



The Navajo Nation **DR. BUU NYGREN** **PRESIDENT**
Yideeskáadi Nitsáhákees **RICHELLE MONTOYA** **VICE PRESIDENT**

May 4, 2023

Honorable Crystalyne Curley, Speaker
Navajo Nation Council
Post Office Box 3390
Window Rock, AZ 86515

RE: CAP-20-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Regional Project Plan for Honorable Honorable Nathan Notah's Delegate Region (Chapters: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a')

Dear Speaker Curley,

I am pleased to sign into law this resolution CAP-20-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Notah's Delegate Region in the amount of \$4,558,189.73.

My Administration supports the plans of these Chapters who have worked very hard to put together their Regional Plans and is working very closely with the Fiscal Recovery Fund Office to ensure that these funds are put to use. As such, when Chapters are running into roadblocks in expending their Fiscal Recovery Funds and the roadblock is coming from the Executive Branch, I encourage them to reach out to the Office of the President and Vice President and inform my office of the roadblock and we will work to overcome those roadblocks.

I do want to take the moment to express my concern that any amendments to the Regional Plans must be approved by the Council. In addition, the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This deadline is not far off. As a construction expert, I know that there are unpredictable factors that can prevent even the best of plans from moving forward on the proposed timeline. We should be designing systems that are flexible, accountable, and transparent. We do not currently have that system and I look forward to working with you and the entire Council to improve the Navajo Nation systems, so we are supporting our communities to take advantage of this historic funding.

Now let's get to work!

Sincerely,


Dr. Buu Nygren, President
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
25th NAVAJO NATION COUNCIL - FIRST YEAR, 2023

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 NATHAN NOTAH'S DELEGATE REGION
(CHAPTERS: COYOTE CANYON, MEXICAN SPRINGS, NASCHITTI, TOHATCHI,
BAHASTL'A'A')

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 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. The 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. Nathan Notah's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Nathan

Notah'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. Nathan Notah's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Nathan Notah's Delegate Region (Chapters: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a') as set forth in Exhibit A.

SECTION THREE. APPROVAL OF HON. NATHAN NOTAH'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Nathan Notah's Delegate Region (Chapters: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a') 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 SIX. 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 25th 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 22 in Favor, and 00 Opposed, on this 18th day of April 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

4/27/23

DATE

Motion: Honorable Rickie Nez

Second: Honorable George H. Tolth

Speaker Crystalyne Curley 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 5 day of May, 2023.


Buu Nygren, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (11), on this _____ day of _____, 2023 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, 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 _____, 2023.

Buu Nygren, President
Navajo Nation

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Delegate Nathan Notah

CHAPTERS: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a'

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	Coyote Canyon Chapter Motor Grader	Division of Community Development	6.1	HK0360	\$ 433,835.03
Division of Community Development	None Identified	Coyote Canyon Chapter Housing Modernization, Renovation and Weatherization Project	Division of Community Development	2.18	HK0409	\$ 600,000.00
Division of Community Development	None Identified	Coyote Canyon Chapter SYEP and PEP Funding	Division of Community Development	2.37	HK0408	\$ 406,633.00
Division of Community Development	None Identified	Naschiiti Chapter Bathroom Additions Project	Division of Community Development	1.14	HK0416	\$ 551,748.70
Division of Community Development	None Identified	Naschiiti Chapter Rural Addressing Project	Division of Community Development	1.14	HK0417	\$ 70,000.00
Division of Community Development	None Identified	Twin Lakes Chapter Water and Sewer Infrastructure	Division of Community Development	5.5	HK0456	\$ 200,000.00
Division of Community Development	None Identified	Twin Lakes Chapter Scattered Waterline	Department of Water Resources	5.11	HK0449	\$ 200,000.00
Division of Community Development	None Identified	Tohatchi Chapter Bathroom Additions Project	Division of Community Development	1.14	HK0444	\$ 250,610.00
Division of Community Development	None Identified	Tohatchi Chapter House Wiring Project	Division of Community Development	2.18	HK0443	\$ 91,445.00
Division of Community Development	None Identified	Tohatchi Chapter Septic System and Leach Field Project	Division of Community Development	5.5	HK0446	\$ 950,918.00

*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."

TOTAL: \$ 3,755,189.73

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Delegate Nathan Notah

CHAPTERS: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a'

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 3,755,189.73
Division of Community Development	None Identified	Tohatchi Chapter Waterline Extension Project	Department of Water Resources	5.11	HK0442	\$ 278,000.00
Division of Community Development	None Identified	Naschitti Chapter House Wiring Project	Division of Community Development	2.18	HK0419	\$ 525,000.00
		UN-ALLOCATED AMOUNT				\$ 4,244,150.27

*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."

TOTAL: \$ 8,802,340.00

Tohatchi Chapter Septic System and Leach Field



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 0446

Date & Time Received: 4/5/23 at 11:36

Date & Time of Response: 04/12/2023 at 1650

Entity Requesting FRF: Tohatchi Chapter

Title of Project: Septic System and Leach Field

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$950,918.00

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

Other Comments: Number of homes is 38 to be consistent with the Chapter Resolution.

Also note EC is different from Request Form to better reflect use of funds.

Name of DOJ Reviewer: Erika Pirotte

Signature of DOJ Reviewer: Erika Pirotte

Digitally signed by Erika Pirotte
Date: 2023.04.12 16:43:19 -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: Tohatchi Chapter Date prepared: 2/17/2023

Chapter's P.O. Box 287 phone/email: (505) 733-2845
mailing address: Tohatchi, NM 87325 website (if any): Tohatchi@navajochapters.org

This Form prepared by: Janice Begay phone/email: (505) 733-2845
Office Specialist mallison@nnchapter.org

CONTACT PERSONS name and title

CONTACT PERSONS title

Title and type of Project: Septic System and Leach FieldChapter President: Harry Moore, Jr. phone & email: (505) 870-9082 smooore@nsatsaanl.orgChapter Vice-President: Mike Halona phone & email: (505) 797-1822 mhalona@nnld.orgChapter Secretary: Jean Crawford phone & email: (505) 400-2838 jcrawford@navajochapters.orgChapter Treasurer: Jean Crawford phone & email: (505) 400-2838 jcrawford@navajochapters.orgChapter Manager or CSC: Maria Allison phone & email: (505) 733-2845 mallison@nnchapters.orgDCD/Chapter ASO: Dereck Echohawk phone & email: (505) 288-3153 ddchchhawk@nncdc.orgList types of Subcontractors or Subrecipients that will be paid with FRF (if known): Septic System Contractor☐ document attachedAmount of FRF requested: \$950,918 FRF funding period: 05/01/2023 - 09/30/2026

Indicate Project starting and ending/budget 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 project will repair or replace existing septic/leach field systems to 43 homes within the Tohatchi Community. Non-functioning bathrooms will be operational after replacement or repair of the septic/leach field systems. Providing indoor bathroom use prevents the spread of health-related illnesses that may cause increased vulnerability to COVID-19 complications.

☐ document attached

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

This project will benefit 43 Tohatchi Community members by providing septic/leach field repairs/replacement necessary for sanitation and hygiene safety. This project will promote public health and hygiene by addressing major sanitation needs to prevent and reduce COVID-19 infection and other illnesses by providing proper sanitation facilities.

☐ 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:

This project will benefit (38) septic system/leach field repair or replacement and will be fully expended by December 2026. Funds will be secured by 3rd quarter of FY 2023. Contractor will be end of FY 2023 and Project will be completed by September 30, 2026.

☐ document attached

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

The Tohatchi Chapter will provide oversight of the project until completed by working and collaboration with Office of Environmental Health, Indian Health Service and Navajo Tribal Utility Authority.

☐ 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 homeowners will be responsible for the operation and maintenance of the repair or replacement of septic/leach field following completion.

☐ 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:

Other Public Services: 1-14

Providing home septic system repairs for Tohatchi Community in need will help to address the public health and improving safe and secure bathroom as well as support healthy living environments.

☐ document attached

Part 3. Additional documents.

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

Tohatchi Community Chapter Resolution Number: TOH: 028-03-2023 is attached.

☒ Chapter Resolution attached

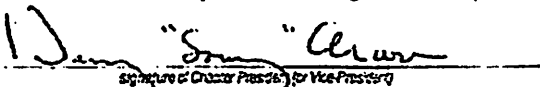
Part 4. Affirmation by Funding Recipient.

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 (S) (S) (S)

Approved by:


Signature of Chapter President or Vice President

Approved by:


Signature of CSC

Approved by:


Signature of Chapter ASO

Approved to submit
for Review:


Signature of UCD Director

APPENDIX A

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

This project will benefit (38) septic system/leach field repair or replacement and will be fully expended by December 2026. Funds will be secured by 3rd quarter of FY 2023. Contractor will be end of FY 2023 and Project will be completed by September 30, 2026.

☐ document attached

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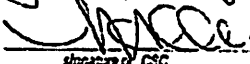
Chapter's
Preparer:


Signature of Preparer (CONTACT PERSON)

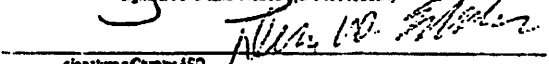
Approved by:


Signature of Chapter President (or Vice President)

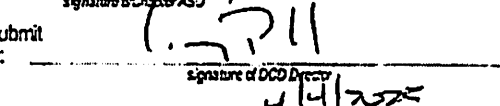
Approved by:


Signature of CSC

Approved by:


Signature of Chapter ASD

Approved to submit
for Review:


Signature of DCD Director
4/14/2023

FY 2023

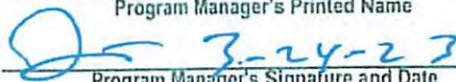
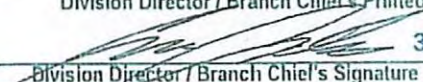
**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page ____ of ____
BUDGET FORM 1

PART I. Business Unit No.: <u> New </u>		Program Title: <u> Tohatchi Chapter - Septic System/Leach Field </u>		Division/Branch: <u> DCD/Executive Branch </u>	
Prepared By: <u> Maria Allison </u>		Phone No.: <u> (505) 733-2845 </u>		Email Address: <u> mallison@nnchapters.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
NN Fiscal Recovery Funds	05/01/23-09/30/26	\$950,918	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	\$950,918	\$950,918
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	\$950,918	\$950,918

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

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	
SUBMITTED BY: <u> James Addakai, Deputy Director </u> <u> Program Manager's Printed Name </u>  <u> Program Manager's Signature and Date </u>	APPROVED BY: <u> Calvin Castillo, Executive Director </u> <u> Division Director / Branch Chief's Printed Name </u>  <u> Division Director / Branch Chief's Signature and Date </u>

FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page ____ of ____
BUDGET FORM 2

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

Program Name/Title:

Tohatchi Chapter - Septic System/Leach Field

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

1. Goal Statement:

To install (38) septic/leach line by Contractor

Program Performance Measure/Objective:

Will complete (38) septic/leach project by end of Quarter of FY 2026

						38	
--	--	--	--	--	--	----	--

2. Goal Statement:

Program Performance Measure/Objective:

--	--	--	--	--	--	--	--

3. Goal Statement:

Program Performance Measure/Objective:

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4. Goal Statement:

Program Performance Measure/Objective:

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5. Goal Statement:

Program Performance Measure/Objective:

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

James Addakai, Deputy Director

Program Manager's Printed Name

Program Manager's Signature and Date

Calvin Castillo, *Executive Director*

Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

3/24/2023

FY 2023

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page ____ of ____
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tohatchi Chapter - Septic System/Leach Field</u>		Business Unit No.: <u>New</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
			\$950,918
8000 8500	Public Assistance Act Infrastructure (non-corp) 8550 - Water/Wastewater level detail 4 level detail 6	\$950,918	
TOTAL		\$950,918	\$950,918

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

Page ____ of ____
PROJECT FORM

PART I. Business Unit No.: <u>New</u> Project Title: <u>Tohatchi Chapter - Septic System / Leach Field</u> Project Description <u>To replace or upgrade (38) septic system at various Tohatchi Community members homes</u> Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification																				PART II. Project Information Project Type: <u>Septic System / Leach Field</u> Planned Start Date: <u>05/01/23</u> Planned End Date: <u>12/01/26 9/30/24</u> Project Manager: <u>Maria Allison</u>																																																																																																																																																																																																																																																																					
PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.		PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc. <table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th colspan="12">FY 2023</th> <th colspan="12">FY 2024</th> <th colspan="2" rowspan="2">Expected Completion Date if project exceeds 8 FY Qtrs. <u>Sept 30, 2026</u> Dec 26</th> </tr> <tr> <th colspan="3">1st Qtr.</th> <th colspan="3">2nd Qtr.</th> <th colspan="3">3rd Qtr.</th> <th colspan="3">4th Qtr.</th> <th colspan="3">1st Qtr.</th> <th colspan="3">2nd Qtr.</th> <th colspan="3">3rd Qtr.</th> <th colspan="3">4th Qtr.</th> </tr> <tr> <th>O</th><th>N</th><th>D</th> <th>J</th><th>F</th><th>M</th> <th>A</th><th>M</th><th>J</th> <th>Jul</th><th>A</th><th>S</th> <th>O</th><th>N</th><th>D</th> <th>J</th><th>F</th><th>M</th> <th>A</th><th>M</th><th>J</th> <th>Jul</th><th>A</th><th>S</th> <th>O</th><th>N</th><th>D</th> <th>J</th><th>F</th><th>M</th> </tr> </thead> <tbody> <tr> <td></td><td></td><td></td> <td>X</td><td>X</td><td>X</td> <td>X</td><td>X</td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td>X</td><td>X</td><td></td> <td>X</td><td>X</td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td>X</td> <td>X</td><td>X</td><td>X</td> <td>X</td><td>X</td><td>X</td> <td>X</td><td>X</td><td>X</td> <td></td><td></td><td>X</td> <td></td><td></td><td></td> </tr> <tr> <td colspan="28" style="height: 100px;"></td> </tr> <tr> <td colspan="2" style="text-align: right;">PART V.</td> <td colspan="2" style="text-align: center;">\$</td> <td colspan="3" style="text-align: center;">\$</td> <td colspan="3" style="text-align: center;">\$</td> <td colspan="3" style="text-align: center;">\$</td> <td colspan="3" style="text-align: center;">\$</td> <td colspan="3" style="text-align: center;">\$</td> <td colspan="3" style="text-align: center;">\$</td> <td colspan="3" style="text-align: center;">\$</td> <td colspan="6" style="text-align: center;">PROJECT TOTAL</td> </tr> <tr> <td colspan="2" style="text-align: right;">Expected Quarterly Expenditures</td> <td colspan="2"></td> <td colspan="3" style="text-align: center;">950,918.00</td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="3"></td> <td colspan="6" style="text-align: center;">\$950,918.00</td> </tr> </tbody> </table>																				FY 2023												FY 2024												Expected Completion Date if project exceeds 8 FY Qtrs. <u>Sept 30, 2026</u> Dec 26		1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M				X	X	X	X	X																																			X	X		X	X																												X	X	X	X	X	X	X	X	X	X			X																																PART V.		\$		\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL						Expected Quarterly Expenditures				950,918.00																					\$950,918.00					
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FOR OMB USE ONLY: Resolution No: _____ FMIS Set Up Date: _____ Company No: _____ OMB Analyst: _____



THE NAVAJO NATION TOHATCHI COMMUNITY CHAPTER

Post Office Box 267 Tohatchi, New Mexico 87325 Tel: (505) 733-2645/2846 FAX: (505) 733-2847

Harry "Sonny" Moore, Jr.
Chapter President

W. Mike Halona
Chapter Vice-President

Jean Crawford
Chapter Secretary / Treasurer

Gerald Moore
Caring Official

Nathan Notah
Council Delegate

RESOLUTION OF THE TOHATCHI CHAPTER

SUPPORTING AND APPROVING TOHATCHI CHAPTER'S EXPENDITURE PLANS FOR PROJECTS LISTED UTILIZING THE NAVAJO NATION FISCAL RECOVERY FUND FOR SEPTIC AND LEACH FIELD INSTALLATIONS IN THE TOTAL AMOUNT OF \$950,918.

WHEREAS:

TOH: 028-03-2023

1. Pursuant to NNC Section 3(A), the Tohatchi Chapter is a duly recognized certified Chapter of the Navajo Nation Government as listed as 11 NNC, Part 1, Section 10.
2. Pursuant to 26 NNC Section 1(B), the Tohatchi Chapter is vested with the authority to review all matters affecting community to make appropriate corrections when necessary and to make recommendations to the Navajo Nation and other local agencies for appropriate actions.
3. The American Rescue Plan Act (ARPA) of 2021 was passed by the US Senate on March 6, 2021 and signed into law by President Biden on March 11, 2021.
4. Executive Order No. 008-2021, establishing the Navajo Nation Fiscal Recovery Fund (NNFRF) Office dedicated to overseeing and implementing the Coronavirus State and Local Fiscal Recovery Funds program authorized by the American Rescue Plan Act (ARPA). The establishment of the office was authorized through Resolution CJY-41-21, which was approved by the 24th Navajo Nation Council and signed into law in August.
5. The devastating effects of COVID-19 on the Navajo Nation, including employment losses, business closures, food and housing insecurity, and other economic disparities.
6. The Fiscal Recovery Funds are intended to support governmental efforts to mitigate and contain the spread of COVID-19, as well as to respond to the health, social and economic impacts of COVID-19 suffered by community members, schools, clinic, and businesses.
7. The Navajo Nation Fiscal Recovery Fund Office (NNFRF Office) shall be a clearinghouse that will coordinate, facilitate and implement Fiscal Recovery Fund (FRF) responsibilities. The NNFRF ensures expenditure reviews of FRF eligibility determination.
8. The allocation in the amount of \$1.7 million is the largest allocation made in history to the Tohatchi Chapter which will begin the constructions of waterline extension, powerline extension, solar systems, Navajo Nation Cistern/Septic System, House Wiring, and two (2) homes will be built for (2) community members.
9. The Tohatchi Chapter ("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.

NOW, THEREFORE, BE IT RESOLVED, THAT:

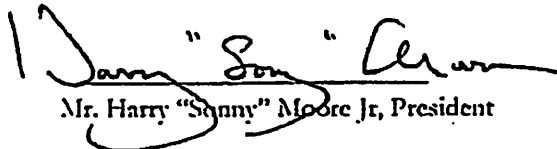
The Tohatchi Chapter hereby supports and approves the expenditures for Septic and Leach Field Installations in the total amount of \$950,918.00 for the Thirty-Eight (38) recipients as shown in the attach spreadsheet.

CERTIFICATION

We hereby certify that the foregoing resolution was approved by the Tohatchi Chapter at a duly called meeting held at Tohatchi Chapter (Navajo Nation), NM at which a temporary authorized reduced quorum was present and the same was passed by a vote of 9 in favor, 0 opposed, 4 abstained, this 15th day of March 2023.

Motion: Carol Tom

Second: Sarah Tom


Mr. Harry "Sonny" Moore Jr, President

March 15 2023
Date

**Tohatchi Community Chapter
American Rescue Plan Act (ARPA)**

Septic Tank/Leach Field Replacement

To replace or upgrade (38) septic systems at various Tohatchi community members homes

Num	Names	Telephone	Homeside	GPS Readings	ROW	Cost
1			Pending			\$9,500
2						\$9,500
3			Yes			\$9,500
4						\$9,500
5						\$9,500
6			Pending			\$9,500
7						\$9,500
8						\$9,500
9						\$9,500
10			Yes			\$9,500
11						\$9,500
12			Yes			\$9,500
13						\$9,500
14						\$9,500
15						\$9,500
16			Yes			\$9,500
17						\$9,500
18						\$9,500
19						\$9,500
20						\$9,500
21			Yes			\$9,500
22			Yes			\$9,500
23						\$9,500
24						\$9,500
25						\$9,500

26			Yes			\$9,500
27			Yes			\$9,500
28						\$9,500
29						\$9,500
30						\$9,500
31			Yes			\$9,500
32						\$9,500
33						\$9,500
34						\$9,500
35			Yes			\$9,500
36			Yes			\$9,500
37			Yes			\$9,500
38						\$9,500
	Sub Total (Materials Only)					\$361,000
	Labor	\$6,000 x 38				\$228,000
	Equipment/Transportation/Trash	\$4,000 x 38				\$152,000
	Taxes	\$5,511 x 38				\$209,418
	Advertise					\$500
	Sub Total (Labor/Equipment/Taxes/Advertise)					\$590,918
	Total cost - Tank Service					\$950,918