

The Navajo Nation DR. BUU NYGREN PRESIDENT Yideeskąądi 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-63-23 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)

Dear Speaker Curley,

I am pleased to sign into law this resolution CJY-63-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan in the amount of \$3,118,598.

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 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)

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-62-22, attached as Exhibit 1 (without project exhibits), mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Crystalyne Curley's Delegate Region (Chapter: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain) 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. 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-62-22, 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 KEE ALLEN BEGAY, JR.'S DELEGATE REGION (CHAPTERS: TACHEE/BLUE GAP, MANY FARMS, NAZLINI, TSELANI/COTTONWOOD, LOW MOUNTAIN), was signed into law by the President of the Navajo Nation on January 9, 2023. Exhibit 1.
- D. CD-62-22, Section Four, states that:
 - 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 Hon. Crystalyne Curley has requested to amend CD-62-22 to delete the *Nazlini Chapter Bathroom Additions* project (NNDOJ Review No. HK0232) and to delete the *Nazlini Chapter House Wiring* project (NNDOJ Review No. HK0233) from the Delegate Region Projects Plan covering the Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain Chapters. The removal of these projects will revert \$265,000.00 back to Hon. Crystalyne Curley's Delegate Region's Project Plan's Un-Allocated Amount.
- F. In addition to the removal of the Nazlini Chapter Bathroom Additions project and the removal of the Nazlini Chapter House Wiring project, Hon. Crystalyne Curley has requested that additional projects be added to the Delegate Region Projects Plan covering the Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain Chapters originally approved by CD-62-22. The additional projects, which have all been deemed Fiscal Recovery Fund eligible by NNDOJ, as well as the deleted projects, are set forth in Exhibit 2. After the deletion and addition of the project(s), the Hon. Crystalyne Curley's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- G. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Crystalyne Curley's

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

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

- A. The Navajo Nation hereby approves the removal of two projects (the Nazlini Chapter Bathroom Additions project under NNDOJ Review No. HK0232 and the Nazlini Chapter House Wiring project under NNDOJ Review No. HK0233) listed in CD-62-22 for Hon. Crystalyne Curley's Delegate Region Projects Plan as stricken in Exhibit 2. The removal of these projects from Hon. Crystalyne Curley's Delegate Projects Plan will revert \$265,000.00 back to her Delegate Region's Project Plan's Un-Allocated Amount.
- B. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Crystalyne Curley's Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain) set forth in Exhibit 2.
- C. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- D. 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 19 in Favor, and 00 Opposed, on this 19th day of July 2023.

Honorable Eugenia Charles-Newton, Speaker Pro Tem 25th Navajo Nation Council

7/27/23

Motion: Honorable George H. Tolth Second: Honorable Herman M. Daniels, Jr.

Speaker Pro Tem Eugenia Charles-Newton 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 day of Actual , 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

Exhibit 1

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'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)

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



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

Sincerely,

22 into law.

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'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

Navajo Nation Council Resolution No. CJN-29-22, AN ACTION Α. 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

0/2022 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 <u>916</u> day of <u>January</u>, 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

| | | INAVÁVO NATIONIEISCAL REGOVERVIEUND DELEGANE REGIÓN PROJECT PLAN | same region pr | OLECTI RUX | tappica. | |
|--|--|--|---|-------------------|--------------|-----------------|
| COUNCIL DELEGATE: | council delegate: Delegate Kee Allen Bega | llen Begay, Jr. | | | J | |
| CHAPTERS: | снартевз: Tachee/Blue Gap, Many | ap, Many Farms, Nazlini, Tselani/Cottonwood, | Cottonwood, L | Low Mountain | itain | |
| 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 | НК0226 | \$ 120,000.00 |
| Division of Community Development | *Nazlini Chapter | Nazlini Chapter Bathroom Additions | Division of Community Development | 1.14 | НК0232 | \$ 160,000.00 |
| Division of Community Development | *Nazlini Chapter | Nazlini Chapter Housing Wiring | Division of Community Development | 2.18 | НК0233 | \$ 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 | НК0235 | \$ 400,000.00 |
| Division of Community Development | *Nazlini Chapter | Nazlini Chapter Administration Bldg | Division of Community Development | 6.1 | НК0237 | \$ 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 | НК0305 | \$ 400,000.00 |
| Division of Community Development | NONE IDENTIFIED | Many Farms Chapter Local Rural Addressing - E911 | Katherine O. Arthur, Chapter President | 2.22 | НК0307 | \$ 100,000.00 |
| *Per CJN-29-22, Sectio Chapters through sub-r | *Per CJN-29-22, Section Three (E), the "Navajo Nation Centra Chapters through sub-recipient agreements to implement and | *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 | o LGA-Certified maintain | | TOTAL: | \$ 2,525,468.00 |
| Administrative Oversigr | nt over such tunding and | Administrative Oversight over such funding and Delegate Region Project Plans." | Page 1 of 3 | 1 of 3 | | |

•

| | NAVAJO NATION EIS | NATION FISCAUREGOVERWEUND DELEGATEREGION PROJECT RUAN | GATTEIREGIONIR | (OLECTROUT | EDDAGE. | |
|--|---|---|--------------------------------------|-----------------|--------------|-----------------|
| COUNCIL DELEGATE: | councit Delegate Kee Allen Begay, Jr. | dlen Begay, Jr. | | | | |
| CHAPTERS: | CHAPTERS: Tachee/Blue Gap, Many | Farms, Nazlini, | Tselani/Cottonwood, L | Low Mountain | ıtain | |
| 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 | НК0309 | \$ 750,000.00 |
| Division of Community Development | NONE IDENTIFIED | Blue Gap/Tachee Chapter Celluar Service Tower | Division of Community Development | 1.14 | НК0332 | \$ 750,000.00 |
| Division of Community Development | NONE IDENTIFIED | Low Mountain Chapter Elderly Bathroom Makeover/Modification Project | Division of Community Development | 1.14 | НК0333 | \$ 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 | НК0336 | \$ 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 |
| *Per CJN-29-22, Section Chapters through sub-re | n Three (E), the *Navajo eciptent agreements to li | *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 | o LGA-Certified maintain | | TOTAL: | \$ 5,654,468.00 |
| Administrative Oversign | it over such funding and | Delegate Kegion Project Plans." | Page 2 of 3 | 2 of 3 | | |

| EXHIBIT | | | # AMOUNT | \$ 5,654,468.00 | \$ 294,265.00 | | | | \$ 2,853,607.00 | L: \$ 8,802,340.00 | |
|---|---------------------------------------|---|----------------------------|---------------------------|---|--|--|--|--------------------|--|---------------------------------|
| RED R | | itain . | poj review # | | НК0346 | | | | | TOTAL | |
| QUE CUE | | ow Mour | FRF CATEGORY | | 1.14 | | | | | | 3 of 3 |
| GATERESSON | | Cottonwood, L | ADMIN OVERSIGHT | | Division of Community Development | | | | | o LGA-Certified maintain | Page 3 of 3 |
| INAVAIOINATION FISCAUREGOVERY FUND DELEGATE REGION PROJECT PLAN | llen Begay, Jr. | ap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain | EXPENDITURE PLAN / PROJECT | TOTAL AMOUNT from PAGE 02 | Blue Gap/Tachee Chapter Eight (8) Bathroom Additions | | | | UNALLOCATED AMOUNT | *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 | Delegate Region Project Plans." |
| A NAVAVON | council delegate Kee Allen Begay, Jr. | снартекs: Tachee/Blue Gap, Many | SUBRECIPIENT | | NONE IDENTIFIED | | | | | n Three (E), the "Navajo ccipient agreements to i | t over such funding and |
| | COUNCIL DELEGATE: | CHAPTERS: | FUNDING RECIPIENT | | Division of Community Development | | | | | *Per CJN-29-22, Section Chapters through sub-re | Administrative Oversigh |

Exhibit 2

.

.

| | | NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN | GATE REGION PR | KOJECT PLA | | |
|--|---|--|--------------------------------------|-------------------|--------------|-----------------|
| COUNCIL DELEGATE: | councit delegate: Hon. Crystalyne Curley | e Curley | | | EX | Exhibit 2 |
| CHAPTERS: | снартєкs: Tachee/Blue Gap, Many Farm | ıs, Nazlini, | Tselani/Cottonwood, L | Low Mountain | itain | |
| 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 |
| Bivision-of-Community Bevelopment | <u>*Nazlini-Chapter</u> | Nazlini-Chapter-Bathroom-Additions | Division of Community Development | 1.14 | HK0232 | -\$ 160,000.00 |
| Bivision-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 | НК0310-2 | \$ 122,191.30 |
| Division of Community Development | None Identified | Low Mountain Chapter New Home Construction Project | Division of Community Development | 2.15 | НК0311-2 | \$ 420,000.00 |
| Division of Community None Identified Development | None Identified | Blue Gap/Tachee Chapter Administration Building Renovation Project | Division of Community Development | 2.22 | НК0339 | \$ 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 None Identified Development | None Identified | Low Mountain Chapter Septic Services Project | Division of Community Development | 5.5 | НК0433 | \$ 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 |
| Division of Community Development | None Identified | Many Farms Chapter Housing Assistance - Rehabilitation & Demolition Project | Division of Community Development | 2.18 | НК0304-2 | \$ 360,468.00 |
| *Per CJN-29-22, Sectio Chapters through sub-re | n Three (E), the "Navajo ecipient agreements to i | *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 | o LGA-Certified maintain | | TOTAL: | \$ 7,041,863.00 |
| Administrative Oversign | Administrative Oversignt over such funding and Delegate Kegion Proj | Delegate Keglon Project Plans. | Page1 of 2 | of 2 | | |

| | NAVAJO | NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN | GATE REGION PR | COJECT PLA | N | |
|---|--|--|--------------------------------------|-----------------|--------------|-----------------|
| COUNCIL DELEGATE: | councit Detegate: Hon. Crystalyne Curley | e Curley | | | Exh | Exhibit 2 |
| CHAPTERS: | Tachee/Blue Ga | снартекs: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain | Cottonwood, L | ow Mour | ıtain | |
| FUNDING RECIPIENT | SUBRECIPIENT | EXPENDITURE PLAN / PROJECT | ADMIN OVERSIGHT | FRF CATEGORY | DOJ REVIEW # | AMOUNT |
| | | TOTAL AMOUNT from PAGE 01 | | | | \$ 7,041,863.00 |
| Division of Community Development | None Identified | Tselani (Cottonwood) Chapter Cell-Tower Project | Division of Community Development | 1.14 | НК0302 | \$ 1,125,000.00 |
| Division of Community Development | None Identified | Tselani (Cottonwood) Chapter Warehouse | Division of Community Development | 1.14 | HK0550 | \$ 635,468.00 |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | UN-ALLOCATED AMOUNT | | | | \$ 9.00 |
| *Per CJN-29-22, Sectio Chapters through sub-re | n Three (E), the "Navajo ecipient agreements to i | *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 | | | TOTAL: | \$ 8,802,340.00 |
| Administrative Oversigh | it over such funding and | Delegate Region Project Plans." | | 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 #: _HK0302_____

Date & Time Received: _____12/13/22___15:45_____

Date & Time of Response: ____12/19/22____17:00_____

Entity Requesting FRF: _____Tselani-Cottonwood_Chapter_____

Title of Project: ____Cell-Tower-Project_____

Administrative Oversight: __Division_of_Community_Development

Amount of Funding Requested: \$1,858,666

Eligibility Determination:

FRF eligible
FRF ineligible
Additional information requested

FRF Eligibility Category:

- \boxtimes (1) Public Health and Economic Impact
- □ (3) Government Services/Lost Revenue

□ (2) Premium Pay

(4) Water, Sewer, Broadband Infrastructure

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

U.S. Department of Treasury Reporting Expenditure Category: <u>1.14</u> Other Public Health Services

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

| Missing Form | | Expenditure Plan incomplete |
|---|---------|---------------------------------------|
| Supporting documentation missing | ÷., | \Box Funds will not be obligated by |
| □ Project will not be completed by 12/31/2026 | | 12/31/2024 |
| □ Ineligible purpose | · . · | □ Incorrect Signatory |
| □ Submitter failed to timely submit CARES reports | · · · · | □ Inconsistent with applicable NN or |
| □ Additional information submitted is | : • | federal laws |
| insufficient to make a proper determination | | |
| Other Comments: | | |
| | | |
| | | |
| | | - |
| | | • |
| Name of DOJ Reviewer:MacArthur_Stant | | |
| Signature of DOJ Reviewer: Mach Lot | | |
| | | |

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.

11

111

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 Tselani-Cottonwood Cl requesting FRF: | Date prepared: 10/18/2022 |
|--|--|
| Chapter's PO BOX 1139 mailing address: Chinle, Arizona 86503 | phone/email: (928)725-3765 |
| mailing address: Chinle, Arizona 86503 | website (if any): tselani@navajochapters.org |
| This Form prepared by: Charlene Wallace | phone/email: (928) 725-3763 |
| Charlene Wallace, Coordinator | cwallace@nnchapters.org |
| CONTACT PERSON'S name and the | CONTACT PERSON'S info |
| Title and type of Project: Cell Tower Project | |
| Chapter President Thomas Gorman | phone & email: (928) 675-5881 |
| Chapter Vice-President: Nelson Charley, Sr. | phone & email: (928) 349-0064 |
| Chapter Secretary: Elliot Bryant | phone & email: (928) 383-1103 |
| Chapter Treasurer: | phone & email: |
| Chapter Manager or CSC: Charlene Wallace | phone & email: (928) 725-3763 |
| DCD/Chapter ASO: Robert Jumbo | phone & email: (928) 674-2320 |
| List types of Subcontractors or Subrecipients that will be paid with FRF (if k | nown): 2 towers for Tselani-Cottonwood towers. |
| | document attached |
| Amount of FRF requested: 1,858,666 FRF funding period: | 413123 - 7/30/26 |
| | 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 proposed project of Tselani-Cottonwood Chapter has identified 2 locations: Salina South and Fish Point area that is in dire need of cell services. This project will assist many people and communters traveling through the community. Petitions from both area attached. The unpredictable virus Covid 19 has affected so many families: Students home schooling, elderlies home bound, and unable to connect during emergency cases.

document attached

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

The primary intent is to provide broad band services to the areas within the chapter boundaries. Cell phone services is a necessity to ensure the quality of life to our community. The concerns about not able to use their cell phones in times of emergencies or to contact the local elderlies.

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

- Page 1 of 2 -

| Program(s) or Project(s) by December 31, 2026: | | <u>APPENDIX A</u> |
|--|---|--|
| The funding not being incumbered or release t | for construction to proce | ed. |
| | | |
| | | document attached |
| (d) Identify who will be responsible for implementing the Progra | m or Project: | |
| Smith Bagley dba CellularOne of NE Arizona | , , | |
| | • | |
| | | |
| | | document attached |
| (e) Explain who will be responsible for operations and mainten prospectively: | ance costs for the Project once c | ompleted, and how such costs will be funded |
| Smith Bagley dba CellularOne of NE Arizona | | |
| | | |
| | | |
| | | |
| | | document attached |
| (f) State which of the 66 Fiscal Recovery Fund expenditure cather proposed Program or Project falls under, and explain the reason | egones in the attached U.S. Depa h why | artment of the Treasury Appendix 1 listing the |
| 5.19 & 5.21 Broadband | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | document attached |
| Part 3. Additional documents. | | |
| List here all additional supporting documents attached to this F | | N/A): |
| Updated Chapter Proposal and Chapter Reso | lution. | |
| | | |
| | | Chapter Resolution attached |
| Part 4. Affirmation by Funding Recipient. | | |
| Funding Recipient affirms that its receipt of Fiscal Recovery Fun with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, a | ids and the implementation of this | FRF Expenditure Plan shall be in accordance Navaio Nation laws, regulations, and redicises: |
| | | |
| Chapter's CUCCUCC | Approved by: | |
| signature of Preparar/CONTACT PERSON | signal | une of Chapter President (or Vice-President) |
| Approved by: - (L (L L (L L L) | Approved by: | tor ASO |
| • | Approved to submit | James MIFDER |
| | for Review: | Signature of DCD Director |

- Page 2 of 2 -

| 5707 1 | | Ċ. | ROGR | PROGRAM BUDGET SUMMARY | ۲۲ | | BUDGI | BUDGET FORM 1 |
|--|---------------------------------------|--|--------------------|--|-----------------|--|---|------------------------------|
| PART L Busness that to | NEK VEN | Try a later the Cost and Priced | tes e l'atentation | L-Cottonuccut Classifica | 11.11 | Surger Branch | י ניכיייניטען לפעמבון ביצי | 1 |
| Prepare 1By | Charler Wainte | Prove Vo | 2 | 625-775-3763 | Emel Advice | 3 | | |
| DART IL FUNDING SCURCE(S) FESCAL Year Tart | Fiscal Year Tar- | Amount | Total | PART III BUDGET SUMMARY | | | é | Ę |
| 2R24 4: 10S | 132/25 | T.63914/ | | | Type Code | (A) NNC Approved Original Budget | (a) Proposed Budget | Difference (Column B • A) |
| | | | | 2001 Personnel Expenses | | | | |
| | | | | 3000 Travel Expenses | | | | |
| | | | | down theeling Expenses | | | | |
| | | | | toco: Supplies | | | | |
| | | | | 5000 Lease and Rerta' | | | | |
| | | | | 5500 Communications and UNIties | lies | | | |
| | | | | 5000 Repairs and Maintenance | 0 | | | |
| | | | | 6500 Crintractual Services | | | | |
| | | | | 7000 Special Transactions | | | | |
| | | | | 8030 Public Assistance | | | | |
| | | | | dC00 Public Ass stance | | | | |
| | | | | 9000 Capital Outlay | Ö T | 9 | 1,050,666 | 11.850 666 |
| | | | | 9500 Matching Funds | | | | |
| | | | | 9500 "Indirect Cost | _ | | | _ |
| | | | | | 101 | TOTAL STOC | 11.050.146 | 11.058.66 |
| | | | | PART IV. POSITIONS AND VEHICLES | ES | (C) | (E) | ī |
| | | | | Tota # c! Positions Budgeled. | tions Budge! | ec. | | |
| | TOTAL: | 165864 | 100% | Tota # of Freetoneoully Assigned Vehicles | Just Vehic | ť | | |
| PART V. IHEREBY ACKNOW | EDGE THAT THE IN | FORMATION CONTAN | NED IN TH | PART V. 1HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE | E AND ACCUR | ATE | | |
| 2 - | Berlatas Lar Buth HaultTen av Perv | Occass on With Department Reverse . Summer of Preven Newfork Prevo Vers | j. | ! | 5 147 weda 2 | Point for carran lare | Co Part Te carao de la Rolanza apart fei 57 Dave Diversenandora Sano | |
| A - | lat (| 1 | 12/0 | - 12/06/2022 | C | follower and | - 12. (2202 | 41 |
| | | | | | 5 | | | |

Page 1 of 3

THE NAVAJO NATION

FY 2023

THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

FY 2023

| ART L PROGRAM INFORMATION: | | |
|---|---|-------------|
| Buseress Sertiku AEM | Program Pro | |
| art II., PLAN OF OPERATION REFERENCE(LEGISLATED PROGRAM PURPOSE: JAP 34 63 To directive Craptic A treastiston of Managura at 1975 (1976) by is listed for the chapter time (erolog) | ARTI, PLAN OF OPERATION REFERENCEA EGISLATED PROGRAM PURPOSE: JAP 34 64 To directive Chapter A transform of the type than an and an analysis the mature of the final and batt Terra (of the chapter on ter 9 kp | ינר, |
| ART III. PROGRAM PERFORMANCE CRITERIA: | 110 112 112 112 112 112 112 112 112 112 | 16 Artai |
| 1. ให้อรุทธศา มีอะร์ษรามคราย สำนา | | |
| 45PA furth Carturia | | |
| भारती के तो बिराम प्रदेश | | |
| الحواهان تراولا التعديدة مولده الأحور المسينياني | | |
| 2 Engry: Feder Pro-Sura | | |
| 4.5.140.604 | | |
| J Popri federane kez | | |
| Sud Parent | | |
| tay stream of a contract to | | |
| Bud Mitterich | | Γ |
| צעין העלואניון אין וויאניין אין אין אין אין אין אין אין אין אין | | |
| ad there t | | |

12.6.22

Furriconne Franslando Essenciere Earlo Undeferholiare Rean Sull Schon er 12. Inseritigere etre etre artiste

PART IV. 1 HEREBY ACKNOMLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED. ניגודיגי, ה אשרים לאיז אינושאיניי אין אשרים אינושאיניי געוראים אונושאיניי געוראים אינושאיניי געוראיניי.

Proyom Manage's Printey Nar

12/06/2022

and Date

Program Vanagers Eignatury

ž

RI

I.

Page 2 of 3 BUDGET FORM 2

min 1050, 664 - 1, 1939, 66 6 ET Totally Totally WUCR Object Code 1.055B.64-1 CC Total by DETAILED Object Code NEW Beatmene Unit Wor Object Code Description and Justification Cell Tower Project E 1909 communication Install two Cole Towers: Identified States Sociel and Fish Point Area (1929,203 00 X Z) PART L. PROCERAM DEFORMATIONE Program Name/Tibe: PARTIL DETALED BUDGET: (M) 9000 Capital Ouclay Object Code (LOD 5) 2

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

FY 2023

Page 3 of 3 BUDGET FORM 4

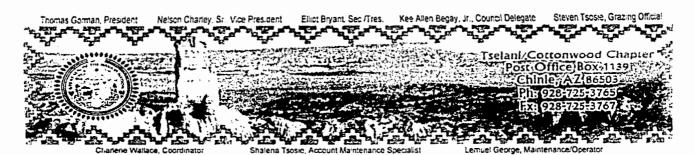
_

Page 1 of 2 PROJECT FORM

THE NAVAJO NATION PROJECT BUDGET SCHEDULE

| ART L Pusinees Link No: NEW | | | | | | | | | | | | | | Ma | PARTIL | | | Project Information | l l | netion | | |
|--|--------------------|---|---------------------|-------------------|---------|---------------------|------------|-------------|---------|---------------------|------|---------|------------|-------------|---------------------|---------------|------|-----------------------------|---------------|------------|-------|---------|
| Project Title: 5.19 & 6.1 Broadband and Chapter and Regional Projects | aband and Chap | ter and Regio | nal Proje | Ð | | | | | | | 1 | | | E | Project Type: | | Brog | Broadhend/Chapter & Reg Pro | | A B | L E | 5 |
| Project Description Instal Two Cell Towers in the remote area of the Community area. | Cell Towars In the | a remote area | of the C | Vinnin | area. | | | | | | | | | Ę | Planned Start Date: | et Date | | | 1514 | E202/E/A | | |
| | | | | | | | | | | | | | | 2 | Planned End Date: | d Date: | | | ŝ | 8/30/2028 | | |
| Check one box: | - Criginal Budget | | Dudget Revision | wish | Ĩ | Dudget Resilocation | ocation | | udget | Budget Modification | tion | | | £ | Project Manager. | ager: | | | | 1 | | I |
| PART ILL. | PART N. Use | Use Fiscel Year (FV) Quarters to complete the information below. Q = Oct; N = Nov; D = Dec., etc. | EN O | there to c | and the | te trion | ad note | 0.10 | ğ | 2 2 2 2 | 9 | 56 | स | | | | 8 | Expected Completion Date If | - duo | etion (| 1 egg | |
| Ust Project Task separately, such as Ban Desim Construct Early | | | FY 2023 | | | | _ | | | | 2 | FY 2024 | | | | | E | project exceeds 6 FY Ctra. | 8 | Ϋ́ | Ş | ŗ |
| tes ruar, uceage, ucrearua, capap or Furnish. | 1al Otr. | 2nd Otr. | | 3rd Or. | _ | 44 Of. | _ | ta Ot. | | 2005 | j. | ĸ | Sel Or. | | \$ \$ | | | Defe | | ł | | 1 |
| Construction of providences Bell One land survey & clearances Bell Construction Sub Work Construction of projects Construction of projects | D T O | к | <mark>< x</mark> | 2 | 된 | < | 0 <u>×</u> | Z <u>× </u> | α | u | Σ× | < × | <u>з н</u> | ۳ ۲ ۲ | < <u> </u> | ۵۵ <u>۲</u> ۲ | 0 | Ζ | ۹ | | 2 | |
| PART V. | - | ~ | ╀ | - | ╞ | - | ┡ | - | ┢ | ľ | | | _ | ╞ | ŗ | 1 | | Æ | PROJECT TOTAL | 101 | Ę | |
| Expected Quarterly Expenditures | | | $\left \right $ | | | | \mid | | $ \mid$ | | | | | | | | Ľ | 8 T | SSGLOG | 9 | ٩ | 1 |
| FOR OMB USE ONLY: Resolution No. | n No: | | FMIS | FMIS Set Up Date: | tte: | | | | 5 | Company No: | × | | | | CAMB | OMB Analyst | | | | | | 1 |

١



RESOLUTION OF THE TSELANI-COTTONWOOD CHAPTER

TSEL-22-728

REQUESTING THE SUPPORT AND APPROVAL OF THE NAVAJO NATION FOR THE CONSTRUCTION OF A TELECOMMUNICATIONS TOWER IN THE COMMUNITY OF TSELANI-COTTONWOOD FISH POINT(LOHALI) AREA, RECOMMENDING AND APPROVING THE WITHDRAWAL OF A 50' x 50' ACRES TRACT OF LAND AND A UTILITY CORRIDOR FOR SAME

WHEREAS:

- Tselani-Cottonwood is governed by the Navajo Nation established and recognized by the Navajo Nation Council as a foundation of the Navajo Nation government vested with the authority to plan and implement projects in the best interest of the community. See generally 2 N.N.C. §4021 et seq. And 26 N.N.C. \$103: AND
- Pursuant to 2 N.N.C. §102 (A), the Navajo Nation Council is governing body of the Navajo Nation and by the Navajo Nation Code Title 26 Local Governance Act as a unit of government with delegated authority to make decision over local matters that are consistent with the existing with the Navajo Nation: AND
- By resolution CAP-34-98, the Navajo Nation Council approved the "Local Governance Act" wherein the Navajo Nation Council delegated governmental authority to the Chapters of the Navajo Nation to address matters of local concern with Navajo law, custom and tradition; AND
- By the community of Tselani-Cottonwood Chapter is seeking expanded telecommunications services for the improvement of education, health, social services and other local community needs of Cottonwood Chapter: AND
- 5. Smith Bagley, Inc. dba CellularOne of NE Arizona is licensed franchise providing wireless services on the Navajo Nation and has successfully expanded its services to include low-cost subsidized services to the Navajo Nation tribal members. Smith Bagley, Inc. dba CellularOne of NE Arizona so desire to continue its commitment to development a state-of --the-art wireless infrastructure on the Navajo Nation and to support the adoption of technologies applicable in business, governmental, healthcare, and education; AND
- 6. The need for more internet requirements on virtual learning and work from home, due to the Covid pandemic has been a high priority for the communities of Tselani-Cottonwood Chapter.

Pg 2. TSEL-22-728

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Tselani-Cottonwood Chapter supports and approves of the installation of wireless telecommunications equipment by Smith Bagley. Inc., dba CellularOne of NE Arizona.

CERTIFICATION

I. hereby, certify that the foregoing resolution was considered by Tselani-Cottonwood Chapter at a duly called meeting at Cottonwood. Navajo Nation (Apache. County, Arizona) at which a quorum was present and that same was passed by a vote of 12 in favor, 0 opposed and 1 abstained on this 14th day of September, 2022.

Motioned by Steven TSOSIF

Thomas Gorman, Chapter President

<u>Ellicit F. Bryant</u> Elliot Bryant, Secretary/Treasurer

Seconded by Andersen Harry Nelson Charley, Sr., Vice-President

Kee Allen Begay, Jr., Council Delegate

CRYSTALYNE CURLEY

Speaker



LEGISLATIVE BRANCH

NAVAJO NATION

OFFICE OF THE SPEAKER 25TH NAVAJO NATION COUNCIL

MEMORANDUM

TO: Dana Bobroff, Legal Counsel Office of Legal Counsel

FROM:

Crystalyne Curley, Council Delegate

25th Navajo Nation Council

DATE: July 12, 2023

SUBJECT: ARPA REGIONAL PROJECT COST ADJUSTMENT

This memorandum serves as a formal request for the Office of Legal Counsel to acknowledge the project cost adjustment for Tselani/Cottonwood Chapter Project Cell Tower Project (HK0302) from \$1,858,666.00 to \$1,125,000.00.

My intent is for equal distribution among the five regional Chapters. The scope of work and timelines will remain the same for the project.

Your consideration is appreciated. If you have any questions, please contact me at (505) 422-9419.

Cc: Tselani/Cottonwood Chapter Navajo Nation Fiscal Recovery Office

OFFICE OF THE SPEAKER | P.O. BOX 3390 | WINDOW ROCK, ARIZONA 86515 | PH: (928) 871-7160 | FAX: (928) 871-7255

| FY 2025 | | | PRC | PROGRAM BUDGET SUMMARY | ۲۲ | | BUDGET FORM 1 | DRM 1 |
|---|--------------------------------|---------------------------------------|---------------|--|--------------------------------|---|-------------------------|----------------------|
| PART I. Business Unit No.: | NEW | Program Title: | TSEI | SELANI-COTTONWOOD CHAPTER Cell Tower Project | wer Project | Division/Branch: _ | COMMUNITY DEVELOPMENT | DPMENT |
| Prepared By: Charle | Charlene Wallace | Phone No.: | No.: | 928-725-3763 | Email Address: | cwallac | cwallace@nnchapters.org | |
| PART II. FUNDING SOURCE(S) | Fiscal Year /Term | Amount | % of Total | PART III. BUDGET SUMMARY | Fund Type | (A) NNC Annryed | (B) | (C) Difference or |
| ARPA FUNDS | 10/1/22-9/30/26 | 1,125,000.00 | 100% | | Code | Original Budget | Proposed Budget | Total |
| | | | | 2001 Personnel Expenses | | | | |
| | | | | 3000 Travel Expenses | | | | |
| | | | | 3500 Meeting Expenses | | | | |
| | | | | 4000 Supplies | | | | |
| | | | | 5000 Lease and Rental | | | | |
| | | | | 5500 Communications and Utilities | s | | | |
| | | | | 6000 Repairs and Maintenance | | | | |
| | | | | 6500 Contractual Services | | | | |
| | | | | 7000 Special Transactions | | | | |
| | | | | 8000 Public Assistance | | | | |
| termine | | | | 9000 Capital Outlay | 9 | | 1,125,000 | 1,125,000 |
| and the set | | | | 9500 Matching Funds | | | | |
| | | | | 9500 Indirect Cost | | | | |
| | | | | | TOTAL | \$0.00 | 1,125,000.00 | 1,125,000 |
| | | | | PART IV. POSITIONS AND VEHICLES | L | (D) | (E) | |
| | | | | Total # of Posi | Total # of Positions Budgeted: | 0 | 0 | |
| | TOTAL: | \$1,125,000.00 | 100% | Total # of Veh | Total # of Vehicles Budgeted: | 0 | 0 | |
| PART V. I HEREBY ACKNOWLEDGE T | HAT THE INFORM | ATION CONTAINED | IN THIS BI | PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE. | CCURATE | | | |
| SUBMITTED BY: Ja | James Adakai, Program Manager | ram Manager | | APPROVED BY: | Calvin Cas | Calvin Castillo, DCD Division Director | ctor | |
| | Program Manager's Printed Name | Phinted Name | 2 2 | | Division Directo | Division Director / Branch Chief's Printed Name | ted Name | |
| Prod | ram Manager's Si | Program Mariager's Signature and Date | 2 | | ivision Director / B | Division Director / Branch Chief's Signature and Date | re and Date | ۸. |
| | | | | | | | | |

THE NAVAJO NATION

Page / of 3

| FY 2023 | THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA | ATION NCE CRITERIA | Page BUDGE | Page <u>2</u> of <u>3</u> BUDGET FORM 2 |
|---|---|--|--|--|
| PART I. PROGRAM INFORMATION: Business Unit No.: NEW | Program Name/Title: | TSELANI-COTTONWOOD CHAPTER Cell Tower Project | APTER Cell Tower Projec | t t |
| PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: | RAM: | | | |
| PART III. PROGRAM PERFORMANCE CRITERIA: | | 1st QTR 2nd QTR Goal Actual Goal Actual | 3rd QTR Goal Actual | 4th QTR Goal Actual |
| 1. Goal Statement: | J | | - | - |
| ARPA Fund for Capital Outlay | | | | |
| Program Performance Measure/Objective: | L | | | |
| Install 2 Cell Towers within the Community | | | _ | |
| 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 IN. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED. James Adakai, Program Manager Program Manager's Printed Name Program Manager's Signature and Date | BEEN THOROUGHLY REVIEWED | D. Calvin Castillo, DCD Division Director Division Director/Branch Chief's Printed Name Division Director/Branch Chief's Signature and Date | ion Director f's Printed Name Signature and Date | |

FY 2023

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page <u>3</u> of <u>3</u> BUDGET FORM 4

| PART I. P | PART I. PROGRAM INFORMATION: Program Name/Title: | TSELANI-COTTONWOOD CHAPTER Cell Tower Project | Business Unit No.: | NEW | |
|---------------------------|---|---|--------------------|--|---|
| PART II. E (A) | 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) |
| 2 | | 9000 Capital Outlay 9038 соптилисаtion Instal 2 Cel Towers: Identifed Salina South and Fish Point Area (750,000.00 - Fishpoint Tower & 375,000.00- Salina South) | | 1,125,000 | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | TOTAL | AL 1.125,000 | 1,125,000 |

THE NAVAJO NATION PROJECT BUDGET SCHEDULE

| - | ORN |
|-----------------------|--------|
| ÷ | Ē |
| ا <mark>ل</mark> ا | ROJECT |
| Ð | E. |
| Page | |

Б

| Project Title: 5.19 & 6.1 Broadband and Chapter and Region Project Tescription: Install Two Cell Towers in the Remote area Check one box: Image: Cell Towers in the Remote area Check one box: Image: Cell Towers in the Remote area Check one box: Image: Cell Towers in the Remote area Check one box: Image: Cell Towers in the Remote area PART III. Image: Cell Towers in the Remote area Image: Cell Towers in the Remote area Part III. List Project Task separately; such as PART IN. Use Fiscal Year (F) Image: Cell Towers in the Remote area Part III. Furnish. Image: Cell Towers in the Remote area Image: Cell Towers in the Remote area Image: Cell Towers in the Remote area 01/01/2023 - 06/01/2023 06/01/2023 - 09/01/2023 Image: Cell Towers in the Remote area Image: Cell Towers in the Remote area 06/01/2023 - 102/01/2023 1st With the Remote area Image: Cell Towers in the Remote area Image: Cell Towers in the Remote area 06/01/2023 - 12/31/2026 Image: Cell Towers in the Remote area Image: Cell Towers in the Remote area Image: Cell Towers in the Remote area 06/01/2023 - 12/31/2026 Image: Cell Towers in the Remote area Image: Cell Towers in the Rem | of the Tselani-Cottonwood Community. | x x x x x x x x x x x x x x x x x x x | Budget Modification = Oct; N = Nov; D = Dec. | ec., etc. FY 2024 | Project Type: Planned Start Date: Project Manager: Jul A S Jul | Broadband/Chapter & Reg. Proj. 9/30/26 4/3/23 9/30/26 4/3/22 Expected Completion Date if project exceeds 8 FY Citrs. 0 Date: 0 | 4/3/23 4/3/23 F M |
|--|---|--|---|---|---|--|-----------------------------|
| Project Description: Install Two Cell Towers in the Remote area Check one box: Joriginal Budget I Check one box: Joriginal Budget I I List Project Task separately; such as Plan, Design, Construct, Equip or PART IN. Use Fiscal Year (F) Plan, Design, Construct, Equip or 1st Otr. 2nd Otr. Plan, Design, Construct, Equip or 1st Otr. 2nd Otr. Plan, Design, Construct, Equip or 1st Otr. 2nd Otr. Plan, Design, Construct, Equip or 1st Otr. 2nd Otr. Plan, Design, Construct, Equip or 1st Otr. 2nd Otr. Plan, 12023 09/01/2023 N N N X X Oc6/01/2023 09/01/2023 1st work N N N X X Pre Construction Site work 06/01/2023 12/31/2026 Construction of Projects Construction of Projects N <td< td=""><td>elani-Cottonwood Community. vision Budget Realloca Std Ctr. 4th Ctr. X X X X X X X X X X X X X X X X X X X</td><td>tion Budget selow. 0 = 0 Cd; N = 0 x x x x x x x x x x x x x x x x x x x</td><td>L Modification J F M P F M</td><td></td><td></td><td></td><td>4/3/:</td></td<> | elani-Cottonwood Community. vision Budget Realloca Std Ctr. 4th Ctr. X X X X X X X X X X X X X X X X X X X | tion Budget selow. 0 = 0 Cd; N = 0 x x x x x x x x x x x x x x x x x x x | L Modification J F M P F M | | | | 4/3/: |
| Check one box: I Original Budget PART III. Check one box: I Original Budget I List Project Task separately: such as Plan, Design, Construct, Equip or Funish. PART IN. Use Fiscal Year (F) List Project Task separately: such as Plan, Design, Construct, Equip or Funish. PART IN. Use Fiscal Year (F) Cellone land survey & clearances 1st Or. 2nd Ort. 0 N D J F 05/01/2023 - 09/01/2023 N D J F 06/01/2023 - 12/31/2023 Pre Construction Site work N N N N 06/01/2023 - 12/31/2026 Construction of Projects 0 N N N | vision Budget Realloca is to complete the information M J Jul A S x x x x x | tion D Budget Delow. O = Oct; N = x x x x x x | It Modification = Nov.; D = Dec. J F M | W Oct | | | on Date if FY Qtrs. |
| Check one box: Image: Check one box: Image: Check one box: PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Flan, Design, Construct, Equip or 1st Otr. PART IN. Use Fiscal Year (F) Plan, Design, Construct, Equip or Flan, Design, Construct, Equip or Cellone land survey & dearances 1st Otr. 2nd Otr. 01/01/2023 - 06/01/2023 0 N D J F 1 01/01/2023 - 09/01/2023 0 N D J F 1 06/01/2023 - 09/01/2023 0 N D J F 1 06/01/2023 - 12/31/2026 0 N D J F 1 06/01/2023 - 12/31/2026 0 N D J F 1 06/01/2023 - 12/31/2026 1 0 N D J F 1 | vision Budget Realloca Is to complete the information | tion D Budget | at Modification | 33 4 Ct. M M Ct. | —— I I I — I — — — — — — — — — — — — — | Expected Completing project exceeds 8 Date: | Production Provide if F |
| PART IV. Use Fiscal Year (F) ruct Equip or 1st Otr. 2nd Otr. x x x x x x x x x x x x x x x x x x x | s to complete the information | below. O = Oct; N = | = Nov.; D = Dec. 2nd Otr F M | 4 00 M 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | Jul 4th Otr | Expected Completi project exceeds 8 Date: 0 N D J | on Date if FY Otts. F |
| List Project Task separately, such as Plan, Design, Construct, Equip or Furnish. Ey 2023 Plan, Design, Construct, Equip or Furnish. 1st Otr. 2nd Otr. A 01/01/2023 - 06/01/2023 0 N D J F M A 06/01/2023 - 09/01/2023 0 N D J F M A 06/01/2023 - 09/01/2023 09/01/2023 Pre Construction Site work A X X X X X 06/01/2023 - 09/01/2023 Pre Construction Site work A A A A B B B A B B B A X | Ath Ctr. - Jul A S - X X - X X X X - X X X X X X X X X X X X X X X X X X X | x 2 x 2 x 2 x 2 x 2 x 2 x 2 x 2 x 2 x 2 | 2 Jud Ott | ₩ ₩ | Jui Jui A | Date: 0 N D J | |
| Frant, Design, Construct, Equip or Furnish. 1st Qtr. 2nd Qtr. 0 1/01/2023 - 06/01/2023 0 N D J F M A 06/01/2023 - 09/01/2023 09/01/2023 09/01/2023 x x x x x 06/01/2023 - 09/01/2023 Pre Construction Site work 66/01/2023 12/31/2026 x x x x | Ath Ctr. Jul A S x x x | x x D x x x x x x x x x x x x x x x x x | 2nd QF. F | 3rd Otr. | Jul A Dt. | Date: Date: Jate: | ي د |
| 0 N D J F M A 01/01/2023 - 06/01/2023 N N X X X X Cellone land survey & dearances N N X X X X 06/01/2023 - 09/01/2023 Pre Construction Site work N N N N Pre Construction Site work N N N N N N 06/01/2023 - 12/31/2026 N N N N N N Construction of Projects N N N N N N N | S x Inf x r x | | ш | × | Jui | ۵ z | |
| 06/01/2023 - 09/01/2023 Pre Construction Site work 06/01/2023 - 12/31/2026 Construction of Projects | × × | × × | | | | | |
| 06/01/2023 - 12/31/2026 Construction of Projects | | × | | | | | |
| 日本 おお し ほうそう シーション・シート ししおおおり | | | × × | × × × | × × × | | |
| | | | | | | | |
| PART V. | ен Станка С С С С С С С С С С С С С С С С С С С | | | | е | PROJECT TOTAL | |
| Expected Quarterly Expenditures | | | | | | \$1,125,000.00 | 0 |

٦

Ŧ