



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

August 4, 2023

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

RE: *CJY-55-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CAP-19-23 and CD-68-22, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill), to Include Additional Projects for this Delegate Region*

Dear Speaker Curley,

I am pleased to sign into law this resolution CJY-55-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Yazzie's Delegate Region in the amount of \$3,453,000.

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; AMENDING CAP-19-23 and CD-68-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

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).
- D. Navajo Nation Council Resolution No. CD-68-22, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapter: Crystal, Fort Defiance, Red Lake, Sawmill) be approved by a Navajo Nation Council resolution and signed into law by 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).
- E. Navajo Nation Council Resolution No. CAP-19-23, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapter: Crystal, Fort Defiance, Red Lake, Sawmill) be approved by a Navajo Nation Council resolution and signed into law by 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 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. The Navajo Nation Council Resolution No. CD-68-22, 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 WILSON C. STEWART, JR.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), was signed into law by the President of the Navajo Nation on January 6, 2023.
- D. CD-68-22, Section Four, states that:
1. 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).
- E. The Navajo Nation Council Resolution No. CAP-19-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CD-68-22 AND THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), was signed into law by the President of the Navajo Nation on May 5, 2023.
- F. CAP-19-23, Section Four, states that:
2. 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).
- G. All additional projects listed in the Hon. Andy Nez, Ph.D.'s Delegate Region Projects Plan, attached as **Exhibit A**, have been

deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Andy Nez, Ph.D.'s Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

- H. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Andy Nez, Ph.D.'s Delegate Region Chapters and communities to approve and adopt the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) as set forth in Exhibit A.

SECTION THREE. AMENDING CAP-19-23 AND CD-68-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

- A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) 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 21 in Favor, and 00 Opposed, on this 18th day of July 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

7/27/23

DATE


Motion: Honorable George H. Tolth

Second: Honorable Rickie Nez

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 4 day of April, 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: Hon. Andy Nez, Ph.D.

CHAPTERS: Crystal, Fort Defiance, Red Lake, Sawmill

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CD-68-22 on January 6, 2023				\$ 2,280,047.00
		TOTAL AMOUNT REVERTED in CAP-19-23 on May 5, 2023				-\$ 500,000.00
		TOTAL AMOUNT APPROPRIATED in CAP-19-23 on May 5, 2023				\$ 1,033,662.00
Division of Community Development	None Identified	Crystal Chapter Purchase of 20' Goose-neck Trailer	Division of Community Development	6.1	HK0524	\$ 23,000.00
Division of Community Development	*Fort Defiance Chapter	Fort Defiance Chapter Warehouse Project	Division of Community Development	6.1	HK0525	\$ 1,070,301.00
Division of Community Development	*Fort Defiance Chapter	Fort Defiance Chapter (Scattered) Waterline Extension Project	Department of Water Resources	5.11	HK0526	\$ 200,000.00
Division of Community Development	None Identified	Red Lake Chapter House Complex Project	Division of Community Development	6.1	HK0527	\$ 1,187,699.00
Division of Community Development	None Identified	Red Lake Chapter (Rural) Residential Septic Tank & Waterline Extension Project	NN Environmental Protection Agency	5.5	HK0528	\$ 617,000.00
Division of Community Development	None Identified	Sawmill Chapter Purchase of Motor Grader	Division of Community Development	6.1	HK0600	\$ 200,000.00
Division of Community Development	None Identified	Crystal Chapter Rural Addressing Project	Division of Community Development	1.14	HK0405	\$ 155,000.00
					TOTAL:	\$ 6,266,709.00

*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 0600

Date & Time Received: 06/22/23 at 18:20

Date & Time of Response: 6/30/23 at 17:00

Entity Requesting FRF: Sawmill Chapter

Title of Project: Equipment Purchase - Motor Grader

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$200,000.00

Eligibility Determination:

- FRF eligible
 FRF ineligible
 Additional information requested

FRF Eligibility Category:

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

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

6.1, Provision of Government Services

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: MacArthur Stant

Signature of DOJ Reviewer: MacArthur Stant

Digitally signed by MacArthur Stant
Date: 2023.06.30 12:15:53 -06'00'

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: Sawmill Chapter Date prepared: 4/13/2023

Chapter's mailing address: P.O Box 1786 Fort Defiance, AZ 86504 phone/email: 928-729-4433 website (if any): sawmill@navajochapters.org

This Form prepared by: Jammie Billiman phone/email: 928-729-4432
Community Service Coordinator sawmill@navajochapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Equipment Purchase - Motor Grader

Chapter President: Woodie Bennett phone & email: 928-729-4433/wbennett@navajochapters.org
Chapter Vice-President: Lewis Shirley phone & email: 928-729-4433/lshirley@navajochapters.org
Chapter Secretary: Vacant phone & email: _____
Chapter Treasurer: Vacant phone & email: _____
Chapter Manager or CSC: Jammie Billiman phone & email: 928-729-4433/jbilliman@nnchapters.org
DCD/Chapter ASO: Derek Echohawk, ASC Fort Defiance phone & email: 928-871-7515/ddechohawk@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Navajo Contractors/Sub-Contractors
 document attached

Amount of FRF requested: \$200,000.00 FRF funding period: January 1, 2023 - September 30, 2026
Indicate Project starting and ending/closing 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:

to purchase heavy equipment motor grader to maintain public access roads within the Sawmill Community. The grader will be used for clearing of snow, mud and other debris for community access of emergency and medical needs, handicap, school buses, headstart, senior center transport, and others to have clear and safe access to community roads. Sawmill Chapter will own and operate the equipment and the grader will be stored in the chapter warehouse. The chapter will work with the Navajo Nation procurement regulations and the Navajo Nation will be the fiscal agent.

document attached

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

The grader will be used to benefit the Sawmill Chapter community to clear and maintain dirt road, snow removal and have safe access for the community.

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:

The Sawmill Chapter will work with Fiscal Recovery office and community development to ensure the project is completed by the deadline of December 31, 2026.

document attached

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

The Sawmill Chapter and Division of Community Development.

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 Sawmill Chapter will be responsible for the operations and maintenance cost of the motor grader

document attached

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

6.1 Provision of Government Services.

document attached

Part 3. Additional documents.

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

Supporting Resolution
Cost 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: *Jimmie Belcman*
signature of Preparer/CONTACT PERSON

Approved by: *[Signature]*
signature of Chapter President (or Vice President)

Approved by: *Jimmie Belcman*
signature of CSC

Approved by: *[Signature]*
signature of Chapter ASO

Approved to submit for Review: *[Signature]*
signature of DCD Director

**THE NAVAJO NATION
 PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:											
Business Unit No.:	<u>New</u>	Program Name/Title:	<u>Sawmill Chapter Equipment Purchase - Motor Grader</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		
1. Goal Statement:											
Equipment Purchase - Motor Grader											
Program Performance Measure/Objective:											
To ensure the safety of Sawmill Community Members to clear and maintain access roads											
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.											
						James Adakai, Deputy Division Director Program Manager's Printed Name					
						Calvin Castillo, Division Director Division Director/Branch Chief's Printed Name					
						4-14-23 4/14/2023 Program Manager's Signature and Date Division Director/Branch Chief's Signature and Date					

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Sawmill Chapter Equipment Purchase - Motor Grader</u>		Business Unit No.: <u> </u> New	
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)
6960	Purchase Motor Grader to maintain public access roads within the Sawmill Community. Motor Grader will be used for clearing of snow, mud and other debris for community access of emergency and medical needs, handicap, school buses, headstart, senior center transport and others to have clear and safe access to community roads.	200,000	
6500	Contractual Services (LOD 4)		200,000
TOTAL		200,000	200,000



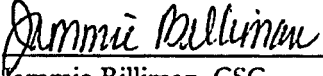
Woodie Bennett, President
Lewis Shirley, Vice President
Shawn Livingston, Sec/Treasurer
Wilson Stewart, Council Delegate
Patrick Martinez, Grazing Representative

Sawmill Chapter

P.O Box 1786 Fort Defiance, AZ 86504
Ph# 928-729-4433/ Fax# 928-729-4435
Email: sawmill@navajochapters.org

Jammie Billiman, Community Service Coordinator
Ronald Deschinny, Accounts Maintenance Specialist
Patreva Benally, CHIR
Louise Mark, Acting Senior Center Supervisor

MEMORANDUM:

TO : ARPA Project Department
FROM : 
Jammie Billiman, CSC
Sawmill Chapter
DATE : December 19, 2022
SUBJECT : " Priority Project Listing"

The Sawmill Chapter recognizes these projects as a priority and it recognizes that planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development to meet the need of community members. Here is the priority listing for Sawmill Chapter:

1. Motor grader \$300,000.00 - \$500,000.00
2. Bathroom Additions \$500,000.00
3. Cistern Systems \$500,000.00
4. Rural Addressing \$ 233,662.00

Please contact me if you have any questions @928-729-4433.

Thank you!

Sincerely,

Jammie Billiman, Community Service Coordinator

Sawmill Chapter

P.O. Box 1786, Ft. Defiance, AZ, 86504
ph: (928)729-4433/4432 | fax: (928)729-4435

RESOLUTION OF THE SAWMILL CHAPTER SAWMILL CHAPTER

SAW-01-26-23-01

APPROVING THE SAWMILL CHAPTER ARPA PRIORITY LISTING IN THE AMOUNT OF \$1,733,662.00 FOR THE CHAPTER MOTOR GRADER AS TOP PRIORITY AND OTHER ESSENTIAL PROJECTS ATTACHED AS EXHIBIT "A"

WHEREAS:

1. Pursuant to the "Local Governance Act" 26 N.N.C., chapter 1, subchapter 1, section 3(a). The Sawmill Chapter is continued as a certified chapter of the Navajo Nation Government, by the Navajo Nation Council Resolution; and
2. Pursuant to the chapter 1, subchapter 1, section 131 (1); (2), of the same "Act", the Sawmill Chapter has the responsibility and authority to promote, protect and preserve the interest and general welfare including the safety of its community people; and
3. The Sawmill Chapter is invested to review all matters affecting the community to make favorable decisions in the best interest over local matter; such as cultural preservation, economic development safety and welcome of chapter membership; and
4. The Sawmill Chapter has developed an ARPA funding priority list for various community program/programs and now has the chapter motor grader as its top priority; and
5. The Sawmill Chapter has participated in numerous Legislative District Meetings with its other three (3) sister chapters (Red Lake, Crystal and Fort Defiance), and with the 24th Navajo Nation Council Delegate Wilson Stewart Jr., in the development of ARPA Grant Funding Application/Projects; and
6. Under the Navajo Nation ARPA, each council legislative district was allocated \$8.8 Million for use in their Districts/Chapters and other entities and the Council Delegate is to present projects with recommendations from the chapters; and
7. Sawmill Chapter has submitted a letter from its Chapter President stating its revised ARPA Priority Listing in the amount of \$1,733,662.00 attached as Exhibit "A"; and
8. It would be in the best interest of Sawmill Chapter that 25th Navajo Nation Council Delegate, Honorable Dr. Andy Nez advocate and submit the Sawmill Chapter ARPA Priority Listing for funding as soon as possible.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Sawmill Chapter hereby approve and submit its ARPA Grant Funding Priority List as Exhibit "A"
2. The Sawmill Chapter hereby respectfully request of its Honorable Dr. Andy Nez, 25th Navajo Nation Council Delegate to accept, advocate and submit for ARPA Grant Funding as soon as possible:



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 #: HK0405

Date & Time Received: 1/23/23

Date & Time of Response: 02/16/23 at 1:15pm, 7/13/23 at 17:00

Entity Requesting FRF: Crystal Chapter

Title of Project: Rural Addressing

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$155,000

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: 1.14 - Other Public Health Services


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: The expenditure code has been changed from 1.12 to 1.14. The U.S. Department of Treasury updated the expenditure codes and the numeric value of "Other Public Health Services" was changed.

DOJ is reissuing this initial eligibility determination in order to correct an error with the identified Administrative Oversight entity. We recommend that the Administrative Oversight entity for this expenditure plan be the Division of Community Development rather than the Chapter President.

Name of DOJ Reviewer: Veronica Blackhat, Asst. Attorney General, Natural Resources Unit

Signature of DOJ Reviewer: 

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@nndo.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: Crystal Chapter

Date prepared: 11/13/22

Chapter's mailing address: PO Box 775
Navajo, NM 87328

phone/email: 505.777.2800, crystal@
website (if any): https://crystal@navajoc

This Form prepared by: Kristin Damon
Community Services Coordinator
CONTACT PERSON'S name and title

phone/email: 505.777.2800
kdamon@nnchapters
CONTACT PERSON'S info

Title and type of Project: Rural Addressing

Chapter President: Patricia Slim phone & email: 928.206.8652, plslim@naat

Chapter Vice-President: LaVerne Johnson phone & email: 505.906.1205, ljohnson@na

Chapter Secretary: Marchelle Hardy phone & email: 505.979.2850, mhardy@na

Chapter Treasurer: Marchelle Hardy phone & email: 505.979.2850, mhardy@na

Chapter Manager or CSC: Kristin Damon phone & email: 505.777.2800, kdamon@nr

DCD/Chapter ASO: Derek Echohawk phone & email: 928.266.3153, ddechohawk@nndcd.org

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

document attached

Amount of FRF requested: \$155,000

FRF funding period: January 2023 - 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:

Purchase the Rural Addressing signage system and complete installation for the Crystal Chapter Community. Signage will improve delivery of public safety and emergency communication services including time-sensitive services of ambulance, fire trucks and school bus access. Project will require employing a GIS technician or Project Manager to oversee the planning and coordination of the Rural Addressing installation according to project milestones. Serve as point of contact, coordinate with suppliers, and communicate progress/obstacles with Chapter Administration, Chapter Leadership and the Chapter Membership. Install will meet NNRAID (NN rural addressing implementation) standards.

document attached

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

Crystal Chapter serves 300-400 community members; many living in remote locations. Crystal Chapter's goal is to enhance the quality of life implementing measures to assist with safety and public health for all members. Improve response time for 911 services. Installation will meet NNRAID (NN rural addressing implementation document) standards.

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:
January 2023 – December 31, 2026

document attached

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

Navajo Nation Rural Addressing Authority, DCD, NNFRF, the Crystal Chapter, CLUP, and other committees or volunteers.

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.

e) Crystal Chapter Administration, Chapter Budget 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:

1.12 (Other Public Health Services) - Crystal Chapter serves 400+ members living in remote locations. Signage would enhance 911 emergency services, improve access by school buses and speed of fire truck access. These improvements in response enhances the quality of life and public health for its members.

document attached

Part 3. Additional documents.

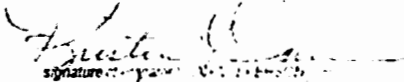
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

- Crystal Rural Addressing Project SOW
- Crystal Rural Addressing Sign Info
- Crystal Rural Addressing Materials, Crystal Rural Addressing Sign Quotes
- CRY 11-2022-030

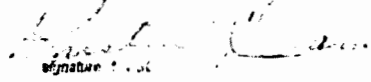
Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

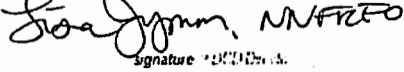
Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: 
signature

Approved by: 
signature of Chapter President

Approved by: 
signature

Approved by:  12/15/2022
signature

Approved to submit for Review: 
signature NNFRF

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

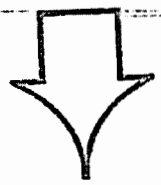
PART I. Business Unit No.: <u>New</u>		Program Title: <u>Rural Addressing</u>		Division/Branch: <u>Div of Community Development</u>	
Prepared By: <u>Kristin Damon</u>		Phone No.: <u>505.777.2809</u>		Email Address: _____	
Fiscal Year: <u>12/15/2022</u>		Amount: <u>155,000.00</u>		% of Total: <u>100%</u>	
PART II. FUNDING SOURCE(S)		PART III. BUDGET SUMMARY		Fund Type Code	
NN Fiscal Recovery Funds		2001 Personnel Expenses		(A) Approved Original Budget	
		3000 Travel Expenses		(B) Proposed Budget	
		3500 Meeting Expenses		(C) Difference or Total	
		4000 Supplies			
		5000 Lease and Rent			
		5500 Communications and Utilities			
		6000 Repairs and Maintenance			
		6500 Contractua Services		<u>155,000</u>	
		7000 Special Transactions			
		8000 Public Assistance			
		9000 Capital Outlay			
		9500 Matching Funds			
		9500 Indirect Cost			
TOTAL: \$155,000.00		TOTAL		0.00	
		TOTAL		155,000.00	
PART IV. POSITIONS AND VEHICLES		Total # of Positions Budgeted:		0	
		Total # of Vehicles Budgeted:		0	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.		APPROVED BY:		Division Director / Branch Chief's Printed Name	
SUBMITTED BY: <u>Sonlatsa Jim-Martin, ASC Department Manager</u>		Signature: <u>[Signature]</u>		Date: <u>12/15/2022</u>	
Program Manager's Printed Name		Signature: <u>[Signature]</u>		Date: <u>12.15.22</u>	
Program Manager's Signature and Date		Signature: <u>[Signature]</u>		Date: _____	

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2023

PART I. PROGRAM INFORMATION:		Business Unit No.:		New		Program Name/Title:		Rural Addressing	
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:		Crystal Chapter Resolution CRY-2022-11-30							
PART III. PROGRAM PERFORMANCE CRITERIA:		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:	Install Rural Addressing signage to assist with safety and public health for all members								
Program Performance Measure/Objective:									
2. Goal Statement:	Improve response time for 911								
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.		James Adakai, Deputy Director		Calvin Castillo, Executive Director					
Krislin Damon, Crystal CSC		James Adakai, Deputy Director		Calvin Castillo, Executive Director					
Program Manager's Printed Name		Program Manager's Signature and Date		Division Director/Branch Chief's Printed Name		Division Director/Branch Chief's Signature and Date			
<i>Krislin Damon</i>		1/11/23		<i>Calvin Castillo</i>		1/18/23			
1/11/23		1/11/23		1/18/23		1/18/23			

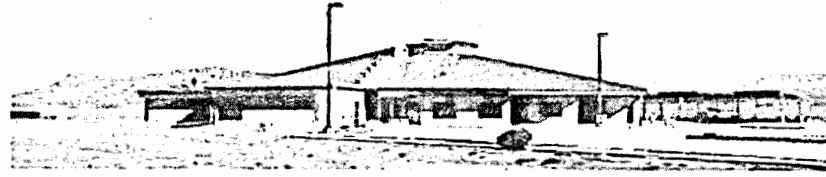
HERE



**THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION**

FY 2023

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Crystal Chapter</u> Rural Addressing		Business Unit No.: _____	New
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6) 6500 6960	Object Code Description and Justification (LOD 7) Contractual Services Subcontracted Services - install signage throughout Chapter boundaries	Total by DETAILED Object Code (LOD 6) 155,000	Total by MAJOR Object Code (LOD 4) 155,000
TOTAL		155,000	155,000



PO Box 775, Navajo, New Mexico 87328

Phone: (505)777-2800 & Fax (505)777-2805

CRY-11-2022-030

RESOLUTION OF THE CRYSTAL CHAPTER

SUPPORTING THE CHAPTER PROPOSAL OF THE NAVAJO NATION GOVERNMENT FOR THE AMERICAN RESCUE PLAN ACT OF 2021 BY AND THROUGH THE NAVAJO FISCAL RECOVERY FUND FOR ENUMERATED CHAPTER PROJECTS

WHEREAS:

1. Pursuant to 26 N.N.C §3.A. The Crystal Chapter is a duly recognized certified Chapter of the Navajo Nation Government as listed as 11 N.N.C., Part 1, §10; and
2. Pursuant to 26 N.N.C §1.B., the Crystal 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; and
3. On March 6, 2021, the U.S. Congress approved the American Rescue Plan Act of 2021; and on March 11, 2021, the U.S. President Joe Biden signed it into law; and
4. The Navajo Nation received 1.9 billion of funding through the American Rescue Plan Act of 2021; and established the Navajo Fiscal Recovery Fund ("FRF") Office to oversee the application for proposals for the ARPA projects for Navajo chapters; and
5. The Navajo Division of Community Development is identified in the Navajo Nation Council Resolution C is managing the Navajo chapter governance of the ARPA proposals submission for the 110 Navajo governance chapters. Crystal Chapter initially submitted infrastructure proposal for their respective chapter; and
6. The Navajo Nation has identified six ARPA related activities which includes powerline, housing wiring, waterline, bathroom additions, and rural addressing; and
7. In 2021, the Crystal Chapter initially identified three community projects, ARPA related activities which are as follows: A. Rural Addressing B. Bathroom Addition C. Warehouse; and
8. The Crystal Chapter subsequently conducted its assessments, data collection and the projects are ready for funding; and submit a letter from Crystal Chapter Officials listing propriety projects; and
9. The Crystal Chapter is submitting six projects for the American Rescue Plan Act ("ARPA) proposal to the Navajo Nation Division of Community Development according to the project checklist and the ARPA guidelines. Projects serving individual community members and their families rather than the community are on "needs based." The following are the identified APRA projects for the funds of proposed capital items:
 - a. Infrastructure of Electricity, water access, bathroom additions, bathroom renovations – The Crystal community still has families lacking basic necessities to keep minimum sanitation because of lack of water, lack of bathroom, and lack of electricity. These lack of

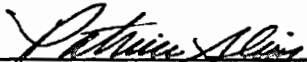
- infrastructures adversely affect the community members because they cannot improve their well-being to keep their homes and family sanitized to fight the pandemic.
- b. Storage Warehouse, 50 ft. x 80 ft. x 18ft. – to store perishable food items, medical supplies, equipment that will be used in emergency situations; particularly to combat devastation of dealings with the COVID-19 pandemic. We need to store heavy equipment to keep them mechanically functioning to assist community members during the loss of their family members as result of COVID-19 pandemic.
 - c. One (1) Three-quarter ($\frac{3}{4}$) ton 4x4 Truck
 - d. Twenty (20) foot Gooseneck trailer with five feet ramps
 - e. Rural Addressing project by obtaining Street signs within Crystal Community
 - f. Five (5) solar street lights to be located at the entrance to Chapter House, turn-off from highway Navajo Route 12 to chapter parking lot.

NOW THEREFORE BE IT RESOLVED THAT:

- A. The Chapter hereby supports the proposal of the Navajo Nation government for the American Rescue Plan Act/Fiscal Recovery Funds as 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 residents and businesses. In accordance with Section 9901 or ARPA, Fiscal Recovery Funds shall only be used for following:
 1. To respond to the COVID-19 public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits; or aid to impacted industries such as tourism, travel, and hospitality.
 2. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers.
 3. To provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the emergency; and
 4. To make necessary investment in water, sewer, or broadband infrastructure.
- B. Under the direction of the FRF Expenditure Plan Budget Crystal Chapter is supporting the Project and affirming that the Chapter will only use awarded Funds in compliance with the ARPA, the ARPA Regulations, and all other applicable Navajo Nation and federal laws and regulations. This provision does not apply to formula-based distributions of Fiscal Recovery Funds to Non-Governance Certified Chapters.
- C. The Crystal Chapter leadership and its community members support the proposal of the above-mentioned capital items for ARPA/FRF funding according to the American Rescue Plan Act appropriations regulations and guidelines.

CERTIFICATION

I, hereby certify the foregoing resolution was duly considered by the Crystal Chapter at a duly called chapter meeting at Crystal (Navajo Nation), New Mexico which a quorum was present and that same was motioned by Charlene Chee and seconded by Louise O. Mark by votes of (18) in favor, (00) opposed and (03) abstained this 20th day of November 2022.



Patricia Slim, Chapter President

NAVAJO NATION

166

7/18/2023

Navajo Nation Council Summer Session

02:18:34 PM

Amd# to Amd#

Consent Agenda: Legislations

PASSED

MOT Tolth, G

0120-23, 0122-23, 0126-23,

SEC Nez, R

0127-23, 0140-23, 0148-23,

0149-23, 0145-23, 0079-23...

Yeas : 21

Nays : 0

Excused : 2

Not Voting : 0

Yea : 21

Arviso, S

Crotty, A

Nez, A

Simpson, D

Aseret, L

Daniels, H

Nez, R

Slater, C

Begay, H

James, V

Notah, N

Tolth, G

Begay, N

Jesus, B

Parrish, S

Tso, O

Charles-Newton, E

Johnson, C

Simonson, G

Yazzie, C

Claw, S

Nay : 0

Excused : 2

Yanito, C

Damon, S

Not Voting : 0

Presiding Speaker: Curley, C