met. These methods will assist staff to schedule and conduct the unit inspection within the required time frames. Frequent monitoring is necessary to assure that rescheduling of unit inspection is pursued diligently.

10.8 PHA-OWNED UNITS

A unit that is owned by the PHA that administers the housing choice voucher program (including a unit owned by an entity substantially controlled by the PHA) may not be inspected for HQS compliance by PHA staff.

- The PHA must obtain the services of an independent entity to perform HQS inspections and to communicate the results of these inspections to the family and the PHA.
- The independent agency must be approved by HUD.

- Administrative fee income may be used to compensate the independent agency. Other program receipts may not be used.
- Neither the PHA nor the inspecting agency may charge the family any fee for the inspection service.

The PHA may select a government, nonprofit, or private group to conduct the independent HQS inspections. The independent agency may be a unit of general local government, but it may not be the PHA. Other local government agencies such as the local code enforcement agency, the Community Development Agency, or the Health Department may be acceptable. A neighboring PHA or a consultant are also possibilities.

After the PHA receives HUD approval of an independent inspection entity, the PHA should establish a system to report addresses and inspections schedules, receive information from the inspection entity, and manage the information flow. PHA owned units are also subject to SEMAP requirements.

10.9 SEMAP INDICATORS RELATED TO INSPECTIONS AND HQS

Introduction

The following five SEMAP Indicators, totaling 50 points, are directly or indirectly related to PHA compliance with program inspection requirements:

- Indicator 2, Rent reasonableness;
- Indicator 5, HQS quality control inspections;
- Indicator 6, HQS enforcement;
- Indicator 11, Precontract HQS inspections; and
- Indicator 12, Annual HQS inspections.

SEMAP Certifications and Scoring are discussed in Chapter 1, Introduction.

Certification of Indicators 2, 5, and 6 is audited by the PHA through quality control sampling. Sample size varies depending upon the universe, as shown in Table 10-1, *Minimum Size of the PHA's Quality Control Sample*. The scores resulting from the PHA quality control process and certified by the PHA to HUD will be verified by the PHA independent auditor.

TABLE 10-1
MINIMUM SIZE OF THE PHA'S QUALITY CONTROL SAMPLE

Universe	Minimum number of files or records to be sampled
50 or less	5
51-600	5 plus 1 for each 50 (or part of 50) over 50
601-2000	16 plus 1 for each 100 (or part of 100) over 600
Over 2000	30 plus 1 for each 200 (or part of 200) over 2000

The universe is determined as follows:

- SEMAP Indicator 2, Rent reasonableness: number of families assisted;
- SEMAP Indicator 5, HQS quality control inspections: number of units under HAP contract during the last completed PHA fiscal year;
- SEMAP Indicator 6, HQS enforcement: number of failed HQS inspections in the last year.

The scores for SEMAP Indicators 11 and 12 are determined by data submitted by the PHA to HUD through MTCS.

Indicator 2, Rent Reasonableness

Program requirements for this indicator are discussed in detail in Chapter 9, Rent Reasonableness.

When determining the rent to owner, data must be gathered on a variety of units in order to allow the PHA to make a comparability determination. PHA staff conducting the initial pre-contract inspection are the most likely candidates to gather or verify the data, using the nine factors in the rent reasonableness procedure.

See Sample Data Collection Form for Program Unit provided in Chapter 9.

Indicator 5, HQS Quality Control Inspections

- A PHA supervisor or other qualified person must reinspect a sample of units under contract during the last PHA fiscal year. The guidelines included in Table 10-1 determine the required sample size.
- The universe referred to in Table 10-1 is the number of units under HAP contract at the end of the PHA's previous fiscal year. Example: The PHA fiscal year ends December 31, 2000. The SEMAP 2000 rating year for this PHA is January 1- December 31, 2000. The universe for this indicator is the number of units under HAP contract on December 31, 1999.
- Completed HQS inspections included in the sample must be no older than three months at the time of the reinspection. The sample must represent a cross section of neighborhoods where program units are located and inspections completed by all HQS inspectors. The sample should also include a cross-section of initial and annual inspections.
- Quality control reinspections should be conducted by staff trained in the PHA's inspection standards and should receive the same guidance as other PHA inspectors on inspection policies and procedures.

In addition to monitoring SEMAP compliance, quality control inspections provide feedback on inspectors' work, which can be used to determine if individual performance or general HQS training issues need to be addressed. For SEMAP purposes, an HQS deficiency found at the time of the quality control reinspection represents a "fail" quality control inspection. When rating an individual inspector's performance, the quality control inspector should take into account whether the failed item occurred since the previous inspector was on site. Often the tenant can describe when the deficiency occurred and will be helpful in making this determination. Deficiencies that occurred after the original inspection should not be held against the inspector's performance record.

The PHA should maintain a quality control tracking system for each SEMAP year, which indicates, the address of the units, date of original inspection and inspector, date of the quality control inspection, results of the quality control inspection, and location of the unit by neighborhood, zip code, census tract, etc. (See Exhibit 10-9, *Documenting Quality Control Inspections*.)

Indicator 6, HQS Enforcement

- All life-threatening HQS deficiencies must be corrected within twenty-four (24) hours of inspection and all other cited HQS deficiencies must be corrected no more than 30 calendar days from the inspection unless the PHA approved an extension of time for correction.
- For HQS deficiencies that are the owner's responsibility and are not corrected within the prescribed time frames, the PHA must abate housing assistance payments beginning no later than the first of the month following expiration of the PHA violation notice. Violation notices should contain language regarding abatement of payment for owner failure to make corrections.
- For HQS deficiencies that are the responsibility of the tenant and are not corrected within the prescribed time frames, the PHA must take prompt and vigorous action to enforce family obligations following program requirements.
- Compliance with this indicator is determined through quality control of files and records, in accordance with Table 10-1. The number of failed units in the PHA's past fiscal year establishes the universe.

The PHA should establish the definition of deficiencies that will be considered emergency fail items and should put a procedure in place to record, track, and close violations within 24 hours of inspection or take abatement action.

Promptly following inspection, PHAs should issue violations letters for emergency fails to the responsible party. This may be done by fax, courier, overnight mail, or regular mail and should be followed by personal contact. PHAs should have a system to cover these circumstances on weekends and holidays when staff are not readily available to conduct reinspections. Potential approaches include: phone calls to the tenant or owner within the 24 hour period to verbally

determine compliance, followed by a site reinspection the next business day; rotation of inspectors to cover holiday and Saturday reinspections; receipt by fax of owner/tenant certifications that corrections are made within the required time frame, or telephone confirmation to a voice mail system followed by a reinspection on the next business day.

Promptly following inspection, notices to correct routine violations should be issued and should state a date for compliance that allows time for corrections to be made and a reinspection to be conducted within the 30-day time frame. Letters of violation should clearly state that failure to gain entry to the unit or failure to comply will result in abatement of assistance payments on the first of the month following the correction period.

Inspectors must identify the party responsible for each HQS violation listed on the inspection instrument so that proper notice can be sent to the owner and/or tenant for the appropriate items. This precludes abatement of owner rent when the violation(s) is the responsibility of the tenant. Housing assistance payments are never abated for tenant deficiencies.

The PHA must have a system to promptly identify units for which deficiencies have not been corrected within the required timeframe, in order to indicate abatement of rent and/or termination of assistance to the family. (See Exhibit 10-10, *Sample Tracking Log for Emergency Inspections*.) Termination of assistance procedures should be stated in the PHA administrative plan. In order to meet the SEMAP requirement to “take prompt and vigorous action” for tenant violations the PHA should strictly follow these procedures when the family fails to correct HQS violations.

PHAs should monitor HQS enforcement on a regular basis (daily, weekly, or monthly) to guarantee that reinspections occur within the proper time frames. PHAs may not penalize owners for PHA failure to conduct the reinspections on time. However, if owners fail to comply or allow entry into the unit, the PHA should notify the owner that it will begin abatement in 30 days.

For fairness and consistency, PHAs should have an established policy and procedure for receiving and processing requests for HQS compliance deadline, including the conditions under which extensions will be granted. It is not advisable to grant extensions without just cause, or to grant verbal extensions; this can be construed as circumvention of the SEMAP requirement.

The PHA must have a system to record the results of SEMAP quality control reviews of inspections. At a minimum, the system should provide: the address of the unit, date of original failed inspection, responsibility for the deficiency (tenant or owner), date of reinspection, result(s) of the reinspection, date owner notified of abatement, actual date of abatement, any extensions to that date, and initiation and status of termination of tenancy. The PHA should regularly monitor the tracking system to assure compliance.

Indicator 11, Pre-Contract Inspections

- PHAs must conduct initial inspections to determine that a unit passes HQS requirements on or before the effective date of the assisted lease and HAP contract.
- Scoring of this indicator is based upon the date of the passed inspection reported on the form HUD 50058 transmitted through MTCS.

The PHA should routinely ensure that all new units pass HQS inspection prior to lease and HAP execution. The staff person responsible for signing the HAP contract should review the file to determine whether the unit passed before the HAP contract effective date.

Monthly MTCS reports should be monitored by the PHA to ensure that the system accurately reflects the PHA's performance.

Indicator 12, Annual Inspections

- Each unit under HAP contract must be inspected at least annually and no more than 12 months following the most recent inspection.
- Scoring for this indicator is determined by data submitted to HUD for reporting in MTCS.

Following procedures described earlier in this chapter, the PHA should carefully determine the number of units to be scheduled for inspection in the upcoming SEMAP year.

Tracking systems and management reports should be in place to ensure that units are being inspected within the required 12-month period.

For purposes of this indicator, MTCS monitors the date of the last inspection of the unit to determine if it occurred within twelve months. PHAs should exercise caution that the correct date is placed into the system. The unit does not have to pass inspection within the time frame, but an inspection must occur.

Prompt scheduling is essential to getting all unit inspections conducted within required time frames. PHAs should review their scheduling procedures to determine if other processes that may result in inspections not being completed on time, are linked to annual inspection, such as the recertification process or families that are searching for new units. PHAs are also encouraged to streamline procedures and increase owner/tenant education to limit the number of units which are ready for inspection when scheduled. This requires a rescheduled or follow-up inspection.

PHAs should consider decoupling inspection from recertifications to balance monthly inspector workload. Annual inspections do not have to coincide with the recertification process. Inspections may be de-coupled from the recertification process and conducted by other methods such as by zip code, specific buildings or apartment complexes, census tract or ownership.

reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

NAVAJO NATION DEPARTMENT OF JUSTICE



REQUEST FOR SERVICES

☐ RESUBMITTAL

DOJ
DATE / TIME
RFS #: _____
UNIT: _____

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE			
DATE OF REQUEST: 12/16/2022		ENTITY/DIVISION: OPVP	
CONTACT NAME: Lisa Jymm		DEPARTMENT: NNFRFO	
PHONE NUMBER: (928) 309-5535		E-MAIL: ljymm@navajo-nsn.gov	
COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents): <i>Initial Eligibility Determination for Low Mountain Chapter New Homes in the amount of \$420,000.</i>			
DEADLINE:	12/26/2022	REASON:	ARPA proposal
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT:		REVIEWING ATTORNEY/ADVOCATE:	
DATE TIME OUT OF UNIT:		PREPARED BY (initial):	
DOJ ATTORNEY / ADVOCATE COMMENTS			
REVIEWED BY: (PRINT)		DATE / TIME:	
DOJ Secretary Called:		for Document Pick Up on	at By:
PICKED UP BY: (PRINT)		DATE / TIME:	

NAVAJO NATION FISCAL RECOVERY FUND



DOCUMENT CHECKLIST

TO DOJ for Non Governance Certified Chapters

Submit all documents according to this checklist. If all documents are not attached, packet will be returned to division/program.

Division/Program Information:

Date Submitted: 12/12/2022

Program/Division: Division of Community Development

Contact Person: Shayla Draper

Phone: 928-871-6099



Email: sdraper@nndcd.org

Documents needed for processing:

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Appendix A - Request Form & Expenditure Plan |
| <input type="checkbox"/> | Appendix B - Budget Forms (Form 1, 2, 3, 4, 5, Appendix J as needed) |
| <input checked="" type="checkbox"/> | Approved Chapter Resolution supporting the project |
| <input type="checkbox"/> | Required Signatures: |
| <input checked="" type="checkbox"/> | Preparer |
| <input checked="" type="checkbox"/> | Chapter President/Vice President |
| <input checked="" type="checkbox"/> | Chapter Manager/CSC |
| <input type="checkbox"/> | DCD ASC |
| <input type="checkbox"/> | DCD Division Director |
| <input type="checkbox"/> | NNFRFO Director |

Notes:

Low Mountain Chapter, New Home construction project, amount of FRF requested \$420,000.00. DCD needs to sign Appendix-A&B. DCD signed appendix A&B.

Reviewed by:

NN Fiscal Recovery Fund Office

Date

DISCLAIMER: For guidance purposes only. Additional information may be required.

Navajo Nation Fiscal Recovery Fund Office (NNFRFO)
PO BOX 2469, Window Rock, Arizona 86515
(928)309-5532

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

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Low Mountain Chapter Date prepared: 10/26/2022

Chapter's mailing address: PO Box 4416 phone/email: 828-725-3700/lowmountain@navajochapters.org
Blue Gap, Arizona 86520 website (if any): https://lowmountain.nndes.org

This Form prepared by: Mareita Denny, Project Manager phone/email: 505-979-3001/mareitajdenny@yahoo.com
Roger George, Chapter Vice-President 928-401-1935/rgeorge@naataanii.org
CONTACT PERSON'S name and title CONTACT PERSONS info

Title and type of Project: Low Mountain Chapter New House Construction Project

Chapter President: Ben L. Gonnie phone & email: 908-313-8726/m63563963@gmail.com
Chapter Vice-President: Roger B. George phone & email: 928-401-1935/rgeorge@naataanii.org
Chapter Secretary: Rose Ann Charley phone & email: 928-386-3511/girlyazzie1947@hotmail.com
Chapter Treasurer: Rose Ann Charley phone & email: 928-386-3511/girlyazie1947@hotmail.com
Chapter Manager or CSC: Ella Nelson, AMS/Acting CSC phone & email: 928-814-7122/enelson@navajochapters.org
DCD/Chapter ASO: Rober Jumbo, ASO - ASC/DCD phone & email: 928-674-2251/rjumbo@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Sole Source Contract with a House Construction Contractor. ☐ document attached

Amount of FRF requested: 420,000.00 FRF funding period: May 01, 2023 to December 31, 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:

Low Mountain Chapter New House Construction Project: The need for three to four new unit housing construction project. Overcrowding and lack of housing heightens the danger still posed by COVID-19 here in the Low Mountain community. It is not uncommon to see 2-3 family members occupying a single or a one-bedroom house or hogan that might just be a few square feet home. The funds will be used primarily to hire a Contractor to build these houses to be in compliance with the Federal Housing Program.

☐ document attached

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

Overcrowding and shortage of housing has come a long way and not new problems, they have taken on special urgency since the start of the pandemic. Not only does overcrowding make physical distancing impossible. Native Navajo populations have disproportionate levels of underlying conditions, making us susceptible to COVID-19 complications. IF we know about our local people can enlighten us about the Navajo people, their pain, misery, hardship (human suffering) share with others.

☐ document attached

(c) Provide 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:

With teamwork planning, collaboration and support efforts, the project can be complete October-December 2025. Chapter officials election and position turnover including staff will be a challenge.

☐ document attached

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

Community Service Coordinator, a permanent project manager and project coordinator. A chapter planner position would be very appropriate.

☐ 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:

The Chapter Administration, Chapter Officials and the homeownership and use of special Navajo Nation 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:

3.12 Other Housing Assistance.

In March, the federal government passed its \$2.2 trillion coronavirus stimulus package, which allocated \$8 billion to tribal governments. Of that, \$300 million was to be earmarked for federal Indian housing programs. This funding, coupled with lessons learned from recent success stories offers a way forward - obtain Chapter governance certification and seek affordable housing grants. "Homelessness is categorized by overcrowding, not individuals living on the streets". Our Navajo values impel us to care for one another under the same roof in most cases whether we have space or not.

☐ document attached

Part 3. Additional documents.

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

1. General housing information. ARPA funds applications previously developed.
2. Sample assessments conducted by administrative staff.

☐ 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. CJY-41-21, 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 President (or Vice-President)

Approved by:


signature of CSC

Approved by:


signature of Chapter ASO

12/12/2022

Approved to submit
for Review:


signature of DCD Director

PART I. Business Unit No.: <u>New</u>		Program Title: <u>LOW MOUNTAIN CHAPTER</u>		Division/ Branch: <u>DCD/Executive</u>	
Prepared By: <u>MAREITA DENNY, Project Manager</u>		Phone No.: <u>928-725-3700</u>		Email Address: <u>lowmountain@navajochapters.org</u>	

PART II. FUNDING SOURCE(S)	Fiscal Year Item	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NCC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN ARPA FUNDS	51.1 2023-24	420,000.00	100%	2001 Personnel Expenses				
	12/31/2024			3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services				
				7000 Special Transactions				
				8000 Public Assistance	6	420,000.00	420,000.00	420,000.00
				9000 Capital Outlay				
				9500 Matching Funds				
			9500 Indirect Cost					
TOTAL						420,000.00	420,000.00	420,000.00

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

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: <u>Sonlata Jim-Martin</u> Program Manager's Printed Name <u>12/12/2022</u> Program Manager's Signature and Date	APPROVED BY: <u>Dr. Pearl Yellowman</u> Division Director / Branch Chief's Printed Name <u>12.13.22</u> Division Director / Branch Chief's Signature and Date
--	--

PART I. PROGRAM INFORMATION:		Business Unit No.:	
Name/Title:		New	
LOW MOUNTAIN CHAPTER			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)	
8705 Infrastructure (non-cap) 8725 - Housing Construction Materials: Assist 3-Community Members with New 2-Bedroom House @ \$140,000.00 = \$420,000.00 10% Design 80% Construction 10% Contingency	420,000.00 42,000 336,000 42,000	42,000 336,000 42,000	420,000.00
TOTAL		420,000.00	420,000.00

PART I. PROGRAM INFORMATION:		<div> <div>Business Unit No.: <u>New</u></div> <div>Program Name/Title: <u>LOW MOUNTAIN CHAPTER</u></div> <div><u>New</u> <u>Homes</u></div> </div>											
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:													
PART III. PROGRAM PERFORMANCE CRITERIA:		1st QTR		2nd QTR		3rd QTR		4th QTR					
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual		
1. Goal Statement:	Assist community members with new house based on needs.												
	Program Performance Measure/Objective:												
	Assist 3-Community Members with new 2-bedroom house.					1						2	
2. Goal Statement:													
	Program Performance Measure/Objective:												
3. Goal Statement:													
	Program Performance Measure/Objective:												
4. Goal Statement:													
	Program Performance Measure/Objective:												
5. Goal Statement:													
	Program Performance Measure/Objective:												
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.													
		<div> <div> <div>Dr. Pearl Yellowman</div> <div>Division Director/Branch Chief's Printed Name</div> <div><u>Pearl Yellowman</u></div> <div>Division Director/Branch Chief's Signature and Date</div> </div> <div> <div>12/12/2022</div> <div>Program Manager's Printed Name</div> <div><u>Sonlatia Jim-Martin</u></div> <div>Program Manager's Signature and Date</div> </div> </div>											

**RESOLUTION OF THE (LMC)
LOW MOUNTAIN CHAPTER
NAVAJO NATION GOVERNMENT**

SUPPORTING RESOLUTION REQUESTING THE NAVAJO NATION TO FUND THE LOW MOUNTAIN CHAPTER IN THE AMOUNT OF \$420,000.00 FROM THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST AND EXPENDITURE PLANS AS AUTHORIZED BY THE AMERICAN RESCUE PLAN ACT (ARPA) FOR LOW MOUNTAIN CHAPTER NEW HOME CONSTRUCTION PROJECT PURCHASE CONSTRUCTION MATERIALS TO ASSIST [3] COMMUNITY MEMBERS WITH [2] BEDROOM HOUSE @ \$140,000.00 PER HOUSE.

WHEREAS:

1. Pursuant to Title 26 N.N.C., § 3 (A) and as listed pursuant to Title 11 N.N.C., Part 1 § 10 the LMC is a duly recognized certified Chapter of the Navajo Nation government and as such may preserve or promote community interests; **AND,**
2. Pursuant to Title 26 N.N.C., § 1 (B) the LMC is a duly certified Chapter of the Navajo Nation Government and recognized as a local tribal entity vested with the authority to review all matters affecting the community and to make appropriate recommendations to the Navajo Nation concerning matters that are in the best interest of the community; **AND,**
3. Low Mountain Chapter New Home Construction Project: Overcrowding and shortage of housing has come along way and not a new problem, it has taken on a special urgency since the start of the pandemic. Overcrowding and lack of housing heightens the danger still posed by COVID-19 in Low Mountain community. It is not uncommon to see 2-3 family members occupying a single or a one-bedroom house or Hogan that might just be a few square feet home; **AND,**
4. According to a study from the Housing Assistance Council (HAC) 95% of Indigenous populations live with overcrowding, compared with the national average of 3%. The Department of Housing and Urban Development (HUD) has found that Indian country faces a deficit of 68,000 housing units per year and the real need is likely 204,000; **AND,**
5. Insufficient access to Capital is one of the underlying causes of these problems (this is Navajo Nation's problems), The Indian Housing Block Grant, one of the key programs under the Native Housing Assistance & Self Determination Act has received mostly level funding since its implementation in 1998 and had it kept pace with inflation, the grant program would have already received nearly \$1B. At current levels, Tribal Nations purchasing power is less than it was (20) years ago. This diminished budget allows for the development of only around 1,000 units per year, far below the 68,000 HUD has deemed necessary.

NOW, THEREFORE BE IT RESOLVED, THAT:

1. Supporting Resolution Requesting The Navajo Nation To Fund The Low Mountain Chapter In The Amount Of \$420,000.00 From The Navajo Nation Fiscal Recovery Funds Request And Expenditure Plans As Authorized By The American Rescue Plan Act (ARPA) For Low Mountain Chapter New Home Construction Project purchase housing materials to assist [3] community members with [2] bedroom house @ \$120,000.00 per house.

Motion By:

John Pekin

Second By:

Sullivan John

C-E-R-T-I-F-I-C-A-T-I-O-N

We hereby certify that the foregoing Chapter resolution was duly considered by the Low Mountain Chapter at a duly-called Chapter meeting at Low Mountain Chapter, Low Mountain (Navajo Nation), Arizona, at which a quorum was present and that the same was passed by a vote of 11 in favor, 0 opposed, 2 abstained on this 10th day of Nov, 2022.

Ben L. Gonnie
Ben L. Gonnie, Chapter President

Roger B. George
Roger B. George, Chapter Vice President

Rose Ann Charley
Rose Ann Charley, Chapter Secretary/Treasurer



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

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

RFS/HK Review #: HK0312

Date & Time Received: 12/16/22 13:46

Date & Time of Response: 12/28/2022 5:00 PM

Entity Requesting FRF: Low Mountain Chapter

Title of Project: Drainage/Septic System Project - Failed Septic Services

Administrative Oversight: _____

Amount of Funding Requested: \$140,000.00

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

- ☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure


U.S. Department of Treasury Reporting Expenditure Category: 5.5 Clean Water: Other Sewer Infrastructure

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- | | |
|--|--|
| <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: Kristen A. Lowell

Signature of DOJ Reviewer: 

Disclaimers: An NNDOJ Initial Eligibility Determination will be 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 NON-GOVERNANCE CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Low Mountain Chapter Date prepared: 10/26/2022

Chapter's mailing address: PO Box 4416 phone/email: (828) 725 - 3700 / lowmountain@navajochapters.org
Blue Gap, AZ. 86520 website (if any): http://lowmountain.nndes.org

This Form prepared by: Mareita Denny, Project Manager. phone/email: (505) 878 - 3001 / mareitadenny@yahoo.com
Roger George, Chapter Vice President. (928) 401 - 1935 / rgeorge@naataanli.org
CONTACT PERSON'S name and title *CONTACT PERSON'S info*

Title and type of Project: Drainage/ Septic System Project - Failed Septic Services

Chapter President: Ben L. Gonnig phone & email: (928) 313 - 8726 / m63563963@gmail.com

Chapter Vice-President: Roger B. George phone & email: (928) 401 - 1935 / rgeorge@naataanli.org

Chapter Secretary: Rose A. Charley phone & email: (928) 386 - 3511 / girlyazzie1947@hotmail.com

Chapter Treasurer: Rose A. Charley phone & email: (928) 386 - 3511 / girlyazzie1947@hotmail.com

Chapter Manager or CSC: Ella Nelson, AMS / Acting CSC phone & email: (928) 814 - 7122 / enelson@navajochapters.org

DCD/Chapter ASO: Robert Jumbo, ASO - ASC / DCD phone & email: rjumbo@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): NTUA, I.H.S. OR CONTRACTOR

☒ document attached

Amount of FRF requested: \$140,000.00 FRF funding period: January 1, 2023-December 31, 2024
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:

Drainage/Septic System Project/Failed Septic Services: According to LMC project plans, the 2021 needs assessments, approximately 18 homes were in dire need of drainage septic/system replacements. Homes built in the early 1980s and drainage/septic systems installed early 1980s and in May and June 2022 many of these systems have failed to operate or function properly for home ownership. The LMC did give the Sterling Foundation a price quote of \$262,566.00 for the replacement project but they deemed this to be costly and excessive for the foundation to assist funding the drainage system project.

With the COVID-19 pandemic still on the Navajo Nation, the local official's concerns are in some homes where there are more than one family. It's critical when the family needs to quarantine and go into isolation due to COVID-19 infection of other family members. The overcrowding and closeness within these home situations become critical that leads to rampant unchecked growth or spread of COVID-19 infections of the whole household.

Upon completion of the proposed drainage/septic system, replacement projects will effectuate a better living condition for all the family members and improve their health environments as well.

☒ document attached

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

Whether we know it or not, living conditions within our communities have been cited as comparable to third world living (Gallup Independent) It is impossible to succinctly describe the many factors that have contributed to the challenges that our communities face today, but the following facts about the most pressing issues of economic, health and better homes gives a hint of what life is like for many of our chapter's memberships. The lack of better homes is a public health crisis where some family, due to the pandemic, the LMC may have some of the worst social and economic outcomes. We are more likely to be negatively affected by funding cuts, lack of the same and policy changes. We can just hope for the best with this ARPA funding request. The Navajo Nation can learn from this and can be very beneficial.

☒ document attached

(c) Provide 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:

ARPA funding meeting the specified needs will expedite to carry or cause to go with haste completion on or before December 31st, 2024 or fully expand funds and completion of project by December 31st, 2026. Precise scheduling and commitment, funding can be incurred by December 31st, 2024.

☐ document attached

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

Main responsibility with the appointed project manager and community service coordinator in coordination with Chapter officials. Chapter advisements and some trainings to home ownership with primary responsibilities and maintenance upkeep.

☒ 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:

Selected home ownerships will be charged with operations and maintenance upkeep and costs for the project once completed prospectively. Maybe deferred to the Navajo Nation Aging Services Program.

☐ 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:

5.4 Under this category, because bathrooms are an important support necessity for cleanliness, especially for the elderly population, people with disabilities, single parents, children and older veterans.

☐ document attached**Part 3. Additional documents.**

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

1. Existing chapters, proposal for support information
2. June 4th, 2022 Kee Allen Begay Jr. Delegates memorandum.
3. others.

☐ 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. CJY-41-21, 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 President (or Vice-President)

Approved by:

signature of CSC

Approved by:

signature of Chapter ASO

12/12/2022

Approved to submit
for Review:

signature of DCD Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

PART I. Business Unit No.: <u>New</u>		Program Title: <u>LOW MOUNTAIN CHAPTER SEATIC SYSTEM</u>		Division: <u>Drainage</u>		DCD/Executive		
Prepared By: <u>MAREITA DENNY, Project Manager</u>		Phone No.: <u>928-725-3700</u>		Email Address: <u>lowmountain@navajochapters.org</u>				
PART II. FUNDING SOURCE(S)	Fiscal Year / Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Original Budget	(B) Proposed Budget	(C) Difference or Total
NAV ARPA FUNDS	11/23 - 12/31/24	140,000.00	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				
				7000 Special Transactions				
				8000 Public Assistance	6	0	140,000.00	140,000.00
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL			140,000.00	140,000.00
				PART IV. POSITIONS AND VEHICLES		(D)		(E)
				Total # of Positions Budgeted:		0	0	0
				Total # of Vehicles Budgeted:		0	0	0
TOTAL: \$140,000.00				100%				
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY:		Sonlata Jim-Martin		APPROVED BY:		Dr. Pearl Yellowman		
		Program Manager's Printed Name				Division Director / Branch Chief's Printed Name		
		12/12/2022				12.13.22		
		Program Manager's Signature and Date				Division Director / Branch Chief's Signature and Date		

PART I. PROGRAM INFORMATION:		Business Unit No.: <u>New</u> Program Name/Title: <u>LOW MOUNTAIN CHAPTER</u> <u>Drainage/</u> <u>Septic System</u>									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:											
PART III. PROGRAM PERFORMANCE CRITERIA:		1st QTR		2nd QTR		3rd QTR		4th QTR			
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:											
Assist community members with Drainage/Septic Replacement.											
Program Performance Measure/Objective:											
Assist 14-Community Members with Drainage/Septic Replacement due to failure of system.										14	
2. Goal Statement:											
Program Performance Measure/Objective:											
3. Goal Statement:											
Program Performance Measure/Objective:											
4. Goal Statement:											
Program Performance Measure/Objective:											
5. Goal Statement:											
Program Performance Measure/Objective:											
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
Sonlatsa Jim-Martin, Department Manager II Program Manager's Printed Name <u>Sonlatsa Jim-Martin</u> 12/12/2022 Program Manager's Signature and Date						Dr. Pearl Yellowman, Division Director Division Director/Branch Chief's Printed Name <u>Pearl Yellowman</u> 12-13-22 Division Director/Branch Chief's Signature and Date					

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION:

Program Name/Title: _____

LOW MOUNTAIN CHAPTER Drainage/Septic System

Business Unit No.: _____

New

PART II. DETAILED BUDGET:

(A) (B) (C) (D)

Object Description and Justification (LOD 7)

Total by
DETAILED
Object Code
(LOD 6)

Total by
MAJOR
Object Code
(LOD 4)

8500

Infrastructure (non-cap)

8550 - Water/Wastewater. Assist 14-Community Members with Drainage/Septic System Replacement @ \$10,000.00 = \$140,000.00.

140,000.00

140,000.00

TOTAL

140,000.00

140,000.00

**RESOLUTION OF THE (LMC)
LOW MOUNTAIN CHAPTER
NAVAJO NATION GOVERNMENT**

SUPPORTING RESOLUTION REQUESTING THE NAVAJO NATION TO FUND THE LOW MOUNTAIN CHAPTER IN THE AMOUNT OF \$140,000.00 FROM THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST AND EXPENDITURE PLANS AS AUTHORIZED BY THE AMERICAN RESCUE PLAN ACT (ARPA) FOR THE DRAINAGE/SEPTIC SYSTEM REPLACEMENT PROJECT FOR FAILED SYSTEM FOR COMMUNITY MEMBERS.

WHEREAS:

1. Pursuant to Title 26 N.N.C., § 3 (A) and as listed pursuant to Title 11 N.N.C., Part 1 § 10 the LMC is a duly recognized certified Chapter of the Navajo Nation government and as such may preserve or promote community interests; AND,
2. Pursuant to Title 26 N.N.C., § 1 (B) the LMC is a duly certified Chapter of the Navajo Nation Government and recognized as a local tribal entity vested with the authority to review all matters affecting the community and to make appropriate recommendations to the Navajo Nation concerning matters that are in the best interest of the community; AND,
3. The Low Mountain Chapter recognizes that the financing of the Community drainage/septic system replacement projects are very critically needed and requires health officials' concerns and coordination with the local Chapter Officials and the Administrative 2021 community needs assessments, 14 homes were determined in dire need of drainage/septic replacement; AND,
4. A lot of the older homes built in the 1960s and the drainage/septic systems installed in the early 1980s, the homeowners are experiencing these difficulties and tripled with COVID-19 still on the Navajo Nation and existing home conditions with respect to need of replacing system; AND,
5. Completion of the proposed Low Mountain Chapter Septic System Pumping project, the effected community members can be able to benefit to a better healthy living standards and improved good health esp. as an actively sought goals or the state of being happy and overall healthy situated family homes.

NOW, THEREFOR BE IT RESOLVED, THAT:

1. Supporting Resolution Requesting The Navajo Nation To Fund The Low Mountain Chapter In The Amount Of \$140,000.00 From The Navajo Nation Fiscal Recovery Funds Request And Expenditure Plans as authorized by the American Rescue Plan Act (ARPA) For The Drainage/Septic System Replacement Projects to assist 14 community membership.

Motion By: John Pekin

Second By: Sullivan John

C-E-R-T-I-F-I-C-A-T-I-O-N

We hereby certify that the foregoing Chapter resolution was duly considered by the Low Mountain Chapter at a duly-called Chapter meeting at Low Mountain Chapter, Low Mountain (Navajo Nation), Arizona, at which a quorum was present and that the same was passed by a vote of 11 in favor, 0 opposed, 2 abstained on this 10th day of Nov., 2022.

Ben L. Gonnle
Ben L. Gonnle, Chapter President

Roger B. George
Roger B. George, Chapter Vice President

Rose Ann Charley
Rose Ann Charley, Chapter Secretary/Treasurer

RBG/rbg



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

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

RFS/HK Review #: HK0339

Date & Time Received: 12/20/22 at 9:04

Date & Time of Response: 01/05/23 at 17:00

Entity Requesting FRF: Blue Gap/Tachee Chapter

Title of Project: Chapter Administration Building Renovations - Provision of Gov't Services

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$300,000

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

- ☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

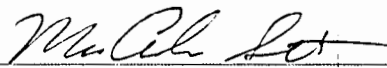
U.S. Department of Treasury Reporting Expenditure Category: 2.22 (Strong Healthy Communities: Neighborhood Features that Promote Health and Safety)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- | | |
|--|--|
| <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: Please note that the Project was submitted under expenditure category 6.1 (provision of government service), but we have issued this Initial Eligibility Determination under expenditure category 2.22 because it is a more favorable category.

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: 

Disclaimers: An NNDOJ Initial Eligibility Determination will be 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 NON-GOVERNANCE CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: BLUE GAP/TACHEE CHAPTER Date prepared: 10/18/22
 Chapter's mailing address: POST OFFICE BOX 4497 phone/email: (928) 349-0507
BLUE GAP, ARIZONA 86520 website (if any): tachee@navajochapters.org
 This Form prepared by: BETTY ASKIE phone/email: bvaskie@navajochapters.org
(928) 313-4347

CONTACT PERSON'S name and title

Renovation

CONTACT PERSON'S info

Title and type of Project: CHAPTER ADMINISTRATION BUILDING - PROVISION OF GOV'T SERVICES

Chapter President: Marcus Tulley phone & email: mtulley@naataanii.org (480) 226-0293
 Chapter Vice-President: Marcinda Lameman phone & email: mlameman@yahoo.com (928) 679-5843
 Chapter Secretary: Betty V. Askie phone & email: bvaskie@navajochapters.org (928) 313-4347
 Chapter Treasurer: Betty V. Askie phone & email: bvaskie@navajochapters.org (928) 313-4347
 Chapter Manager or CSC: Vacant phone & email: (928) 349-0507
 DCD/Chapter ASO: Edgerton Gene, Sr. Prog/Proj Sp phone & email: (928) 674-2251 egene@nndcd.org

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

Amount of FRF requested: \$300,000 FRF funding period: January 2023 to December 2023 ☒ document attached
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:

The project objective is to complete the renovation of the 30' x 30' chapter administration building. The funds will be used to complete the roofing, install interior concrete slab, finish flooring, insulation and wall/ceiling finish, painting, heating/cooling wall mount systems, interior wiring, restrooms, cabinetry, lighting, doors, and drain line. The purpose in completing the building is to improve accessibility and enable staff to provide direct services relating to COVID-19 needs of the Blue Gap/Tachee community members. The COVID-19 related needs that will be addressed include logistical support, mitigating, preparing, responding, and recovering from emergency situations resulting from COVID-19 (i.e. distributing PPE and other essential items, assisting with forms, etc.) ☐ document attached

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

The Blue Gap community lacks immediate access to basic necessities i.e., paved roads, phone services, broadband, transportation, accessibility during adverse weather conditions, etc. The administration building can serve as the center for Blue Gap/Tachee community members to access available resources and seek relief from the chapter administration staff. The project will benefit the community by providing an array of services, such as telecommunications, improved roads, etc. ☐ document attached

(c) Provide 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

APPENDIX A

Program(s) or Project(s) by December 31, 2026:

Project will immediately be advertised for bids when funds become available and completed within 8 months after project award to a certified contractor. Budget forms will be adjusted to conform with the project award and schedule. Monthly project progress meetings will be held to ensure completion within the established timeline.

☐ document attached

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

The Chapter administration staff will be tasked with ensuring procurement procedures are followed and monitoring project progress. Staff will collaborate with the contractor to ensure timelines are followed and that all work activities are in compliance with established agreement terms and conditions.

☐ 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:

The Blue Gap Chapter will be responsible for the maintenance and upkeep of the facility once it's completed. Routine maintenance will be provided by the Public Employment Program (PEP) workers and more technical services will be provided by licensed contractors.

☐ 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:

Categories: Revenue Replacement: 6.1 Provision Government Services

Pursuant to the established guidelines and funding objectives, the chapter administration building will enable staff to address and provide improved direct services for community members seeking COVID-19 related services which are now being rendered out of the chapter house. Currently, the chapter house is not in compliance with ADA standards and cannot accommodate a large capacity which causes staff to meet with community members outside. Without adequate facilities, staff are limited in rendering efficient and quality services, leaving community members to endure hardship. A renovated administration building will improve the staff's ability to communicate information, distribute essential items, share resources, assist and advocate for community members in need of housing, transportation, health, and other related services.

☐ document attached

Part 3. Additional documents.

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

Chapter Resolution BGCH22-11-001; Budget Forms 1, 2, 4 and Project Schedule; Contractors Estimate

☐ 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. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's
Preparer:

Betty Alice
signature of Preparer/CONTACT PERSON

Approved by:

[Signature]
signature of Chapter President (or Vice-President)

Approved by:

[Signature]
for signature of CSC

Approved by:


[Signature]
signature of Chapter ASO

Approved to submit
for Review.

Lisa J. [Signature] UNFTRFO
signature of DCD Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARYPage 1 of 4
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>Blue Gap / Tachee Chapter Renovation</u>		Division/Branch: <u>Executive</u>	
Prepared By: <u>Betty V. Askie</u>		Phone No.: <u>(928) 313-4347</u>		Email Address: <u>bvaskie@navajochapters.org</u>	
Fiscal Year Item		Amount		% of Total	
PART II. FUNDING SOURCE(S)		11/23 - 12/30/23		300,000.00	
NN Fiscal Recovery Funds				100%	
PART III. BUDGET SUMMARY		Fund Type Code		NNC Approved Original Budget	
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		299,500	
7000 Special Transactions		6		500	
8000 Public Assistance					
9000 Capital Outlay					
9500 Matching Funds					
9500 Indirect Cost					
TOTAL		50.00		300,000.00	
0					
PART IV. POSITIONS AND VEHICLES		(D)		(E)	
Total # of Positions Budgeted:					
Total # of Vehicles Budgeted:					
TOTAL:		\$300,000.00		100%	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.					
SUBMITTED BY:		Belly V. Askie, Chapter Secretary		APPROVED BY: Dr. Pearl Yellowman, Division Director	
Program Manager's Printed Name		Betty Askie 12/06/2022		Division Director / Branch Chief's Printed Name	
Program Manager's Signature and Date				Division Director / Branch Chief's Signature and Date	
		12-6-22		12-7-22	

Sonlatsa Jim-Martin, Department Manager II

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2023

PART I. PROGRAM INFORMATION:		Blue Gap/Tachee Chapter							
Business Unit No.:		Program Name/Title:							
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:									
The Navajo Nation Chapters Plan of Operation is referenced in Title 26 of the Navajo Nation Codes.									
PART III. PROGRAM PERFORMANCE CRITERIA:									
1. Goal Statement:		1st QTR		2nd QTR		3rd QTR		4th QTR	
Provide funding for chapter house ADA accessibility		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Program Performance Measure/Objective:									
Assist community with governmental and emergency services		2		2		2		2	
2. Goal Statement:									
Conduct 8 progress meeting with selected contractor									
Program Performance Measure/Objective:									
Conduct 2 construction progress meetings per quarter		2		2		2		2	
3. Goal Statement:									
Program Performance Measure/Objective:									
4. Goal Statement:									
Program Performance Measure/Objective:									
5. Goal Statement:									
Program Performance Measure/Objective:									
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.									
Betsy Astia, Chapter Secretary		Dr. Pearl Yellowman, Division Director							
Program Manager's Printed Name		Division Director/Branch Chief's Printed Name							
<u>Betsy Astia</u> 12/06/2022		<u>Pearl Yellowman</u> 12-7-22							
Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date							

Sonlatsa Jim-Martin, Department Manager II Sonlatsa Jim 12.6.22

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:		Business Unit No.:
Program Name/Title:		
Blue Gap/Teachee Chapter		New
PART II. DETAILED BUDGET:		
(A)	(B)	(C)
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)
	Revenue Replenishment: Portion of Government Services-ADFA Chapter Administration: Project. The Blue Gap/Teachee Chapter administers a project with the goal of completion of the 20200 partially completed chapter administration project. Work will include binder, contracts for data, binder electrical wiring, binder seal and cellophane, feeding completion, ADA accessibility and hearing and coding equipment. The project will also create sub-agencies connected to high standards of COVID-19 on the Navajo nation and serve as logistical support, assist in managing, preparing, representing and recovery from emergency situation and ensuring hearing good conduct. Budget work will also consist handling new capital and construction.	500
7000	Special Transactions	500
7440	Print Advertisement	
	Advertise project per NN Procurement Laws	250,000
8000	Capital Outlay	
8002	Buildings	250,000
	Construct and complete 20040 administration building	
TOTAL		300,000
		300,000

PROJECT BUDGET SCHEDULE

[illegible]

FOR ONIB USE ONLY:

Resolution No.

Flu8 Set Up Data

Company No.

OLB Analyst

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 4
BUDGET FORM 1

PART I. Business Unit No.: 105001		Program Title: Office of Management and Budget		Division/Branch: Executive	
Prepared By: Marcus Tulley		Phone No.: (928) 229-0761		Email Address: marcustulley@nataaaii.org	

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
NN Fiscal Recovery Funds			266,203.00							
					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		265,703		
					7000	Special Transactions		500		
					8000	Public Assistance				
					9000	Capital Outlay				
					9500	Matching Funds				
					9500	Indirect Cost				
					TOTAL			\$0.00	266,203.00	0

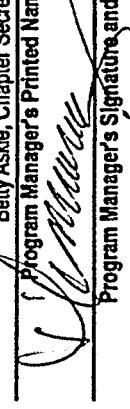
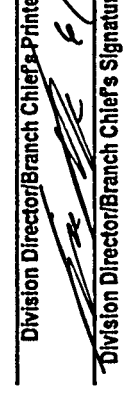
PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:		0	0
Total # of Vehicles Budgeted:		0	0

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Marcus Tulley Program Manager's Printed Name

APPROVED BY: [Signature] Division Director / Branch Chief's Printed Name

4/2/23 Division Director / Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:		Blue Gap/Tachee Chapter									
Business Unit No.:		Program Name/Title:									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:											
The Navajo Nation Chapters Plan of Operation is referenced in Title 26 of the Navajo Nation Codes.											
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Goal Statement:		1st QTR		2nd QTR		3rd QTR		4th QTR			
Provide funding for chapter house ADA accessibility		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Program Performance Measure/Objective:											
Assist community with governmental and emergency services		2		2		2		2		2	
2. Goal Statement:		1st QTR		2nd QTR		3rd QTR		4th QTR			
Conduct 8 progress meeting with selected contractor		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Program Performance Measure/Objective:											
Conduct 2 construction progress meetings per quarter		2		2		2		2		2	
3. Goal Statement:		1st QTR		2nd QTR		3rd QTR		4th QTR			
Program Performance Measure/Objective:											
4. Goal Statement:		1st QTR		2nd QTR		3rd QTR		4th QTR			
Program Performance Measure/Objective:											
5. Goal Statement:		1st QTR		2nd QTR		3rd QTR		4th QTR			
Program Performance Measure/Objective:											
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
Program Manager's Signature and Date						Division Director/Branch Chief's Signature and Date					
 Betty Askie, Chapter Secretary						 Division Director/Branch Chief's Printed Name					
Program Manager's Printed Name						Division Director/Branch Chief's Printed Name					

FY 2023

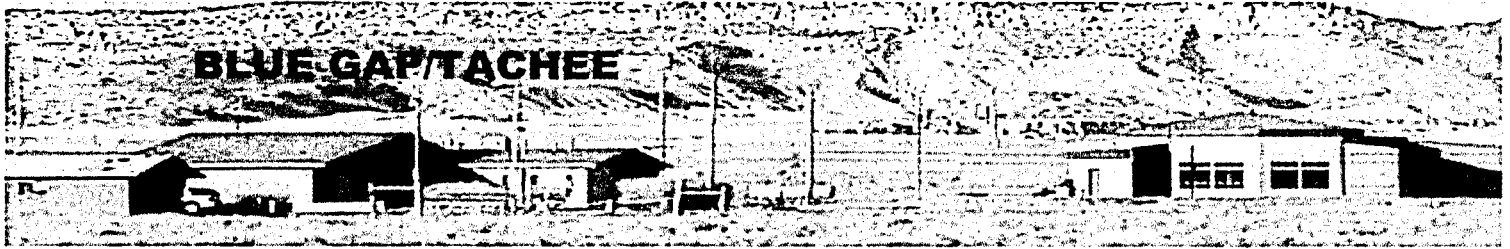
THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page 3 of 4
BUDGET FORM 4

PART I. PROGRAM INFORMATION:		Business Unit No.: <u>105001</u>	
Program Name/Title: <u>Blue Gap/Tachee Chapter</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)
	Revenue Replacement Provision of Government Services-ARPA Chapter Administration Project. The Blue Gap/Tachee administration building project will consist of completion of the 30x40 partially completed administration project. Work include interior and exterior finishes, concrete floor slab, electrical wiring, wall, ceiling installation, walls/ceiling finishes, roofing completion, ADA Accessibility, and Heating/Cooling equipment. The project will directly benefit the community and those seeking assistance from the Chapter and address the building deficiencies connected to the high outbreak of COVID-19 on the Navajo Nation and serves as logistic support, assisting in mitigating, protecting, responding and recovery from emergency situation and ensuring improving direct services.		
7000	Special Transactions	500	500
7440	Print Advertisement Advertise project per NN Procurement Laws		
9000	Capital Outlay		
9052	Buildings Construct and complete 30x40 administration building	265,703	265,703
TOTAL		266,203	266,203

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PART I. Business Unit No.:		PART II. Project Information																							
Project Title: Blue Gap/Tachee Chapter Administration Building (B.1 Revenue Replacement: Provision of Gov'l Services)		Project Type: Chapter Admin Building																							
Project Description: Completion of chapter administration building, interior and exterior finishes, concrete flooring, ADA restroom facilities, roofing, heating cooling equipment, interior electrical wiring completion.		Planned Start Date: Dec-22																							
Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification		Planned End Date: Dec-28																							
		Project Manager: Jones Baggy/Chapter President																							
PART IV. Use Fiscal Year (FY) Quantities to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																									
PART III. List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.	FY 2023												FY 2024												Expected Completion Date if project exceeds 8 FY Qtrs.
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.									
Finance (Securing funds)	O X	N X	D X	J X	F X	M X	A X	M X	J X	Jul X	A X	S X	O X	N X	D X	J X	F X	M X							
Planning and Design																									
Contracting/Procurement Process																									
Contract Executed																									
Construction/Completion																									
PART V. Expected Quarterly Expenditures	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$						
		500.00	150,000.00	100,000.00	99,500.00																				
PROJECT TOTAL																			\$300,000.00						



P.O. Box 4427
Blue Gap, Arizona 86520
Crystalyn Curley Council Delegate

Phone: (928) 349-0507
Email: tachee@navajochapters.org
Harrison Blie, Community Services Coordinator

May 04, 2023

Mr. Tom Platero, Executive Director
Navajo Fiscal Recovery Fund Office
Post Office Box 2469
Window Rock, AZ 86515

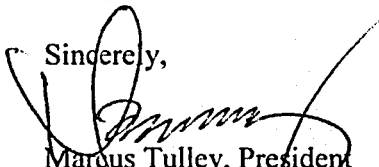
RE: ARPA PROJECT AMENMENT

Dear Sir:

The Blue Gap Chapter is requesting amendment to the **CHAPTER ADMINISTRATION BUILDING-ARPA** project allocation request. Due to funding availability, The Blue Gap/Tachee Chapter is requesting to reduce the original allocation request from \$300,000.00 to \$266,203.00 to qualify the project for allocation. The project scope of work and schedules will remain as submitted.

A copy of the revised project budgets is hereto attached for your information. Should you have any questions, please direct them to my attention or Speaker Crystalyn Curley. Thank you for your assistance on the above matter.

Sincerely,



Marcus Tulley, President
Blue gap/Tachee Chapter

CC: Chapter file
HBlie/CSC
ASC-EGene



LITTLE MOUNTAIN BUILDERS

PO BOX 2667 WINDOW ROCK, AZ 86515 • FAX: (928) 729 - 2127

COMMITMENT • QUALITY • EXCELLENCE • MOBILE (928) 206 - 7096

ESTIMATE

Submitted to:

Marcus Tulley, Chapter President
Blue Gap Chapter
PO Box 4427
Blue Gap, Arizona 86520

Date:

October 21, 2022

Project Name: Blue Gap Chapter - Administration Building Addition
Blue Gap, Arizona

Little Mountain Builders will provide labor, materials and equipment for the following tasks listed below:

Completion of the Blue Gap Administration Building Addition – 31' x 27' with Conference Room, 2 ADA Restrooms and Kitchenette

- Remove wood subfloor and replace with concrete floor foundation.
- Repair and finish metal roofing
- Complete fascia, soffit, trim and exterior paint for building
- Install insulation, drywall, tape, texture and interior paint
- Apply VCT Tile flooring and cove base
- Construct 2 ADA-compliant restrooms
- Construct kitchenette with appliances
- Install water heater and 2 combination HVAC units
- Install plumbing and electrical wiring
- Install 5'-0" sidewalks and ramp at entrances

Cost of Materials, Equipment Rentals and Delivery	\$44,543.00
Cost of Labor	\$60,900.00
Cost of Insurance, Overhead and Profit	\$16,608.00
Navajo Nation Tax	\$7,324.00



LITTLE MOUNTAIN BUILDERS

PO BOX 2667 WINDOW ROCK, AZ 86515 • FAX (928) 729 - 2127

COMMITMENT • QUALITY • EXCELLENCE • MOBILE (928) 206 - 7095

In the Total Sum of:

One Hundred Twenty-Nine Thousand, Three Hundred, Seventy-Five Dollars
and No Cents..... \$129,375.00

Approval Signature:

Date:

10/21/2022

Lorenzo Nelson, Owner – Little Mountain Builders

BLUE GAP/TACHEE CHAPTER

P.O. Box 4427
Blue Gap, Arizona 86520

Ph: (928) 349-0507 Fax: (928) 223-7770

KEE ALLEN BEGAY, JR., COUNCIL DELEGATE
COORDINATOR

VACANT COMMUNITY SERVICES

BGCH: 22-11-001

RESOLUTION OF RESOLUTION BLUE GAP/TACHEE CHAPTER

THE BLUE GAP/TACHEE CHAPTER APPROVES AND SUBMITS THE CHAPTER ADMINISTRATION BUILDING COMPLETION PROJECT IN THE AMOUNT OF \$300,000 FROM THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDING PURSUANT TO CJN-29-22.

WHEREAS:

1. The Blue Gap/Tachee Chapter is a recognize certified chapter organization of the Navajo Nation in pursuant to the authority of the Navajo Nation Local Governance Act. and the Resolution of the Navajo Nation Council 1997. and the PL 98-638 the Self Determination of 1973: AND
2. The Local Community Chapter is responsible for the community goals and the objectives in Meeting their needs with detail planning and developments. and its progress for the local Chapter people and families, it serves: AND
3. The Blue Gap/Tachee Chapter was devastated by the effects of COVID-19 including health. loss life of family members, employment. housing insecurity and other impacts that continues to disrupt daily way of life: AND
4. The Blue Gap/Tachee Chapter supports the approval of Legislation CJN-29-22 to mitigate and preventing the spread of COVID-19 by containment of the disease through improvement health and living conditions: AND
5. The Blue Gap/Tachee Chapter approves the submittal of the Chapter Administration Completion Project in the amount of \$300,000 to help mitigate and provide direct community services in containing the spread of COVID-19 and distribution of supplies: AND
6. The Blue Gap/Tachee Chapter building lacks the ADA accessibility requirement for community service to chapter members with disability seeking assistance with COVID-19 related situations and distribution of COVID-19 supplies.

BLUE GAP/TACHEE CHAPTER

P.O. Box 4427

Blue Gap, Arizona 86520

Ph: (928) 349-0507 Fax: (928) 223-7770

KEE ALLEN BEGAY, JR., COUNCIL DELEGATE
COORDINATOR

VACANT COMMUNITY SERVICES

NOW THEREFORE BE IT RESOLVED THAT:

1. The Blue Gap/Tachee Chapter requests approval of \$300,000 from the ARPA funding to improve community services and accessibility to Chapter Administration Building in mitigating and addressing COVID-19 health issues.
2. The Blue Gap/Tachee Chapter building lacks the infrastructure and access to COVID-19 related services.
3. The Blue Gap/Tachee Chapter wishes to improve and complete the chapter administration building to provide direct services and provide ADA accessibility to community members with disability.
4. The Blue Gap/Tachee Chapter requests Kee Allen Begay, Jr., Council Delegate and his assistant Ms. Estelle Benally monitor projects until project are completed.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Blue Gap/Tachee Chapter at a duly called meeting Blue Gap/Tachee, Navajo Nation, Arizona which quorum was Present that same was passed by vote of: 13 in favor, 00 opposed, and 03 abstained on this 4th day of November, 2022.

MOTIONED BY: Jimnie Dugai

SECONDED BY: Jackie Y. Burbank

Marcus Tulley
Marcus Tulley, President

mlanemem
Vacant, Vice President

Betty Askie
Betty Askie, Secretary/Treasurer

Franklin Tsosie
Franklin Tsosie, Grazing Official

Kee Allen Begay, Jr., Council Delegate



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 0432

Date & Time Received: 3/30/23 at 15:10

Date & Time of Response: 4/5/23 at 11:20

Entity Requesting FRF: Low Mountain Chapter

Title of Project: Low Mountain Chapter Home Renovation Construction Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$92,068 ⁴ 92,067⁷⁰

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

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

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

2.18, Housing Support: Other Housing Assistance

<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: Rodgerick Begay

Signature of DOJ Reviewer: Rodgerick Begay

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.

Page 2 of 2

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

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Low Mountain Chapter Date prepared: 10/26/2022

Chapter's mailing address: PO Box 4416 phone/email: (928) 726 - 3700 / lowmountain@navajochapters.org
Blue Gap, AZ. 86520 website (if any): http://lowmountain.nndes.org

This Form prepared by: Mareita Denny, Project Manager. phone/email: (928) 978 - 3001 / mareitadenny@yahoo.com
Roger George, Chapter Vice President. (928) 401 - 1935 / rgeorge@naataaniil.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Low Mountain Chapter Home Renovation Construction Project

Chapter President: Ben L. Gonnie phone & email: (928) 313 - 8726 / m83563963@gmail.com

Chapter Vice-President: Roger B. George phone & email: (928) 401 - 1935 / rgeorge@naataaniil.org

Chapter Secretary: Rose A. Charley phone & email: (928) 386 - 3511 / girlfazzie1947@hotmail.com

Chapter Treasurer: Rose A. Charley phone & email: (928) 386 - 3511 / girlfazzie1947@hotmail.com

Chapter Manager or CSC: Ella Nelson, AMS / Acting CSC phone & email: (928) 814 - 7122 / enelson@navajochapters.org

DCD/Chapter ASO: Robert Jumbo, ASO - ASC / DCD phone & email: rjumbo@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Local skilled manpower employees e.g.

Previous on-the-job trained Public Employment Program Rehires with skilled Supervisor ☐ document attached

Amount of FRF requested: \$92,067.70 FRF funding period: 5/1/25 - 12/31/26
Indicate Project starting and ending/estimated 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:

Low Mountain Chapter Home Renovation Projects: The need to renovate [31] existing homes, within the Chapter community coincides with the [3] new unit-housing construction project. Between the two projects, home renovation considered more a crucial need than new unit homes. This has been more the case a good number of years. Therefore, this project should and needs to be funded with ARPA funds to assist local community members. Coincidental is the ARPA funds will be used to purchase materials/supplies for renovating or improving an existing home, hiring local manpower for the task. Practical renovated homes good for cleanliness and COVID-19 mitigation efforts.

☐ document attached

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

Most all the preliminary preparedness are adequate, assessment, needs viewed and studied as a whole, the 32 homes in disrepair, homesite leases, home ownerships being needy, living conditions assessed and determined the homes need to be restored. Material listing and potential self-help clients in progress Project beneficial for local Navajo community four areas and less reliance on Navajo Nation.

☐ document attached

(c) Provide 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, 2025:

Completion date estimation, December 31, 2025, Navajo Nation Chapter Official Election and staff turnover maybe a challenge.

☐ document attached

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

CSC and AMS, Project Manager and Project Coordinator to coordinate with Chapter officials. Recommend Planner/Consultant on board hire

☐ 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:

Project recipients (ownership) Chapter officials and Administrative staff advisory team.

☐ 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:

3.12 Housing Support: Other Housing Assistance.

☐ document attached

Part 3. Additional documents.

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

1. Sample Assessment By Administrative Staff Acting CSC/AMS With Temp Project Manager.
2. Client Listing/Recipients.

☐ 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. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's
Preparer:

signature of Project CONTACT PERSON

Approved by:

signature of Chapter President (or Vice-President)

Approved by:

signature of CSC

Approved by:

signature of Chapter ASD

12/12/2022

Approved to submit
for Review:

signature of DCO Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>None</u>		Division: <u>Branch</u>		DCD/Executive	
Prepared By: <u>MAREITA DENNY, Project Manager</u>		Phone No.: <u>982-725-3700</u>		Email Address: <u>lowmountain@navajochapters.org</u>			
PART II. FUNDING SOURCE(S)		Fiscal Year / Term	Amount	% of Total			
NIN ARPA FUNDS		5-01-2023 12-31-2026	92,067.70	100%			
PART III. BUDGET SUMMARY					Fund Type Code	(A) Approved Original Budget	(B) Proposed Budget
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							
7000 Special Transactions							
8000 Public Assistance					6	92,067.70	92,027.70
9000 Capital Outlay							
9500 Matching Funds							
9500 Indirect Cost							
TOTAL						92,067.70	92,027.70
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:				APPROVED BY:			
Soniasta Jim-Martin				Dr. Pearl Yellowman			
Program Manager's Printed Name				Division Director / Branch Chief's Printed Name			
<u>Soniasta Jim</u> 12/12/2022				<u>Pearl Yellowman</u> 12.13.22			
Program Manager's Signature and Date				Division Director / Branch Chief's Signature and Date			

PART I. PROGRAM INFORMATION:		LOW MOUNTAIN CHAPTER - Home Renovation									
Business Unit No.:	NEW	Program Name/Title:									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:											
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Goal Statement:		Assist with Home Renovation for community members.		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Program Performance Measure/Objective:		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
		Assist 31 community members with home renovation.								15	16
2. Goal Statement:											
		Program Performance Measure/Objective:									
3. Goal Statement:											
		Program Performance Measure/Objective:									
4. Goal Statement:											
		Program Performance Measure/Objective:									
5. Goal Statement:											
		Program Performance Measure/Objective:									
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
				Dr. Pearl Yellowman Division Director/Branch Chief's Printed Name							
				<i>Donalata Jim-Martin</i> 12/12/2022 Program Manager's Signature and Date							
				Dr. Pearl Yellowman Division Director/Branch Chief's Printed Name							
				<i>Donalata Jim-Martin</i> 12.13.22 Division Director/Branch Chief's Signature and Date							

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION:		LOW MOUNTAIN CHAPTER - Home Renovation		Business Unit No.:		NEW	
PART II. DETAILED BUDGET:		(A)		(B)		(C)	
Object Description and Justification (LOD 7)		Total by DETAILED Object Code (LOD 6)		Total by MAJOR Object Code (LOD 4)		(D)	
6550	Repairs and Maintenance 8725 - Supplies: Purchase Building Supplies to renovate 31-Homes @ \$32,087.70.			92,087.70		92,087.70	
TOTAL		92,087.70		92,087.70		92,087.70	

**RESOLUTION OF THE (LMC)
LOW MOUNTAIN CHAPTER
NAVAJO NATION GOVERNMENT**

SUPPORTING RESOLUTION REQUESTING THE NAVAJO NATION TO FUND THE LOW MOUNTAIN CHAPTER IN THE AMOUNT OF \$92,067.70 FROM THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST AND EXPENDITURE PLANS AS AUTHORIZED BY THE AMERICAN RESCUE PLAN ACT (ARPA) FOR THE LOW MOUNTAIN CHAPTER HOME RENOVATION CONSTRUCTION PROJECT PURCHASE BUILDING SUPPLIES FOR 81 HOMES.

WHEREAS:

1. Pursuant to Title 26 N.N.C., § 3 (A) and as listed pursuant to Title 11 N.N.C., Part 1 § 10 the LMC is a duly recognized certified Chapter of the Navajo Nation government and as such may preserve or promote community interests; AND,
2. Pursuant to Title 26 N.N.C., § 1 (B) the LMC is a duly certified Chapter of the Navajo Nation Government and recognized as a local tribal entity vested with the authority to review all matters affecting the community and to make appropriate recommendations to the Navajo Nation concerning matters that are in the best interest of the community; AND,
3. Since 1980 forward to this day October '2022, FY 2022-23 First Quarter, home repairs or renovation of existing homes have always been a greater need in aggregate numbers than the need for new home constructions, not only within the Low Mountain Chapter community and readily has not changed within the last four (4) decades and I assume other Navajo Nation Chapters may confidently be agreeable with this status quo of dilapidated existing homes of the Navajo people; AND,
4. The need to renovate 32 existing homes, within the Chapter community coincides with the 15 new unit housing construction project. Between the two projects, home renovation considered more a crucial need than new unit homes. This has been more the case a good number of years. Therefore, this project should and needs to be funded with ARPA funds to assist more people. Coincidental is the ARPA funds will be used for renovating or improving an existing home, hiring local manpower for the task. Practical renovated homes good for cleanliness and Covid-19 mitigation efforts; AND,
5. whether we know it or not, living conditions within our communities have been cited as "comparable to 3rd world" (5/5/2004, Gallup Independent). It is impossible to succinctly describe the many factors that have contributed to the challenges that our community people face today, but the following facts about the most pressing issues of economic, health and housing gives a hint of what life is like for many of our Chapter memberships. The lack of better homes heightens the dangers posed by this still present COVID-19 and therefore our community housing crisis can be a public health crisis. Due to the pandemic, the LMC may have some of the worse social and economic outcomes, we are more likely to be negatively affected by funding cuts and policy changes. Our Chapter may have one of the more critical problems facing our community is HOUSING. Our Chapter Vice President always reiterates, "we are the forgotten people like the Bennet Freeze." We cannot determine the outcome of trying to tackle our housing crisis. We can just hope for the best with these ARPA funding proposals.

NOW, THEREFORE BE IT RESOLVED, THAT:

1. Supporting Resolution Requesting The Navajo Nation To Fund The Low Mountain Chapter In The Amount Of \$58,568.00 From The Navajo Nation Fiscal Recovery Funds Request And Expenditure Plans As Authorized By The American Rescue Plan Act (ARPA) For The Low Mountain Chapter Home Renovation Construction Project purchase building supplies for 32 homes.

2. Low Mountain Chapter affirms that the Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies.

Motion By: John Pekin

Second By: Sullivan John

C-E-R-T-I-F-I-C-A-T-I-O-N

We hereby certify that the foregoing Chapter resolution was duly considered by the Low Mountain Chapter at a duly-called Chapter meeting at Low Mountain Chapter, Low Mountain (Navajo Nation), Arizona, at which a quorum was present and that the same was passed by a vote of 11 in favor, 0 opposed, 2 abstained on this 10th day of Nov., 2022.

Ben L. Gonnie
Ben L. Gonnie, Chapter President

Roger B. George
Roger B. George, Chapter Vice President

Rose Ann Charley
Rose Ann Charley, Chapter Secretary/Treasurer

RBG/rbg



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 0433

Date & Time Received: 3/30/23 at 15:11

Date & Time of Response: 04/06/23 at 1620

Entity Requesting FRF: Low Mountain Chapter

Title of Project: Septic Services

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$67,200.00

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 type="checkbox"/> (3) Government Services/Lost Revenue | <input checked="" type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |

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

5.5 Clean Water: Other Sewer Infrastructure

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):

- | | |
|--|--|
| <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: Erika Pirotte

Signature of DOJ Reviewer: Erika Pirotte

Digitally signed by Erika Pirotte
Date: 2023.04.06 16:19:53 -05'00'

Disclaimers:

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 NON-GOVERNANCE CERTIFIED CHAPTERS

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: LOW MOUNTAIN CHAPTER Date prepared: 11/28/2022

Chapter's mailing address: PO BOX 4416 phone/email: 928-725-3700
Blue Gap, Arizona 86520 website (if any): lowmountainchapter

This Form prepared by: Mareita Denny, Project Manager phone/email: 505-979-3001 mareitajdenny@yahoo.com
Roger George, Chapter Vice-President 928-401-1935 rgeorge@naataanii.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: SEPTIC SERVICES

Chapter President: Ben L. Gonnio phone & email: 928-313-8726 m63563963@gmail.com

Chapter Vice-President: Roger B. George phone & email: 928-401-1935 rgeorge@naataanii.org

Chapter Secretary: Rose Ann Charley phone & email: 928-386-3511 girlyazzie1947@hotmail.com

Chapter Treasurer: Roses Ann Charley phone & email: 928-386-3511 girlyazzie1947@hotmail.com

Chapter Manager or CSC: Ella Nelson, Acting phone & email: 928-814-7122 enelson@navajochapters.org

DCD/Chapter ASO: Robert Jumbo, ASO-ASC-DCD phone & email: 928-674-2251 rjumbo@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Edgewater Septic Pumping.

☐ document attached

Amount of FRF requested: 67,200.00 FRF funding period: December 14, 2022 - December 31, 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:

This septic service project is to remove/pump sludge and scum from septic tank for families residing within the chapter service area. This annual or bi-annual septic services has become a major expense for low income families, since 60% of homes has water. This community is in rural and remote area located within once land disputed area. This project is a preventive maintenance service and assisting families whom are unable to pay for pumping service. Cleaning septic level is preventive health measure at this period due to constant threat of COVID.

☐ document attached

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

Maintaining the health of the families and community are best practice for keeping families safe from COVID. This project will service 128 families. With the number of families assisted, it will help the families secure their careful hygiene.

☐ document attached

(c) Provide 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:

Procurement time: Practice Sole Source Procurement beginning March 01, 2023.

Project Period: Begin March 13, 2023 and ending December 2023.

☐ document attached

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

Low Mountain chapter and the administgration.

☐ 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:

Residents will be responsible for the operation and maintenance of the septic tank system.

☐ 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:

Clean Water: Decentralized Wastewater 5.3

Addressing rural homes waste by pumping septic tank and maintenance of leach field if necessary.

☐ document attached

Part 3. Additional documents.

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

Low Mountain Chapter Resolution.

☐ 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. CJY-41-21, 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 President (or Vice-President)

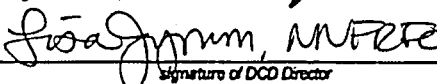
Approved by:


signature of CSC

Approved by:

 12/12/2022
signature of Chapter ASO

Approved to submit
for Review:


signature of DCD Director

PART I. Business Unit No.: <u>New</u>		Program Title: <u>LOW MOUNTAIN CHAPTER</u>		Division: <u>Seismic Services</u>		Branch: <u>DCD/Executive</u>			
Prepared By: <u>MAREITA DENNY, Project Manager</u>		Phone No.: <u>928-725-3700</u>		Email Address: <u>lowmountain@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
NAV ARPA FUNDS	12/1/22 - 12/31/26	67,200.00	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				
				7000	Special Transactions				
				8000	Public Assistance	6	67,200.00	67,200.00	67,200.00
				9000	Capital Outlay				
				9500	Matching Funds				
				9500	Indirect Cost				
				TOTAL				67,200.00	67,200.00
				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>Sonlasla Jim-Martin</u>				APPROVED BY: <u>Dr. Pearl Yellowman</u>		Division Director / Branch Chief's Printed Name			
Program Manager's Printed Name: <u>Sonlasla Jim</u>				Date: <u>12/12/2022</u>		Division Director / Branch Chief's Signature and Date: <u>Pearl Yellowman 12.13.22</u>			
Program Manager's Signature and Date: <u>Sonlasla Jim</u>				Division Director / Branch Chief's Signature and Date: <u>Pearl Yellowman 12.13.22</u>					

PART I. PROGRAM INFORMATION: Business Unit No.: <u>New</u>		Program Name/Title: <u>Septic Services</u>		LOW MOUNTAIN CHAPTER													
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:																	
PART III. PROGRAM PERFORMANCE CRITERIA:																	
1. Goal Statement: To assist with Septic Services to registered community members.																	
Program Performance Measure/Objective: Assist 128 community members with septic services.																	
2. Goal Statement:																	
Program Performance Measure/Objective:																	
3. Goal Statement:																	
Program Performance Measure/Objective:																	
4. Goal Statement:																	
Program Performance Measure/Objective:																	
5. Goal Statement:																	
Program Performance Measure/Objective:																	

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

Sonlata Jim-Martin
 Program Manager's Printed Name 12/12/2022
 Program Manager's Signature and Date

Dr. Pearl Yellowman
 Division Director/Branch Chief's Printed Name
Pearl Yellowman 12.13.22
 Division Director/Branch Chief's Signature and Date

**RESOLUTION OF THE (LMC)
LOW MOUNTAIN CHAPTER
NAVAJO NATION GOVERNMENT**

SUPPORTING RESOLUTION REQUESTING THE NAVAJO NATION TO FUND THE LOW MOUNTAIN CHAPTER IN THE AMOUNT OF \$67,200.00 FROM THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST AND EXPENDITURE PLANS AS AUTHORIZED BY THE AMERICAN RESCUE PLAN ACT (ARPA) FOR THE SEPTIC SERVICES PROJECT TO ASSIST 128 COMMUNITY MEMBERSHIP.

WHEREAS:

1. Pursuant to Title 26 N.N.C., § 3 (A) and as listed pursuant to Title 11 N.N.C., Part 1 § 10 the LMC is a duly recognized certified Chapter of the Navajo Nation government and as such may preserve or promote community interests; AND,
2. Pursuant to Title 26 N.N.C., § 1 (B) the LMC is a duly certified Chapter of the Navajo Nation Government and recognized as a local tribal entity vested with the authority to review all matters affecting the community and to make appropriate recommendations to the Navajo Nation concerning matters that are in the best interest of the community; AND,
3. The Low Mountain Chapter recognizes that the financing of the Community septic system services projects are very critically needed and requires health officials' concerns and coordination with the local Chapter Officials and the Administrative 2021 community needs assessments, 128 homes were determined in dire need of pumping services; AND,
4. A lot of the older homes built in the 1960s and the drainage/septic systems installed in the early 1980s, the homeowners are experiencing these difficulties and tripled with COVID-19 still on the Navajo Nation and existing home conditions with respect to need of repairing and/or service pumping for 128 homes; AND,
5. Completion of the proposed Low Mountain Chapter Septic System Pumping project, the effected community members can be able to benefit to a better healthy living standards and improved good health esp. as an actively sought goals or the state of being happy and overall healthy situated family homes.

NOW, THEREFOR BE IT RESOLVED, THAT:

1. Supporting Resolution Requesting The Navajo Nation To Fund The Low Mountain Chapter In The Amount Of \$67,200.00 From The Navajo Nation Fiscal Recovery Funds Request And Expenditure Plans as authorized by the American Rescue Plan Act (ARPA) For The Septic System Pumping Projects to assist 128 community membership.
2. Low Mountain Chapter affirms that the Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nations laws, regulations, and policies.

Motion By: John Pekin

Second By: Sullivan John

C-E-R-T-I-F-I-C-A-T-I-O-N

We hereby certify that the foregoing Chapter resolution was duly considered by the Low Mountain Chapter at a duly-called Chapter meeting at Low Mountain Chapter, Low Mountain (Navajo Nation), Arizona, at which a quorum was present and that the same was passed by a vote of 11 In favor, 0 opposed, abstained on this 10th day of Nov., 2022.

Ben L. Gonnle
Ben L. Gonnle, Chapter President

Roger B. George
Roger B. George, Chapter Vice President

Rose Ann Charley
Rose Ann Charley, Chapter Secretary/Treasurer



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 0441

Date & Time Received: 4/5/23 at 11:24

Date & Time of Response: 4/13/23 at 10:02

Entity Requesting FRF: Low Mountain Chapter

Title of Project: Low Mountain Chapter Heating/Cooling System Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$30,000

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

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

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

1.4 Prevention in Congregate Settings

<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: MacArthur Stant

Signature of DOJ Reviewer: MacArthur Stant Digitally signed by MacArthur Stant
Date: 2023.04.13 10:03:33 -0600

Digitally signed by MacArthur Stanton
Date: 2023.04.13 10:03:33 -06'00'

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.

Page 2 of 2

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

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Low Mountain Chapter Date prepared: 10/26/2022

Chapter's mailing address: PO Box 4416 phone/email: (928) 725 - 3700 / lowmountain@navajochapters.org
Blue Gap, AZ. 86520 website (if any): http://lowmountain.nndes.org

This Form prepared by: Mareita Denny, Project Manager. phone/email: (505) 979 - 3001 / mareitajdenny@yahoo.com
Roger George, Chapter Vice President. (928) 401 - 1935 / rgeorge@naataanii.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Low Mountain Chapter Heating/Cooling System Project

Chapter President: Ben L. Gonnig phone & email: (928) 313 - 8726 / m63563963@gmail.com
Chapter Vice-President: Roger B. George phone & email: (928) 401 - 1935 / rgeorge@naataanii.org
Chapter Secretary: Rose A. Charley phone & email: (928) 386 - 3511 / girlyazzie1947@hotmail.com
Chapter Treasurer: Rose A. Charley phone & email: (928) 386 - 3511 / girlyazzie1947@hotmail.com
Chapter Manager or CSC: Ella Nelson, AMS / Acting CSC phone & email: (928) 814 - 7122 / enelson@navajochapters.org
DCD/Chapter ASO: Robert Jumbo, ASO - ASC / DCD phone & email: rjumbo@nndcd.org

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

☐ document attached

Amount of FRF requested: \$30,000.00 FRF funding period: November 1, 2022-December 31, 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:

Chapter House Heating/Cooling System Project: The Low Mountain chapter house with a nonfunctional or unsafe primary heating system and no secondary heating system is available. Officials, Staff, and Visitors with the imminent cold winter and the lack of the Chapter interior heat faces a life-threatening crisis especially for individuals who become exposed to extreme indoor/outdoor temperatures can adversely affect their health and/or well-being within days of heat loss. A chapter member's health (i.e., elderly, veterans, children, people with disabilities, employees, officials, etc.), can likely be endangered if heat is not available. Unforeseen circumstances as layoffs and cold sickness can become a hardship. A furnace replacement purchased and/or a reliable and reasonable vendor or hire an HVAC contractor are under considerations. Utilizing ARPA funding will help to address the latter to purchase a new furnace system and its installation or contract out. COVID-19 is still on the rise and loss of body heat and weakness can make us vulnerable to the COVID-19 infectious disease. The Low Mountain Chapter House is used as a shelter for some overcrowded family members during Covid-19, heating and cooling system is in dire need.

☐ document attached

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

Due to the ever-increasing uncertainty when it comes to the weather (climate changes) a new heating/cooling system will benefit those that use the chapter building during meetings and other events.

☐ document attached

(c) Provide 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:

ASAP to remedy the need for heat loss and making heat available for the chapter house, the acting CSC/AMS is already making preparations. She will take charge and coordinate with ARPA funding sources, DCD, and local officials. Completion schedules first phase December 31st, 2022. Incurring cost for all funding by December 31st, 2024 no challenges.

☐ document attached

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

Project manager, an appointed temporary employee to coordinate implementing the project with the acting Community Service Coordinator (CSC).

☒ 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:

The Low Mountain chapter will be charged with operation and maintenance costs per annual budget.

☐ 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:

1.7. Replacing the heating/cooling system helps the operational use of the Low Mountain Chapter building that is integral to the community.

☒ document attached

Part 3. Additional documents.

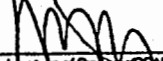
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

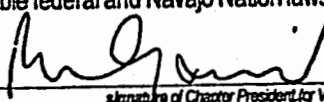
1. Project proposals.
2. Memorandum.
3. Project listing.
4. Others.

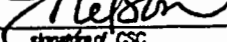
☐ Chapter Resolution attached

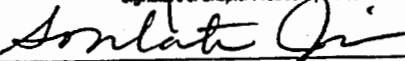
Part 4. Affirmation by Funding Recipient.

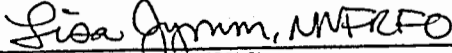
Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: 
 signature of Preparer/CONTACT PERSON

Approved by: 
 signature of Chapter President (or Vice-President)

Approved by: 
 signature of CSC

Approved by:  12/12/2022
 signature of Chapter ASO

Approved to submit for Review: 
 signature of DCD Director



DR. BUU NYGREN PRESIDENT
RICHELLE MONTOYA VICE PRESIDENT

The Navajo Nation | Yideeskáadi Nitsáhákees

April 04, 2023

Navajo Nation Department of Justice
Window Rock, Arizona 86515

RE: JUSTIFICATION – LMC/ARPA HEATING/COOLING.

Dear Sir/Madam:

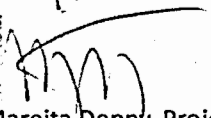
I am writing this as a justification on behalf of Low Mountain Chapter regarding the ARPA Heating and Cooling Project.

Sir/Madam, please understand that the LMC ARPA Heating/Cooling Project is to install Heating/Cooling system in the Low Mountain Chapter House Building, which is utilized for Emergency Shelter since majority of our community members are living in one house of two or more families, which creates high risk of COVID-19 infections; therefore, the Low Mountain Chapter utilized the chapter house building for shelter during this pandemic.

Sir/Madam, attached hereto is a cost estimate, which has material listing and labor cost from a Contractor and since the ARPA proposal process, Legislation process, and creating a Navajo Nation Business Unit is time consuming, I believe \$30,000.00 is sufficient enough to use the amount differences if the cost should rise during this time frame.

Your utmost understanding and approval consideration will be greatly appreciated. If you should have any further questions and/or need more information, please don't hesitate to contact me at 505-979-3001.

Sincerely,

 04/05/2023
Mareita Denny, Project Manager
Low Mountain Chapter

xc: Chapter Officials – (3)
Ella F. Nelson, AMS/Acting CSC
File

PART I. Business Unit No.: <u>New</u>		Program Title: <u>LOW MOUNTAIN CHAPTER HVAC Project</u>		DCD/Executive	
Prepared By: <u>MAREITA DENNY, Project Manager</u>		Phone No.: <u>928-725-3700</u>		Email Address: <u>lowmountain@navajochapters.org</u>	
PART II. FUNDING SOURCE(S)		Fiscal Year	Amount	% of Total	
NN ARPA FUNDS		11/1/22 - 12/31/26	30,000.00	100%	
PART III. BUDGET SUMMARY		Fund Type Code	(A) NNC Original Budget	(B) Proposed Budget	(C) Difference or Total
		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			
		7000 Special Transactions			
		8000 Public Assistance			
		9000 Capital Outlay	6	30,000.00	30,000.00
		9500 Matching Funds			
		9500 Indirect Cost			
		TOTAL		30,000.00	30,000.00
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:		APPROVED BY:			
Sonlata Jim-Martin		Dr. Pearl Yellowman			
Program Manager's Printed Name		Division Director / Branch Chief's Printed Name			
12/12/2022		12.13.22			
Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date			

PART I. PROGRAM INFORMATION:		LOW MOUNTAIN CHAPTER <i>Heating & Cooling</i>									
Business Unit No.:	<i>NEW</i>	Program Name/Title:									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:											
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Goal Statement:		1st QTR		2nd QTR		3rd QTR		4th QTR			
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Install Heating/Cooling for Chapter Building.											
Program Performance Measure/Objective:											
Install Heating and Cooling system for Chapter Building used for Shelter.											1
2. Goal Statement:											
Program Performance Measure/Objective:											
3. Goal Statement:											
Program Performance Measure/Objective:											
4. Goal Statement:											
Program Performance Measure/Objective:											
5. Goal Statement:											
Program Performance Measure/Objective:											
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
Program Manager's Printed Name <i>Sonlata Jim</i> Program Manager's Signature and Date 12/12/2022				Division Director/Branch Chief's Printed Name Dr. Pearl Yellowman Division Director/Branch Chief's Signature and Date <i>Pearl Yellowman</i> 12.13.22							

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Business Unit No.: <u>NEW</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Description and Justification (LOD 7)		Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
9050	Building 9054 - Building Improvement (Heating/Cooling) in Chapter House Building used for emergency community shelter.	30,000.00	30,000.00
TOTAL		30,000.00	30,000.00

RESOLUTION OF THE
LOW MOUNTAIN CHAPTER

LMC-2023-012

SUPPORTING RESOLUTION REQUESTING THE NAVAJO NATION TO FUND THE LOW MOUNTAIN CHAPTER IN THE AMOUNT OF \$30,000.00 FROM THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST AND EXPENDITURE PLANS FOR THE LOW MOUNTAIN CHAPTER HEATING AND COOLING SYSTEM REPLACEMENT PURCHASES.

WHEREAS:

1. Pursuant to Title 26 N.N.C., § 3 (A) and as listed pursuant to Title 11 N.N.C., Part 1 § 10 the LMC is a duly recognized certified Chapter of the Navajo Nation government and as such may preserve or promote community interests; AND,
2. Pursuant to Title 26 N.N.C., § 1 (B) the LMC is a duly certified Chapter of the Navajo Nation Government and recognized as a local tribal entity vested with the authority to review all matters affecting the community and to make appropriate recommendations to the Navajo Nation concerning matters that are in the best interest of the community; AND,
3. The low Mountain Chapter recognizes that the financing of the public infrastructure electrical services equipment purchases is needful and especially the Heating and Cooling System cost to commit (money) and expend for future benefits or advantages for Chapter staff and the community.
4. The LMC hereby moves to request the Division of Community Development to assist with this urgent (emergency) need to purchase and install the Chapter heating system due to the ever-increasing uncertainty when it comes to the weather (climate changes) forecast as the evident and eminent cold freezing weather during the week of October 23, 2022 day average temperatures 40-50 degrees and with no heater in the interior Chapter House, it was COLD!

NOW, THEREFORE BE IT RESOLVED THAT:

1. Supporting Resolution Requesting, The Navajo Nation to fund The Low Mountain Chapter in the amount of \$30,000.00 From The Navajo Nation Fiscal Recovery Funds Request and Expenditure Plans for The Low Mountain Chapter Heating And Cooling System Replacement Purchases.
2. Low Mountain Chapter affirms that the Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies.

Motion By: John Pekin

Second By: Sullivan John

C-E-R-T-I-F-I-C-A-T-I-O-N

We, hereby certify that the foregoing Chapter resolution was duly considered by the Low Mountain Chapter at a duly-called Chapter meeting at Low Mountain Chapter, Low Mountain (Navajo Nation), Arizona, at which a quorum was present and that the same was passed by a vote of 11 In favor, 0 opposed, 2 abstained on this 10th day of November, 2022.

Ben L. Gonnle
Ben L. Gonnle, Chapter President

Roger B. George
Roger B. George, Chapter Vice President

Rose Ann Charley
Rose Ann Charley, Chapter Secretary/Treasurer



Etsitty's Heating and Cooling

Business Number 5052252038
5057176665
www.etsittysheatingandcooling.com
lawrence.etsitty@icloud.com

ESTIMATE
EST9016

DATE
11/05/2022

TOTAL
USD \$22,978.44

TO

Low Mountain Chapter House The Navajo Nation

P.O. Box #4416 BlueGap, Arizona 86520

☎ 9287253700

📠 9287253703

lowmountain@navajochapters.org

DESCRIPTION	RATE	QTY	AMOUNT
5 Ton Furnace, Evaporator coil, condenser unit Remove existing equipment and install new equipment. Furnace, Evaporator coil, and outdoor condenser unit.	\$9,000.00	2	\$18,000.00
Copper Line sets Copper Line set are used to connect indoor unit with outdoor unit for the cooling section.	\$350.00	2	\$700.00
Nitrogen pressure test Nitrogen pressure test. When New Part is installed to locate leak areas	\$500.00	1	\$500.00
Vaccum lines prepare to release Refrigerant charge. In preparation to release charge. Once Nitrogen test is completed Copper line sets have to be clear of any Non-Condensable's Gases Such as Air, Water, ect.	\$300.00	2	\$600.00
Trip Charge 3 100-200 mile Radius	\$250.00	1	\$250.00
Sheet Metal Sheet metal: 22 Gauge well be used to Re-modify existing ductwork. To fit new equipment going in place. Has to be build out on the field	\$500.00	2	\$1,000.00
Lodging Well be Lodging out in Near by town	\$250.00	1	\$250.00

SUBTOTAL

\$21,300.00

TAX (7.88%)

\$1,678.44

TOTAL

USD \$22,978.44


Office of Legislative Counsel
Telephone: (928) 871-7166
Fax No.: (928) 871-7576



Honorable Crystalyne Curley
Speaker
25th Navajo Nation Council

MEMORANDUM

TO: Hon. Crystalyne Curley, Speaker
25th Navajo Nation Council

FROM: 
Dana L. Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: June 2, 2023

SUBJECT: **AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CD-62-22 AND THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CRYSTALYNE CURLEY'S DELEGATE REGION (CHAPTERS: TACHEE/BLEUE GAP, MANY FARMS, NAZLINI, TSELANI/COTTONWOOD, LOW MOUNTAIN)**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees' powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0125-23_

SPONSOR: Crystalyne Curley

TITLE: An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CD-62-22 and the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Crystalyne Curley's Delegate Region (Chapters: Tachec/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain)

Date posted: June 02, 2023 at 7:55PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

**Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586**

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0125-23

SPONSOR: Honorable Crystalyne Curley

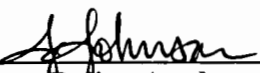
TITLE: An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CD-62-22 and the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Crystalyne Curley's Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain)

Posted: June 02, 2023 at 7:55 PM

5 DAY Comment Period Ended: June 07, 2023

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Comments/Recommendations	<i>None</i>



**Policy Analyst
Office of Legislative Services**

June 08, 2023; 8:30 AM
Date/Time

**25th NAVAJO NATION COUNCIL
NAABIK'ÍYÁTI' COMMITTEE REPORT
First Year 2023**

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

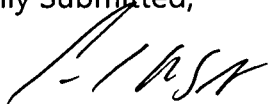
NAVAJO LEGISLATIVE BILL #0125-23

An Action Relating to the Naabik'íyáti' Committee and Navajo Nation Council; Amending CD-62-22 the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Crystalyne Curley's Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain), to Include Additional Projects for this Delegate Region

Sponsored by: Honorable Crystalyne Curley

Has had it under consideration and reports the same that the legislation **PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL.**

Respectfully Submitted,


Honorable Carl R. Slater, Pro-Tem Chairperson
NAABIK'ÍYÁTI' COMMITTEE

8 June 2023

MAIN MOTION

Motioned by: Honorable Shaandiin Parrish

Seconded by: Honorable Seth Damon

Vote: 17 In Favor, 0 Opposed (Pro Tem Chairperson Carl R. Slater Not Voting)

NAVAJO NATION

115

6/8/2023

Naa'bik'iyati' Committee Regular Meeting

03:54:50 PM

Amd# to Amd#

New Business: (CONSENT AGENDA)

PASSED

MOT Parrish, S

Item A. -Legislation #'s:

SEC Damon, S

0115-23, 0120-23, 0122-23,
0125-23 & 0126-23

Yeas : 17

Nays : 0

Excused : 5

Not Voting : 1

Yea : 17

Begay, H

Curley, C

Nez, A

Simonson, G

Begay, N

Damon, S

Nez, R

Tolth, G

Charles-Newton, E

Daniels, H

Notah, N

Yanito, C

Claw, S

James, V

Parrish, S

Yazzie, C

Crotty, A

Nay : 0

Excused : 5

Aseret, L

Johnson, C

Simpson, D

Tso, O

Jesus, B

Not Voting : 1

Arviso, S

Presiding Speaker: Slater, C