

RESOLUTION OF THE  
NAABIK'ÍYÁTI' STANDING COMMITTEE  
25<sup>th</sup> NAVAJO NATION COUNCIL -- First Year, 2023

AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CAU-71-23 AND CAP-08-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CASEY ALLEN JOHNSON'S DELEGATE REGION (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI LAKE), TO REMOVE A PROJECT AND INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Naabik'íyáti' Committee is established as a standing committee of the Navajo Nation Council. 2 N.N.C. § 700(A).
- B. Navajo Nation Council Resolution No. CJN-29-22, as amended by CAU-74-23, mandates that Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.
- C. Navajo Nation Council Resolution No. CAP-08-23, attached as **Exhibit 1** (without project exhibits), included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) 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).
- D. Navajo Nation Council Resolution No. CAU-71-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) be approved by a Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- E. Navajo Nation Council Resolution No. CAU-74-23, which amended CJN-29-22 and CJY-41-21, included and incorporated herein by reference, delegated the Naabik'íyáti' Committee as the final

approval authority for Delegate Region Project Plans funded through Navajo Nation's Fiscal Recovery Funds.

## SECTION TWO. FINDINGS

- A. The Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.
- B. CJN-29-22, as amended by CAU-74-23, Section Three, now 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 two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance. . . . See CJN-29-22, as amended by CAU-74-23, 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. CAP-08-23, 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 CASEY ALLEN JOHNSON'S DELEGATE REGION (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI LAKE), was signed into law by the President of the Navajo Nation on May 5, 2023. **Exhibit 1.**
- D. CAP-08-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- E. The Navajo Nation Council Resolution No. CAU-71-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CAP-08-23 AND THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CASEY ALLEN JOHNSON'S DELEGATE REGION (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI LAKE), was signed into law by the President of the Navajo Nation on August 30, 2023.
- F. CAU-71-23, Section Four, states that:

1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- G. The Navajo Nation Council Resolution No. CAU-74-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING COUNCIL RESOLUTIONS CJY-41-21 AND CJN-29-22; DELEGATING THE NAABIK'ÍYÁTI' COMMITTEE AS THE FINAL APPROVAL AUTHORITY FOR DELEGATE REGION PROJECT PLANS FUNDED THROUGH THE NAVAJO NATION'S FISCAL RECOVERY FUNDS was signed into law by the President of the Navajo Nation on September 6, 2023.
- H. CJN-29-22, as amended by CAU-74-23, Section Three, now 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 two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance. . . . See CJN-29-22, as amended by CAU-74-23, Section Three (B).
- I. The Hon. Casey Allen Johnson has requested to amend CAP-08-23 to remove the *Coalmine Chapter Bathroom Additions* project (under NNDOJ Review No. HK0389) from the Delegate Region Projects Plan that covers the Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake Chapters. The removal of this project will revert \$1,260,468.00 back to Hon. Casey Allen Johnson's Delegate Region Project Plan's **Un-Allocated Amount**.
- J. Further, the Hon. Casey Allen Johnson has requested that additional projects be added to his Delegate Region Projects Plan. The additional projects, which have been deemed Fiscal Recovery Fund eligible by NNDOJ, as well as the removed project, are set forth in Exhibit 2. After the deletion and addition of projects, Hon. Casey Allen Johnson's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

- K. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Casey Allen Johnson's Delegate Region Chapters and communities to approve and adopt the removal of one-project and the addition of additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) as set forth in Exhibit 2.

**SECTION THREE. AMENDING CAU-71-23 AND CAP-08-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CASEY ALLEN JOHNSON'S DELEGATE REGION (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI LAKE), TO REMOVE A PROJECT AND INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION**

- A. The Navajo Nation hereby approves the removal of one-project (the *Coalmine Chapter Bathroom Additions* project under NNDOJ Review No. HK0389) listed in CAP-08-23 for Hon. Casey Allen Johnson's Delegate Region Projects Plan as stricken in Exhibit 2. The removal of this project from Hon. Casey Allen Johnson's Delegate Region Projects Plan will revert \$1,260,468.00 back to his 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. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) 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 and approved by resolution of the Naabik'íyáti' Committee.

**SECTION FIVE. EFFECTIVE DATE**

This legislation shall be effective upon its approval pursuant to two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.

**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 Naabik'íyáti' Committee of the 25<sup>th</sup> Navajo Nation Council at a duly called meeting in Tse Bonito, New Mexico, at which a quorum was present and that the same was passed by a vote of 18 in Favor, and 00 Opposed, on this 28<sup>th</sup> day of December 2023.



Honorable Crystalyne Curley, Chairwoman  
Naabik'íyáti' Committee

1/5/24

Date

Motion: Honorable Eugenia Charles-Newton

Second: Honorable Amber Kanazbah Crotty

Chairwoman Crystalyne Curley not voting

# **Exhibit 1**



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

May 4, 2023

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

*RE: CAP-08-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Regional Project Plan for Honorable Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake)*

Dear Speaker Curley,

I am pleased to sign into law this resolution CAP-08-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Johnson's Delegate Region in the amount of \$8,252,337.

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,

A handwritten signature in black ink, appearing to read "Dr. Buu Nygren".

Dr. Buu Nygren, *President*  
THE NAVAJO NATION



RESOLUTION OF THE  
 NAVAJO NATION COUNCIL  
 25<sup>th</sup> NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION  
 PROJECT PLAN FOR HONORABLE CASEY ALLEN JOHNSON'S DELEGATE REGION  
 (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI  
 LAKE)

BE IT ENACTED:

SECTION ONE. AUTHORITY

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

SECTION TWO. FINDINGS

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

1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation . . . . See CJN-29-22, Section Three (B).
  2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
  3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
  4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).
  5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. All projects listed in the Hon. Casey Allen Johnson's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Casey

Allen Johnson'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. Casey Allen Johnson's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) as set forth in Exhibit A.

### SECTION THREE. APPROVAL OF HON. CASEY ALLEN JOHNSON'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) set forth in Exhibit A.
- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

### SECTION FOUR. AMENDMENTS

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

### SECTION FIVE. EFFECTIVE DATE

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


### SECTION SIX. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions

of this legislation not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25<sup>th</sup> 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 18<sup>th</sup> day of April 2023.



Honorable Crystalyne Curley, Speaker  
25<sup>th</sup> Navajo Nation Council

4/27/23

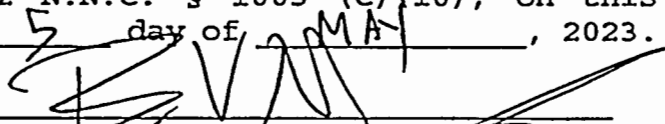
DATE

Motion: Honorable Helena Nez Begay  
Second: Honorable Shaandiin Parrish

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (10), on this 5 day of MAY, 2023.

  
\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation

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

\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation

**NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**



**COUNCIL DELEGATE:** Delegate Casey Allen Johnson

**CHAPTERS:** Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	Cameron Chapter South Tappan Powerline Extension Project	Division of Community Development	2.18	HK0337	\$ 1,760,468.00
Division of Community Development	*Birdsprings Chapter	Birdsprings Chapter Warehouse Upgrade	Division of Community Development	6.1	HK0364	\$ 190,000.00
Division of Community Development	*Birdsprings Chapter	Birdsprings Chapter Dome Repair and Modification	Division of Community Development	1.4	HK0365	\$ 291,961.00
Division of Community Development	*Birdsprings Chapter	Birdsprings Chapter Home Renovation for Community Members	Division of Community Development	2.18	HK0366-2	\$ 1,278,504.00
Division of Community Development	None Identified	Tolani Lake Chapter House Wiring Project	Division of Community Development	2.18	HK0367	\$ 70,000.00
Division of Community Development	None Identified	Tolani Lake Chapter 1.5 PPE (Storage) Warehouse	Division of Community Development	6.1	HK0368	\$ 1,055,000.00
Division of Community Development	None Identified	Tolani Lake Chapter Dump Truck and Trailer Purchase	Division of Community Development	6.1	HK0369	\$ 135,468.00
Division of Community Development	None Identified	Coalmine Chapter Warehouse Project	Division of Community Development	6.1	HK0387	\$ 450,000.00
Division of Community Development	None Identified	Coalmine Chapter Septic Sewage Tank Clean-Outs	Division of Community Development	5.5	HK0388	\$ 50,000.00
Division of Community Development	None Identified	Coalmine Chapter Bathroom Additions	Division of Community Development	1.14	HK0389	\$ 1,260,468.00

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

**TOTAL:** \$ 6,541,869.00

**NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**



**COUNCIL DELEGATE:** Delegate Casey Allen Johnson

**CHAPTERS:** Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 6,541,869.00
Division of Community Development	*Leupp Chapter	Leupp Chapter Heavy Equipment and Fleet Vehicle Purchase	Division of Community Development	6.1	HK0398	\$ 1,156,600.00
Division of Community Development	*Leupp Chapter	Leupp Chapter Warehouse	Division of Community Development	1.14	HK0399	\$ 185,000.00
Division of Community Development	*Leupp Chapter	Leupp Chapter Senior Center Renovation	Division of Community Development	2.22	HK0400	\$ 81,000.00
Division of Community Development	*Leupp Chapter	Leupp Chapter House Renovation Project	Division of Community Development	2.22	HK0401	\$ 287,868.00
		UN-ALLOCATED AMOUNT				\$ 550,003.00

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

**TOTAL:** \$ 8,802,340.00

# **Exhibit 2**



**NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**

COUNCIL DELEGATE: Delegate Casey Allen Johnson

**Exhibit 2**

CHAPTERS: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CAP-08-23 on May 5, 2023				\$ 8,252,337.00
		TOTAL AMOUNT REVERTED in CAU-71-23 on August 30, 2023				-\$ 70,000.00
		TOTAL AMOUNT APPROPRIATED in CAU-71-23 on August 30, 2023				\$ 120,000.00
Division of Community Development	None Identified	Tolani Lake Chapter HVAC Installation for Senior Citizen Center Project	Division of Community Development	1.4	HK0694	\$ 40,000.00
Division of Community Development	None Identified	Tolani Lake Chapter Wellness/Fitness Center Building Renovation Project	Division of Community Development	2.22	HK0695	\$ 110,000.00
Division of Community Development	None Identified	Tolani Lake Chapter Multipurpose Building Renovation Project	Division of Community Development	2.22	HK0706	\$ 350,000.00
Division of Community Development	None Identified	<del>(Remove) Coalmine Chapter Bathroom Additions</del>	<del>Division of Community Development</del>	<del>1.14</del>	<del>HK0389</del>	<del>-\$ 1,260,468.00</del>
		UN-ALLOCATED AMOUNT				\$ 1,260,471.00

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

**TOTAL: \$ 8,802,340.00**



**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 706

Date & Time Received: 12/05/23 at 20:54

Date & Time of Response: 12/7/23 at 17:00

Entity Requesting FRF: Tolani Lake Chapter

Title of Project: Multipurpose Building Renovation

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$350,000

**Eligibility Determination:**

- FRF eligible  
 FRF ineligible  
 Additional information requested

**FRF Eligibility Category:**

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

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

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

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

Other Comments: We have modified the requested expenditure code from 6.1: (Provision of Government Services) to 2.22 (Strong Healthy Communities: Neighborhood Features that Promote Health and Safety) to be consistent with other projects.

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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](mailto:arpa@nndoj.org).** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

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

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

**Part 1. Identification of parties.**

Non-Governance Certified Chapter requesting FRF: Tolani Lake Chapter Date prepared: 10/23/2023

Chapter's mailing address: HC 61 Box 3001 Winslow, AZ 86047 phone/email: 928-686-3285 / tolani.lake@navajochapters.org website (if any): \_\_\_\_\_

This Form prepared by: Tom Yazzie phone/email: 686-3285/tomyazzie@nnchapters.org  
Tom Yazzie, Community Service Coordinator phone/email: 686-3285/tomyazzie@nnchapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Multipurpose Building Renovation

Chapter President: Leland Dayzie phone & email: 928-679-1538 / lkdayzie@naataanii.org

Chapter Vice-President: Vacant phone & email: \_\_\_\_\_

Chapter Secretary: Gabriella Mehl phone & email: 928-587-6179 / tolani.lake.secretary23@hotmail.com

Chapter Treasurer: Gabriella Mehl phone & email: 928-587-6179 / tolani.lake.secretary23@hotmail.com

Chapter Manager or CSC: Tom Yazzie phone & email: 686-3285 / tomyazzie@nnchapters.org

DCD/Chapter ASO: Kristen Charley phone & email: 928-283-3343 / kcharley@nndcd.org

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

document attached

Amount of FRF requested: \$350,000.00 FRF funding period: 01/01/2023 - 09/30/2026  
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:

Tolani Lake Chapter (TLC) plans to utilized the ARPA fund for a Renovation Project on its Community Multipurpose building that is located on the TLC chapter premises. This building serves as governmental building that provides services to it community members, governmental departments, health agencies to other surrounding chapters. The building is being use as events & activity center for youth, elderly and used as emergency responses facility, health related events, native cultural & elderly meal programs and other youth related events.

document attached

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

The beneficiaries of the project would be TLC community membership, health facillitators and chapter sponsorships. And the Navajo Nation Government, Health Agencies and other governmental department or program to battle and exercise preventive measure against COVID-19 pandemic.

document attached

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

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

The timeline to complete the preliminaries: Approval signatures scheduled is to be complete at end December 2023 (DCD, Ofc of the Controllers, DOJ signatures). The construction of this renovation project is to start in January 2023 and target date for closeout by July 2026.

document attached

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

The Navajo Nation Division of Community Development-Arbin Mitchell, Division Director, Shayla Draper, Estimator/Planner and Bill Draper with JSRa will be the monitoring the project for duration of the project.

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:

TLC will be responsible for all operations and maintenance cost of the renovation project.

document attached

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

**6.1 Provision of Government Service.**

The Tolani Lake Chapter is requesting to utilize Fiscal Recovery Funds for completion of this project. This project will be monitored and coordinated with Navajo Nation-DCD. The Community Multipurpose building is being used by various Navajo Nation departments and programs for a wide range of events and activities. The office spaces in the event center is being utilized by tribal health programs as well as other governmental agencies.

document attached

**Part 3. Additional documents.**

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

Appendix A-Request Form & Expenditure Plan

Appendix B-Budget Forms (1,2,4 & 6)

Appendix J-Project Budget Schedule

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: Tom Zagon  
Signature of Preparer (CONTACT PERSON)

Approved by: Shayla Draper  
Signature of Chapter President (or Vice President)

Approved by: Tom Zagon  
Signature of CSC

Approved by: Arbin Mitchell  
Signature of Chapter ASO

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

FY 2024

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY


Page 1 of 4  
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Tolani Lake Chapter Multipurpose Building Renovation Division/Branch: DCD/Executive Branch  
 Prepared By: Tom Yazzie, CSC Phone No.: 928-686-3285 Email Address: tomyazzie@nnchapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY		(A)	(B)	(C)
				Fund Type Code	NNC Approved Original Budget	Proposed Budget	Difference or Total	
NN Fiscal Recovery Funds	1/1/23 - 9/30/26	350,000.00	100%					
				2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services	6	0	\$ 350,000.00	\$ 350,000.00
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	\$ 350,000.00	\$ 350,000.00
TOTAL:				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	

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

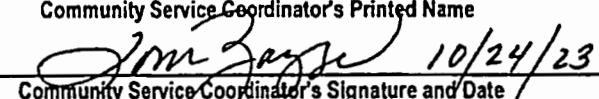
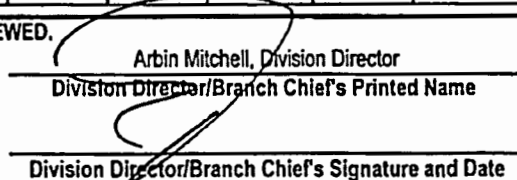
SUBMITTED BY: Tom Yazzie, CSC  
Community Service Coordinator's Printed Name

 10/24/23  
Community Service Coordinator's Signature and Date

APPROVED BY: Arbin Mitchell, Division Director  
Division Director / Branch Chief's Printed Name

  
Division Director / Branch Chief's Signature and Date

**THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA**

<b>PART I. PROGRAM INFORMATION:</b>									
Business Unit No.: <u>          New          </u>			Program Name/Title: <u>          Tolani Lake Chapter Multipurpose Building Renovation          </u>						
<b>PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:</b>									
Purpose of the bldg. renovations to aide the community in Covid mitigation by serving as a command health center, and PPE facility.									
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>									
		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
<b>1. Goal Statement:</b>									
Contractor/Project Manager _____									
Program Performance Measure/Objective:									
Establish Project Manager / Contractor _____									
	1								
<b>2. Goal Statement:</b>									
Monthly Updates / Meetings _____									
Program Performance Measure/Objective:									
Monthly Updates / Meetings _____									
	2		2		2		2		
<b>3. Goal Statement:</b>									
Hire Personnel for the Project _____									
Program Performance Measure/Objective:									
Contractor to Identify number of personnel _____									
			1		1				
<b>4. Goal Statement:</b>									
Materials Purchase _____									
Program Performance Measure/Objective:									
Procure Materials for the Project _____									
					1		1		
<b>5. Goal Statement:</b>									
Project Closeout _____									
Program Performance Measure/Objective:									
Progression of the Project Updates _____									
							1		
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>									
<u>Tom Yazzie, CSC</u> Community Service Coordinator's Printed Name				<u>Arbin Mitchell, Division Director</u> Division Director/Branch Chief's Printed Name					
 Community Service Coordinator's Signature and Date				 Division Director/Branch Chief's Signature and Date					

FY 2024

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

Page 3 of 4  
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tolani Lake Chapter Multipurpose Building Renovation</u>		Business Unit No.: <u>New</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
8000	<p>JSRa Contractor</p> <p>Project Material will be procured by contractor as needed to complete the project.</p> <p>JSRa Contractor will handling personnel staff for this project.</p>	\$ 350,000.00	\$ 350,000.00
<b>TOTAL</b>		\$ 350,000.00	\$ 350,000.00



**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I. Business Unit No.:</b> <u>New</u> Project Title: <u>Multipurpose Building Renovation Project</u> Project Description: <u>Tolani Lake Chapter Multipurpose Building Renovation Project</u> Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification													<b>PART II. Project Information</b> Project Type: <u>Renovation Project</u> Planned Start Date: <u>Jan-23 1/1/23</u> Planned End Date: <u>Sep-26 9/30/26</u> Project Manager: <u>Tom Yazzie, CSC</u>																	
<b>PART III.</b> List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.	<b>PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.</b>																													
Identify Clients for Service Obtain quotation for materials Hire personnel for project Project Commencement Project In Progress Closeout Contracts	<b>FY 2023</b>												<b>FY 2024</b>						Expected Completion Date if project exceeds 8 FY Qtrs.											
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date. <u>9/30/26</u>					
	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M
\$			\$			\$			\$			\$			\$			\$			\$			<b>PROJECT TOTAL</b>						
<b>PART V.</b> Expected Quarterly Expenditures													350,000.00												350,000.00					

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

NAVAJO NATION

279

12/28/2023

Naa'bik'iyati' Committee Regular Meeting

02:38:24 PM

Amd# to Amd#

New Business: Item D. (MAIN)

PASSED

MOT Charles-Newton,  
SEC Crotty, A

#0260-23  
(Modified)

Yeas : 18

Nays : 0

Excused : 3

Not Voting : 2

**Yea : 18**

Aseret, L  
Begay, H  
Begay, N  
Charles-Newton, E  
Claw, S

Crotty, A  
Damon, S  
James, V  
Johnson, C  
Nez, A

Nez, R  
Notah, N  
Simonson, G  
Simpson, D

Slater, C  
Tolth, G  
Yanito, C  
Yazzie, C

**Nay : 0**

**Excused : 3**

Tso, O

Daniels, H

Jesus, B

**Not Voting : 2**

Arviso, S

Parrish, S

**Presiding Speaker: Curley, C**