

LEGISLATIVE SUMMARY SHEET

Tracking No. 0102-23

DATE: May 11, 2023

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CAP-10-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE HELENA NEZ BEGAY'S DELEGATE REGION (CHAPTERS: COPPERMINE, K'AIBII'TO, LECHEE, TONALEA/RED LAKE, BODAWAY/GAP), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

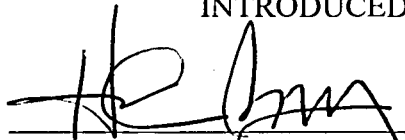

PURPOSE: This resolution, if approved, will include additional FRF-Eligible projects to Hon. Helena Nez Begay's Fiscal Recovery Fund Delegate Region Projects Plan (Chapters: Coppermine, K'aibii'to, LeChee, Tonalea/Red Lake, Bodaway/Gap) enacted under CAP-10-23.

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

5-DAY BILL HOLD PERIOD 10/12
Website Posting Time/Date 3:57 PM / 05-12-23
Posting End Date: 05-17-23
Eligible for Action: 05-18-23

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 25th NAVAJO NATION COUNCIL — First Year, 2023

3
4 INTRODUCED BY

5 
6 _____
7 Primary Sponsor 

8
9 TRACKING NO. 0102-23

10
11 AN ACTION

12 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION
13 COUNCIL; AMENDING CAP-10-23, THE NAVAJO NATION FISCAL
14 RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR
15 HONORABLE HELENA NEZ BEGAY'S DELEGATE REGION
16 (CHAPTERS: COPPERMINE, K'AIBII'TO, LECHEE,
17 TONALEA/RED LAKE, BODAWAY/GAP),
18 TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

19
20 BE IT ENACTED:

21
22 SECTION ONE. AUTHORITY

- 23 A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C.
24 §102(A).
25 B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council
26 with the delegated responsibility to hear proposed resolution(s) that require final
27 action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
28 C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference,
29 mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region
30 Project Plans be approved by Navajo Nation Council resolution and signed into law

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

3 D. Navajo Nation Council Resolution No. CAP-10-23, herein by reference, mandates that
4 amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan
5 for Honorable Helena Nez Begay's Delegate Region (Chapter: Coppermine,
6 K'aibii'to, LeChee, Tonalea/Red Lake, Bodaway/Gap) be approved by a Navajo
7 Nation Council resolution and signed into law by the President of the Navajo Nation
8 pursuant to 2 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

9
10 **SECTION TWO. FINDINGS**

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

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

- 26 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter
27 and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal
28 Recovery Fund in the total amount of two hundred eleven million two
29 hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148)
30 to be divided equally between the twenty-four (24) Delegate Regions in the

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

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

1 C. The Navajo Nation Council Resolution No. CAP-10-23, AN ACTION RELATING
2 TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
3 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE
4 REGION PROJECT PLAN FOR HONORABLE HELENA NEZ BEGAY'S
5 DELEGATE REGION (CHAPTERS: COPPERMINE, K'AIBII'TO, LECHEE,
6 TONALEA/RED LAKE, BODAWAY/GAP), was signed into law by the President of
7 the Navajo Nation on May 5, 2023.

8 D. CAP-10-23, Section Four, states that:

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

13 E. All additional projects listed in the Hon. Helena Nez Begay's Delegate Region
14 Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible
15 by NNDOJ. In addition, Hon. Helena Nez Begay's Delegate Region Projects Plan
16 does *not* exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three
17 (F).

18 F. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo
19 Nation and the Hon. Helena Nez Begay's Delegate Region Chapters and communities
20 to approve and adopt the additional projects as part of the Navajo Nation Fiscal
21 Recovery Fund Delegate Region Project Plan for Hon. Helena Nez Begay's Delegate
22 Region (Chapters: Coppermine, K'aibii'to, LeChee, Tonalea/Red Lake,
23 Bodaway/Gap) as set forth in **Exhibit A**.

24
25 **SECTION THREE. AMENDING CAP-10-23, THE NAVAJO NATION FISCAL**
26 **RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE**
27 **HELENA NEZ BEGAY'S DELEGATE REGION (CHAPTERS: COPPERMINE,**
28 **K'AIBII'TO, LECHEE, TONALEA/RED LAKE, BODAWAY/GAP), TO INCLUDE**
29 **ADDITIONAL PROJECTS FOR THIS DELEGATE REGION**

1 A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation
2 Fiscal Recovery Fund Delegate Region Project Plan for Helena Nez Begay's Delegate
3 Region (Chapters: Coppermine, K'aibii'to, LeChee, Tonalea/Red Lake, Bodaway/Gap)
4 set forth in **Exhibit A**.

5 B. The Delegate Region Project Plan approved herein shall comply with all applicable
6 provisions of CJY-41-21, CJN-29-22, and BFS-31-21.

7 C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the
8 individual project appendix, shall be resolved in favor of the project appendix reviewed
9 by Department of Justice during their eligibility determination(s).

10
11 **SECTION FOUR. AMENDMENTS**

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

16
17 **SECTION FIVE. EFFECTIVE DATE**

18 This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C.
19 § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

20
21 **SECTION SIX. SAVING CLAUSE**

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

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Helena Nez Begay

CHAPTERS: Coppermine, K'aibii'to, LeChee, Tonlea/Red Lake, Bodaway/Gap

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CAP-10-23 on May 5, 2023				\$ 4,781,904.50
Division of Community Development	*LeChee Chapter	LeChee Chapter Affordable Housing Project	Division of Community Development	2.15	HK0272-2	\$ 1,513,000.00
Division of Community Development	None Identified	Kaibeto Chapter Renovation Project	Division of Community Development	6.1	HK0347	\$ 100,000.00
Division of Community Development	None Identified	Kaibeto Chapter New Housing Construction Project	Division of Community Development	2.16	HK0338-2	\$ 630,000.00
		UN-ALLOCATED AMOUNT				\$ 1,777,435.50
					TOTAL:	\$ 8,802,340.00

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



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

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

RFS/HK Review #: HK 0448-2

Date & Time Received: 5/12/23 at 10:17

Date & Time of Response: 5/19/23 at 15:20

Entity Requesting FRF: Tonalea Chapter

Title of Project: 215 Long Term Housing Security Affordable Housing; 218 Housing Support: Other Housing Assistance

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,760,468

Eligibility Determination:

- FRF eligible
FRF ineligible
Additional information requested

FRF Eligibility Category:

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

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

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

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

Other Comments: _____

Name of DOJ Reviewer: Rodgerick Begay

Signature of DOJ Reviewer: *Rodgerick Begay*

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

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



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

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 0448

Date & Time Received: 4/5/23 at 16:38

Date & Time of Response: 4/13/23 at 5:00 PM

Entity Requesting FRF: Tonalea Chapter

Title of Project: 215 Long Term Housing Security Affordable Housing; 218 Housing Support: Other Housing Assistance

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,760,468

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: To be determined

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

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

Other Comments: Please separate into two submissions - one for affordable housing and one for housing assistance.

We also need additional information to determine if the proposed housing assistance and affordable housing are eligible uses. To assist us, please provide answers to the following questions in as much detail as possible and include any other relevant information, including any applications or other attachments:

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

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

3. Please describe how the estimated size and cost per home compares to homes in the area.

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

Name of DOJ Reviewer: Navalyn R. Platero

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@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.



TO' NIHALII'

President: Darryl Jim

District One - Western Navajo Agency

Council Delegate: Helena Nez Begay

Vice President: Leslie Dele

Tonalea Chapter

Grazing Official: Bruce Daw

Secretary/Treasurer: Marilinda Whitlock

P.O. Box 207

May 8, 2023

Navalyn R. Platero,
Navajo Nation Department of Justice
Post Office Box 2010
Window Rock, Arizona 86515

RE: Review of Tonalea Chapter's ARPA Packet

Dear Ms. Platero,

You have requested for additional information on our ARAP Packet. We have submitted our packet under, Title: 215 Long Term Housing Security Affordable Housing; 218 Housing Support: Other Housing Assistance.

1. How will recipients be select?

Tonalea Chapter is partnering with Choice Humanitarian, a non-profit 501 (c) (3) organization. An organization that helps to achieve a better quality of life. They are currently working with the Navajo Chapters from the Former Bennett Freeze Area ("FBFA"), affects nine (9) chapters in the Western Navajo Agency. Tonalea Chapter is one of the nine chapters. Choice Humanitarian utilize a software, KOBO Toolbox software in conducting assessment for the families residing on the Former Bennett Freeze Area. The same software can be used for the entire Tonalea community. We met with Choice Humanitarian and receiving training on how to utilize the software.

2. What is the criteria to be approve for a new home or other assistance?

Utilizing the KOBO toolbox to collect data, it can also be utilized to develop a priority list base on the survey. The Chapter wants to ensure that all individuals interviewed for home repairs/renovation/replacement are given the same questions, and it's their answers that will be used to establish the priority list. The software will determine the priority list for home repairs/renovations/replacements.

Tonalea Chapter Staff and Officials have gone through KOBO toolbox training for assessing the homes and edit the questionnaires and made it specifically for Tonalea. The questionnaires will be completed this week. The KOBO toolbox can be downloaded onto laptop, iPad and cell phone and utilize to conduct the assessment with the families. The interviewer does not need to have internet services at the time of interview, it can be uploaded and once the interviewer has internet, it will be uploaded to CLOUD for storages. Once it is uploaded to Cloud, the interviewer will not have accesses to the survey answers to the questions. The answers to the questionnaires are only available to the Chapter Administrative Staff. The assessments will not be shared with others without the permission from Tonalea Chapter.

3. Please describe in more details the homes to be built, including square footage, number of bedrooms, etc.

Based on the assessments, Tonalea Chapter would like to do repairs/renovation/replacements to existing homes. \$1,760,4638.00 is not enough to address the needs of constructing new homes. I understand the size of the homes is base of the size of the families. If a single home has 8 people, you need at least four-bedroom. We have to take into consideration of the material cost, transportation and delivery of lumbers, storage, and labor cost. According to HUD, minimum requirement for square footage to be legally called a bedroom is a minimum of 70 square feet of floor space. This translates to a room measuring 7-feet by 10-feet.

Part of Tonalea Chapter services area was partitioned to the Hopi Tribe. The families that ended on the Hopi Partitioned Lands ("HPL") relocated into Navajo Partitioned Lands ("NPL") and Big Navajo pursuant to the Navajo-Hopi Land Settlement Act of 1974. In 1974, the Settlement Act was intended to provide for the final settlement of a land dispute between the Navajo and Hopi tribes that originated nearly a century ago. The act also created the Office of Navajo Hopi Indian Relocation ("ONHIR") to carry out the relocation of Navajo and Hopi Indians off land partitioned to the other tribe.

The ONHIR office-built homes and it is expected that Tonalea Chapter build these homes with the ARPA funding. The funding is not enough to build Relocation type homes. Therefore, Tonalea Chapter is proposing to repairs/renovate/replacement of severely dilapidated homes.

4. Please describe how the estimated size and cost per home compares to homes in the area?

We have Navajo Housing Authority ("NHA") housing and Navajo Hopi Indian Relocation Housing within Tonalea Chapter services area. The approximate cost of these homes' ranges from \$200,000 to \$400,000 per homes, which includes appliance, waterline, electric line hook – up. Out in the remote area of the Tonalea, we do not have powerline and waterline extension. These homes were constructed by companies who are specialized in construction. Tonalea does not have a construction company, we would have to look within our own community to hire labors who are familiar with construction of homes. Hire a Project Manager, Senior Carpenter, Carpenters and general labors. Tonalea Chapter did not budget to hire personnel and we would have to look into our own Chapter budget to hire the personal.

5. Please explain whether the home construction projects would qualify for any federally funded housing program, including not limited to the National Housing Trust Fund, Indian Housing Block Grant program, the Indian Community Development Block Grant program, or the BIA Housing Improvement Program.

Tonalea Chapter is scheduling a work session on Housing that will include the Tonalea Chapter Officials, Staff, Division of Community Development-Community Housing Infrastructure Development, USDA Rural Development. We have missed the deadline to applied for Community Development Block Grant and Rural Development have grants and low interest rate loan for housing. Red Feather, a non-profit 501 (c) (3) also provides some housing repairs assistance. We hope to Partner with these groups to share some of the cost. Tonalea Chapter have some fundings, Housing Discretionary Funds to contribute toward the hosing projects. For the elderlies, we hope to partner with Tuba City Regional Health Care Corporation- for Independent Living, for elderlies that may need ramps and rails for their homes.

Tonalea Chapter has (4) four different land status, 1) Former Bennett Freeze Area, 2) Navajo Partitioned Land, 3) Hopi Partitioned Land and 4) Big Navajo Reservation. The type of soil we have in Tonalea is sandy, green clay, and red clay. The soil itself is not stable, the sand moves with the wind, once the green and red clay gets wet, it expands, continuously moving. With the land continuously moving, it will create cracks in the homes. I believed that the soil has to be stabilized.

I believed that the title that we used for our ARPA funding, 215 Long Term Housing Security Affordable Housing; 218 Housing Support: Other Housing Assistance may not be the appropriate title for our projects. We want to renovate/repairs/replacement of existing homes base on the assessment, if the homes require a replacement, then we need to take the necessary steps to rebuilt their homes. Originally, we had budgeted for Personal, but it was recommended by our Delegate that we take that out. I would like to make the request to include funds for personnel.

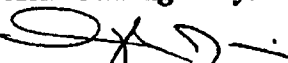
We look forward to a positive response to our application and if we need to make the necessary changes to our application, we will work on it and resubmit our ARPA application. Thank you.

Resubmitted by:


Betty A. Tso, Manager

Betty A. Tso, Chapter Manager

Acknowledged By:


Darryl Jim., President

Alfonda L. Watson, Administrative Assistant

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Tonalea Chapter Date prepared: 11/16/2022

Chapter's Tonalea Chapter phone & email: tonalea@navajochapters.org
mailing address: P.O. Box 207 website (if any): _____

This Form prepared by: Betty Tso phone/email: 928 283-3430
Betty Tso, Manager btso@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: 215 Long Term Housing security Affordable Housing; 218 Housing Support: Other Housing Assistance

Chapter President: Darryl Jim phone & email: 928 225 0224 djim@naataai.org

Chapter Vice-President: Leslie Dele phone & email: lesliedele1952@gmail.com

Chapter Secretary: Marlinda Whiterock phone & email: marlinda.whiterock@yahoo.com

Chapter Treasurer: vacant phone & email: _____

Chapter Manager or CSC: Betty Tso phone & email: btso@nnchapters.org

DCD/Chapter ASO: Kristen Charley phone & email: kcharley@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Bid out the project - Contractors
_____ document attached

Amount of FRF requested: 1,760,468.00 FRF funding period: January 1, 2023 - September 30, 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

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

Housing replacement/renovation project will be located within Tonalea Chapter services area, Former Bennett Freeze Area. The Project will be funded with ARPA funding. By providing replacement and renovation of homes, the homes will be structurally sound, safe and sanitary for the families. This will also alleviate and prevention of COVID 19 and respiratory infections with the families.
 document attached

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

The Project will benefit the Tonalea Community members whom reside on the Former Bennett Freeze Area and Navajo Reservation.
 document attached

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

- 1st Phase: Complete all the assessment to determine eligible for project. February 28, 2023
- 2nd Phase: Site Preparation for Home Replacement, Inspection-Feb. 1-May 30, 2023
- 3rd Phase: Foundation, Inspection May 1 - August 31, 2023
- 4th Phase: Framing Walls, roof, Electrical, Plumbing, Inspection Sept 1 - Dec 31, 2024
- 5th Phase: Complete the Exterior and Interior of Homes, Inspection Jan 1 - Apr. 31, 2024
- 6th Phase: Punch List, Final Inspection & turn over to families. Jul 1 - Oct 31, 2025 document attached

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

Tonalea Chapter will hire a Project Manager and Senior Carpenter for the project. The Chapter Manager and Chapter Officials will provide the necessary support and work with the Project Manager and the Senior Carpenter until the project is completed. 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:

When the replacements and renovation of homes are completed, it will be turn over the families, who are the owner of the homes, the families will be responsible for the operation and maintenance of their homes. The Tonalea Chapter will not be responsible for operation and maintenance of the individuals/families homes. 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:

2.15 Long Term Housing Security Affordable Housing: The Secretary of Interior of the United States had imposed construction freeze on the Former Bennett Freeze Area ("FBFA") since 1934. This was further enforced by the US District Court, whereas the Courts determined that the Navajo families had to submit an application for construction to the Hopi Tribe. If the applications were denied, they were appeal in the US District Court. This was a lengthy process for repairs to individuals families. The Bennett Freeze was lifted in 2007, therefore the families were able to make repairs to their home. Due to the severe dilapidated homes and the cost to replace the homes, become impossible. 2.18 Housing Support: Other Housing Assistance: Many of our community members are low income, and they do not have resources to replace their homes. Tonalea Chapter will assist the families with renovating their existing homes, which will consist of roof replacement, repairs to exterior/interior walls, floors, replacement of doors and windows. document attached

Part 3. Additional documents.

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

Tonalea Chapter Resolution
Appendix A
Budget Forms
Appendix J

Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

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

Chapter's Preparer: Betty A N
signature of Preparer/CONTACT PERSON

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

Approved by: Betty A N
signature of Chapter Manager or CSC

Approved by: [Signature]
signature of DCS Chapter ASO

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

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Tonalea Chapter Housing/Replacement/Renovation</u>		Division/Branch: <u>TONALEA CHAPTER</u>	
Prepared By: <u>Betty A. Tso, Chapter Manager</u>		Phone No.: <u>(928) 283-3430</u>		Email Address: <u>tonalea@navajochapters.org</u>	
PART II. FUNDING SOURCE(S)		PART III. BUDGET SUMMARY		PART IV. POSITIONS AND VEHICLES	
ARPA Funding	Fiscal Year /Term 1/1/23-9/30/26	Amount 1,760,468.00	% of Total 100%	Fund Type Code	Original Budget (A)
				2001 Personnel Expenses	
				3000 Travel Expenses	
				3500 Meeting Expenses	
				4000 Supplies	
				5000 Lease and Rental	
				5500 Communications and Utilities	
				6000 Repairs and Maintenance	
				6500 Contractual Services	1,760,468
				7000 Special Transactions	
				8000 Public Assistance	
				9000 Capital Outlay	
				9500 Matching Funds	
				9500 Indirect Cost	
				TOTAL	1,760,468
				TOTAL	1,760,468
				Total # of Positions Budgeted: 0	
				Total # of Vehicles Budgeted: 0	
				Total # of Positions Budgeted: 2	
				Total # of Vehicles Budgeted: 0	

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

SUBMITTED BY: James Adakai, Deputy Director APPROVED BY: Calvin Castillo, Executive Director
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name
4-5-23 4/5/23
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW Program Name/Title: Tonalea Chapter Housing Replacement/Renovation

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

PART III. PROGRAM PERFORMANCE CRITERIA:

1. Goal Statement:

Hire Personnel to oversee the ARPA funded projects.

Program Performance Measure/Objective:

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

2. Goal Statement:

Hire personnel to oversee the construction of homes.

Program Performance Measure/Objective:

3. Goal Statement:

Begin the process of bidding out the project for new construction

Program Performance Measure/Objective:

Bid out the project no later than 4th quarter.

4. Goal Statement:

Compile all the necessary cost involve with renovation of home.

Program Performance Measure/Objective:

Compile and bidout the home renovation project before the end of 4th quarter/

5. Goal Statement:

Program Performance Measure/Objective:

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

James Adakai, Deputy Director

Program Manager's Printed Name

4-8-23

Program Manager's Signature and Date

Calvin Castillo, Executive Director
Division Director/Branch Chief's Printed Name

4/5/23

Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:		Business Unit No.:	
Program Name/Title: TONALEA CHAPTER /Housing		NEW	
PART II. DETAILED BUDGET:		(B)	(C)
(A)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
4	6500 Contractural Services - To Bid-Out to construct new and renovate homes within Tonalea Chapter Services Area. TOTAL: \$1,537,77.14	1,760,468.00	1,760,468.00
TOTAL		1,760,468.00	1,760,468

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PART I. Business Unit No.: <u> </u> <u> </u> NEW	PART II. Project Information
Project Title: <u>2.15 Long Term Housing Security Affordable Home. 2.18 Housing Support Other Housing Assistance</u>	Project Type: <u>Construction</u>
Project Description: <u>Tonalea Home Replacement and Renovation to existing Homes.</u>	Planned Start Date: <u>1/1/2023</u>
Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input checked="" type="checkbox"/> Budget Modification <input type="checkbox"/> Budget Modification <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Revision <input checked="" type="checkbox"/> Original Budget	Planned End Date: <u>9/30/2026</u>
	Project Manager: <u>Betty Tso</u>

PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.												Expected Completion Date if project exceeds 8 FY Qtrs.												
	FY 2023						FY 2024							Date											
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.													
Home Replacements Complete Assessments Site Preparation, Inspection Foundation, Inspection Framing walls, roofs, Electrical Plumbing Inspection Complete Interior of Homes, Inspection Corrective Action, necessary, Inspection Punch List, Final Inspections																									
Renovation of Homes Determine Repairs Materials Repairs base on determination Unexpended repairs & cost Punch List, Final Inspection																									
PART V.	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Expected Quarterly Expenditures	0.00	15,000.00	250,000.00	250,000.00	250,000.00	250,000.00	250,000.00	265,400.00	333,000.00	305,010.00	342,058.00	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
PROJECT TOTAL																									\$1,760,468.00

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



TO' NIHALII'

President Darryl Jim
Vice President: Leslie Dula

District One Western Navajo Agency
Tonalea Chapter

Council Delegate: Paul Begay

RESOLUTION OF THE TONALEA CHAPTER WESTERN NAVAJO AGENCY, NAVAJO NATION Resolution No: INSP23-02-09

RECALL RESOLUTION NO. IN23-01-01, TO AMEND AND INSERT NEW LANGUAGE, APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR CHAPTER AND REGIONAL PROJECTS IN THE AMOUNT OF \$1,760,468.00 FOR HOME REPLACEMENT/RENOVATION OF EXISTING HOMES WITHIN THE TONALEA CHAPTER SERVICES AREA/~~FORMER BENNETT FREEZE AREA.~~

WHEREAS:

1. The Tonalea Chapter is certified and recognized by the Transportation and Community Development Committee of the Navajo Nation Council, by way of Resolution TCF# B-44-10, and
2. Pursuant to title 26 of the Navajo Nation Code §1 (B) (1), the Navajo Nation Council delegates the Tonalea Chapter governmental authority with respect to local matters consistent with Navajo Law, including custom and traditions, and
3. Pursuant to title 26 of the Navajo Nation Code §103 (D) Tonalea Chapter is vested with the authority and responsibility to review all matters affecting the community and to make appropriate collections when necessary and make recommendations to the Navajo Nation and other local agencies, and
4. Tonalea Chapter recognizes that multi-generational and multi-family units have been forced to live in dilapidated, unsafe and unsanitary homes. Due to the COVID-19 pandemic, and need to repair/renovate homes due limited economic opportunities and sanitary infrastructures, and
5. Tonalea Chapter shall provide the Navajo Nation Fiscal Recovery Fund Documents used in this plan as Exhibit A.
 - a. Navajo Nation Fiscal Recovery Fund Document Checklist
 - b. Appendix A – Request Form & Expenditure Plan
 - c. Appendix B – Navajo Nation Budget Forms
 - d. Approving Chapter Resolution

NOW, THEREFORE, BE IT RESOLVED THAT:


1. Tonaleo Chapter hereby approves the Navajo Nation Fiscal Recovery Fund expenditure plans for the chapter and regional projects in the amount of \$1,760,468.00 to replace existing structures and to renovate existing structures.
2. Tonaleo Chapter affirms that the Chapter will only use awarded Fiscal Recovery Funds and implement this Fiscal Recovery Fund Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies.

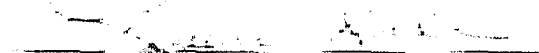
CERTIFICATION

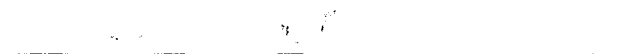
We hereby certify that the foregoing resolution was considered by the Community of Tonaleo at a duly called Chapter Meeting in Tonaleo, (Navajo Nation) Arizona, at which a quorum was present and the same was passed by a vote of **8** in Favor, **0** Opposed, and **1** Abstained on this **27th** day of February, 2023.

Motion by: Betty Iso

Seconded by: Marinda Whiterock


Larry Jim, President


Leslie Dow, Vice-President


Marinda Whiterock, Secretary/Treasurer

NAVAJO NATION

101

5/25/2023

Naa'bik'iyati' Committee Special Meeting

08:11:57 PM

Amd#1 to Amd#

AMENDMENT #1: 0102-23

PASSED

MOT Parrish, S

1. Delete Exhibit A Summary...;

SEC Damon, S

2. Add DOJ Eligibility Rev...;

3. Renumber or re-letter ...;

Yeas : 18

Nays : 0

Excused : 2

Not Voting : 3

Yea : 18

Arviso, S

Damon, S

Nez, A

Tolth, G

Aseret, L

Daniels, H

Nez, R

Tso, O

Begay, H

James, V

Parrish, S

Yanito, C

Begay, N

Jesus, B

Slater, C

Yazzie, C

Crotty, A

Johnson, C

Nay : 0

Excused : 2

Claw, S

Simonson, G

Not Voting : 3

Simpson, D

Charles-Newton, E

Notah, N

Presiding Speaker: Curley, C

NAVAJO NATION

102

5/25/2023

Naa'bik'iyati' Committee Special Meeting

08:17:02 PM

Amd# to Amd#

New Business: Item E.

PASSED

MOT Parrish, S

Legislation 0102-23: Amending

SEC Tolth, G

CAP-10-23, the Navajo Nation
Fiscal Recovery Fund Delegate...

Yeas : 18

Nays : 0

Excused : 2

Not Voting : 3

Yea : 18

Arviso, S

Damon, S

Nez, A

Tolth, G

Aseret, L

Daniels, H

Nez, R

Tso, O

Begay, H

James, V

Parrish, S

Yanito, C

Begay, N

Jesus, B

Slater, C

Yazzie, C

Crotty, A

Johnson, C

Nay : 0

Excused : 2

Claw, S

Simonson, G

Not Voting : 3

Simpson, D

Charles-Newton, E

Notah, N

Presiding Speaker: Curley, C