

RESOLUTION OF THE
 NAABIK'ÍYÁTI' STANDING COMMITTEE
 25th NAVAJO NATION COUNCIL -- Second Year, 2024

AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIN-45-23 AND CJY-64-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CARL R. SLATER'S DELEGATE REGION (CHAPTERS: TSAILE/WHEATFIELDS, LUKACHUKAI, ROUND ROCK, TSÉCH'IZHÍ, ROCK POINT)

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. CJY-64-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Carl R. Slater's Delegate Region (Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tséch'izhí, Rock Point) 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). See Exhibit 1 (without project exhibits).
- D. 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.
- E. Naabik'íyáti' Committee Resolution No. NABIN-45-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Carl R. Slater's Delegate Region (Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tséch'izhí, Rock Point) be adopted and approved by resolution of the Naabik'íyáti' Committee pursuant to two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.

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, 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. CJY-64-23, 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 CARL R. SLATER'S DELEGATE REGION (CHAPTERS: TSAILE/WHEATFIELDS, LUKACHUKAI, ROUND ROCK, TSÉCH'IZHÍ, ROCK POINT), was signed into law by the President of the Navajo Nation on August 4, 2023. **Exhibit 1.**
- D. CJY-64-23, Section Four, states that:
1. The 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. All 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.
- F. 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).
- G. The Naabik'íyáti' Committee Resolution No. NABIN-45-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CJY-64-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CARL R. SLATER'S DELEGATE REGION (CHAPTERS: TSAILE/WHEATFIELDS, LUKACHUKAI, ROUND ROCK, TSÉCH'IZHÍ, ROCK POINT), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law by the Chairperson of the Naabik'íyáti' Committee on November 14, 2023.
- H. NABIN-45-23, Section Four, states that:
1. 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.
- I. The Hon. Carl R. Slater has requested to amend CJY-64-23 to remove the *Round Rock Chapter Upgrade to Sewer Lagoon Project* (under NNDOJ Review No. HK0495) from his Delegate Region Projects Plan enacted under CJY-64-23, which appropriated \$60,000.00 for this project. The removal of this project will revert \$60,000.00 back to Hon. Carl R. Slater's Delegate Region Project Plan's **Un-Allocated Amount**.
- J. All projects listed in the Hon. Carl R. Slater's Delegate Region Projects Plan, attached as **Exhibit 2**, do 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. Carl R. Slater's Delegate Region Chapters and communities to approve and adopt the **removal** of one-project, and include the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Carl R. Slater's Delegate Region

(Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tséché'izhí, Rock Point) as set forth in Exhibit 2.

SECTION THREE. AMENDING NABIN-45-23 AND CJY-64-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CARL R. SLATER'S DELEGATE REGION (CHAPTERS: TSAILE/WHEATFIELDS, LUKACHUKAI, ROUND ROCK, TSÉCH'IZHÍ, ROCK POINT)

- A. The Navajo Nation hereby approves the removal of the *Round Rock Chapter Upgrade to Sewer Lagoon Project* (under NNDOJ Review No. HK0495) from Hon. Carl R. Slater's Delegate Region Projects Plan enacted under CJY-64-23, which appropriated \$60,000.00 for this project and is stricken in Exhibit 2. The removal of this project will revert \$60,000.00 back to Hon. Carl R. Slater's Delegate Region Project Plan's Un-Allocated Amount.
- B. The Navajo Nation hereby approves the projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Carl R. Slater's Delegate Region (Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tséché'izhí, Rock Point) 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 25th 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 16 in Favor, and 00 Opposed, on this 18th day of January 2024.


Honorable Seth Damon, Chairman Pro Tem
Naabik'íyáti' Committee

Jan 22, 2024
Date

Motion: Honorable Vince R. James
Second: Honorable Steven R. Arviso

Chairman Pro Tem Seth Damon not voting

Exhibit 1



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
Yideeskáądi 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-64-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Carl R. Slater's Delegate Region (Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tsé Ch'izhí, Rock Point)*

Dear Speaker Curley,


I am pleased to sign into law this resolution CJY-64-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Slater's Delegate Region in the amount of \$5,200,386.

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

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

Now let's get to work!

Sincerely,


Dr. Buu Nygren, *President*
THE NAVAJO NATION

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

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION
PROJECT PLAN FOR HONORABLE CARL R. SLATER'S DELEGATE REGION
(CHAPTERS: TSAILE/WHEATFIELDS, LUKACHUKAI, ROUND ROCK, TSÉ
CH'ÍZHÍ, ROCK POINT)

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

R. Slater'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. Carl R. Slater's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Carl R. Slater's Delegate Region (Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tsé Ch'ízhí, Rock Point) as set forth in **Exhibit A**.

SECTION THREE. APPROVAL OF HON. CARL R. SLATER'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Carl R. Slater's Delegate Region (Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tsé Ch'ízhí, Rock Point) set forth in **Exhibit A**.
- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

SECTION FOUR. AMENDMENTS

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

SECTION FIVE. EFFECTIVE DATE.

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

SECTION SIX. SAVING CLAUSE

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

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

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 20 in Favor, and 00 Opposed, on this 19th day of July 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

7/27/23
DATE

Motion: Honorable Rickie Nez
Second: Honorable Andy Nez

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005, (C) (10), on this 4 day of August, 2023.



Buu Nygren, President
Navajo Nation

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

Buu Nygren, President
Navajo Nation

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

Buu Nygren, President
Navajo Nation

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Carl R. Slater

CHAPTERS: Tsaille/Wheatfields, Lukachukai, Round Rock, Tséché'izhí, Rock Point

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	Round Rock Chapter Convenience Store/Shopping Center Project	Division of Community Development	6.1	HK0460-2	\$ 650,000.00
Division of Community Development	None Identified	Round Rock Chapter Community Cemetery Project	Division of Community Development	6.1	HK0464	\$ 200,000.00
Division of Community Development	None Identified	Round Rock Chapter Recreation Park Project	Division of Community Development	2.22	HK0494	\$ 700,000.00
Division of Community Development	None Identified	Round Rock Chapter Upgrade to Sewer Lagoon Project	Division of Community Development	5.5	HK0495	\$ 60,000.00
Division of Community Development	None Identified	Round Rock Chapter Diversion/Irrigation System Project	Division of Community Development	5.11	HK0461	\$ 150,000.00
Division of Community Development	None Identified	Rock Point Chapter Community Propane Assistance Project	Division of Community Development	2.18	HK0563	\$ 84,375.00
Division of Community Development	None Identified	Rock Point Chapter Sewage & Drain Fields	Division of Community Development	5.3	HK0565	\$ 136,203.00
Division of Community Development	None Identified	Rock Point Chapter Community Trash Bins Project	Division of Community Development	2.22	HK0567	\$ 100,800.00
Division of Community Development	None Identified	Rock Point Chapter Water Delivery Project	Division of Community Development	1.14	HK0566	\$ 172,117.00
Division of Community Development	None Identified	Rock Point Chapter Bathroom Renovations Project	Division of Community Development	1.14	HK0564	\$ 320,000.00
					TOTAL:	\$ 2,573,495.00

*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 FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Carl R. Slater

CHAPTERS: Tsaille/Wheatfields, Lukachukai, Round Rock, Tséch'izhi, Rock Point

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 2,573,495.00
Division of Community Development	None Identified	Rock Point Chapter Homesite-Compliance and Archeological Clearance Assistance Project	Division of Community Development	2.18	HK0569	\$ 37,500.00
Division of Community Development	None Identified	Rock Point Chapter Homesite Lease Land Survey Fee Assistance Project	Division of Community Development	2.18	HK0570	\$ 37,500.00
Division of Community Development	None Identified	Rock Point Chapter Community Weatherization Project	Division of Community Development	2.18	HK0560	\$ 288,000.00
Division of Community Development	None Identified	Rock Point Chapter Community Septic-Cleaning Assistance Project	Division of Community Development	5.5	HK0568	\$ 135,150.00
Division of Community Development	None Identified	Rock Point Chapter Dump Truck Project	Division of Community Development	6.1	HK0573	\$ 200,000.00
Division of Community Development	None Identified	Rock Point Chapter Community Warehouse Project	Division of Community Development	1.14	HK0596	\$ 200,000.00
Division of Community Development	None Identified	Tse Ch'izhi Chapter Community Trash Bins Project	Division of Community Development	2.22	HK0613	\$ 81,600.00
Division of Community Development	None Identified	Tsaille/Wheatfields Chapter Community Housing Weatherization and Renovation Project	Division of Community Development	2.18	HK0591	\$ 460,468.00
Division of Community Development	None Identified	Tsaille/Wheatfields Chapter Public Employment Project	Division of Community Development	2.18	HK0592	\$ 205,938.00
TOTAL:						\$ 4,219,651.00

*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."

Exhibit 2

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Hon. Carl R. Slater

Exhibit 2

CHAPTERS: Tsaiile/Wheatfields, Lukachukai, Round Rock, Tséché'izhi, Rock Point

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED IN CJKY-64-23 on August 4, 2023				\$ 5,200,386.00
		TOTAL AMOUNT APPROPRIATED IN NABIN-45-23 on November 17, 2023				\$ 2,758,829.00
Division of Community Development	None Identified	(Remove) Round Rock-Chapter Upgrade-to-Sewer Lagoon-Project	Division of Community Development	5-5	HK0495	-\$ 60,000.00
Division of Community Development	None Identified	Lukachukai Chapter Senior Center Renovation Project	Division of Community Development	2.22	HK0722	\$ 110,000.00
Division of Community Development	None Identified	Lukachukai Chapter Waterline/Sewerline for Agriculture Building Project	Department of Water Resources	5.5	HK0707	\$ 420,000.00
Division of Community Development	None Identified	Lukachukai Chapter Community Septic Cleaning Project	Division of Community Development	5.5	HK0668	\$ 135,150.00
		UN-ALLOCATED AMOUNT				\$ 237,975.00
					TOTAL:	\$ 8,802,340.00

*Per CJKN-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 0722

Date & Time Received: 12/20/23 at 10:46

Date & Time of Response: Jan. 05, 2024 at 1600

Entity Requesting FRF: Lukachukai Chapter

Title of Project: Lukachukai Senior Center Renovation

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$110,000

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: _____

Name of DOJ Reviewer: Lorenzo Curley

Signature of DOJ Reviewer: *Lorenzo Curley*

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

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

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

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: LUKACHUKAI CHAPTER Date prepared: 7/26/23

Chapter's mailing address: PO BOX 248 LUKACHUKAI, AZ 86507 phone/email: (928) 787-2500
website (if any): lukachukai@navajochapters.org

This Form prepared by: PAULA S. BEGAY phone/email: (928) 266-7426
CHAPTER PRESIDENT psbegay@naataanii.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: LUKACHUKAI SENIOR CENTER RENOVATION

Chapter President: PAULA S. BEGAY phone & email: (928) 266-7426, psbegay@naataanii.org
Chapter Vice-President: CONNETTE BLAIR phone & email: (505) 860-8757, cblair@naataanii.org
Chapter Secretary: MARY ANN LEONARD phone & email: (928) 797-1081, mleonard@navajochapters.org
Chapter Treasurer: SAME AS ABOVE phone & email: _____
Chapter Manager or CSC: VACANT phone & email: _____
DCD/Chapter ASO: CHINLE/EDGERTON GENE phone & email: (928) 674-2251, egene@nndcd.org

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

Amount of FRF requested: \$110,000 FRF funding period: 8/1/23 - 12/13/26
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 Lukachukai Chapter will use the funds to renovate/repair the debilitating senior center. The Senior Center is the hub for our Elders to come, eat lunch and spend time with the community in a safe environment. During the pandemic, covid greatly inhibited elders' travel off the Reservation and caused them to do without basic necessities, most importantly, the elders were limited in fresh food, cleaning supplies and PPE. The Senior Center did their best but it was very limited due to the repairs. The Lukachukai Chapter will ensure that the Senior Center funds expended will address public health challenges that partly caused the unequal impact on the Navajo Nation.

document attached

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

Within the Lukachukai Senior Center, they worked tirelessly to ensure that all elders were given a lunch and provide PPE during the worst of the pandemic. Having a safe and in compliant center, the elders will be able to relax, replenish and continue to live a healthy life. Having elders here will allow more interaction and this will improve their emotional being.

document attached

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

APPENDIX A

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

This project estimates the successful completion of the renovation and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 13, 2026.

document attached

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

DCD will be the oversight of the sub-recipient agreement with the awarded contractor. The contractor will ensure that the renovation follows federal guidelines in reference to building codes.

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:

After the initial construction warranty, the Senior Center will assume all routine maintenance to ensure the viability of the building.

document attached

(f) State which of the 63 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.

2.23 STRONG HEALTHY COMMUNITIES: Demolition and Rehabilitation of Properties. The Lukachukai Senior Center falls under this as the renovation will allow the community elders to use the building for activities that would promote a healthy community and a healthy family.

document attached

Part 3. Additional documents.

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

Resolution

Quote

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:

Approved by:

Approved by: VACANT
signature of DCD

Approved by:

Approved to submit for Review:



THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>LUKACHUKAI SENIOR CENTER REHOVATION</u>		Division/Branch: <u>DCD/Executive</u>	
Prepared By: <u>PAULA S. BEGAY</u>		Phone No.: <u>(928) 266-7426</u>		Email Address: <u>psbegay@naataanii.org</u>	
PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	
Fiscal Recovery Funds		8/1/23-12/31/26	110,000.00	100%	
PART III. BUDGET SUMMARY					
		Fund Type Code	(A) Original Budget	(B) Proposed Budget	(C) Difference or Total
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		110,000	110,000
7000	Special Transactions				
8000	Public Assistance				
9000	Capital Outlay				
9500	Matching Funds				
9500	Indirect Cost				
TOTAL			50.00	110,000.00	110,000
PART IV. POSITIONS AND VEHICLES					
			(D)	(E)	
Total # of Positions Budgeted:			0	0	
Total # of Vehicles Budgeted:			0	0	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.					
SUBMITTED BY: <u>Jaron Chanley, Department Manager</u>		APPROVED BY: <u>Ardin Mitchell, Division Director</u>			
Program Manager's Printed Name		Division Director / Branch Chief's Printed Name			
<u>11/08/2023</u>		Division Director / Branch Chief's Signature and Date			

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2023

PART I. PROGRAM INFORMATION:		Business Unit No.: <u>NEW</u>		Program Name/Title: <u>LUKACHUKAI SENIOR CENTER RENOVATION</u>	
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:					
Goal is to provide renovation to the dilapidated senior center.					
PART III. PROGRAM PERFORMANCE CRITERIA:					
1. Goal Statement:		1st QTR	2nd QTR	3rd QTR	4th QTR
	Renovation of Lukachukai Senior Center	Goal	Goal	Goal	Goal
	Program Performance Measure/Objective:	Actual	Actual	Actual	Actual
	Complete the renovation of the Senior Center.				1
2. Goal Statement:					
	Program Performance Measure/Objective:				
3. Goal Statement:					
	Program Performance Measure/Objective:				
4. Goal Statement:					
	Program Performance Measure/Objective:				
5. Goal Statement:					
	Program Performance Measure/Objective:				
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.					
		Program Manager's Printed Name <u>Jaron Charley, Department Manager</u>		Division Director/ Branch Chief's Printed Name <u>Arbin Mitchell, Division Director</u>	
		Program Manager's Signature and Date  11/08/2023		Division Director/ Branch Chief's Signature and Date 	

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION: Program Name/Title: <u>LUKACHUKAI SENIOR CENTER RENOVATION</u> Business Unit No.: <u>NEW</u>	
PART II. DETAILED BUDGET:	
(A)	(B)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)
6650	
	SUBCONTRACTED SERVICES 6990 Subcontracted Services
Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
110,000	110,000
TOTAL	
110,000	

Four Seasons Construction LLC.

P.O. Box 1018~Ganado, AZ 86505

Phone (928) 675-0586

Job Name: Lukachukai Senior Center						Date: 4-3-2023		Estimate #
Job Location: Lukachukai, AZ						Quote Valid For only 14 Days		
Owner/Contact person: Norman Brown						Estimator: Hojin Chung		
Owner's Phone:				Email:		Cell: (928)206-6747		
Total Area: 2500 sf						Email: hojin@fsccllc.co		
Comments:						<i>All material and labor is warranted for one year from completion date.</i>		
#	Scope Of Work	QTY	Unit	Material u/p	Material Subtotal	Labor u/p	Labor Subtotal	Item Subtotal
1	Demo Front entrance door, framing and all hardware. Install new Hollow metal door and framing. Remove exiting exit panic system, closer and locks.	1	1.00	\$ 2,500.00	\$ 2,500.00	\$ 650.00	\$ 650.00	\$ 3,150.00
2	Adjust all door closers	14	EA		\$	\$ 25.00	\$ 350.00	\$ 350.00
3	Demo existing carpet in living room, two offices and conference room. Demo existing VCT tiles in hallways and laundry room.	2,400	SF			\$ 1.25	\$ 3,000.00	\$ 3,000.00
4	Install new Cottage Tan VCT tile.	2400	SF	\$ 1.50	\$ 3,600.00	\$ 2.50	\$ 6,000.00	\$ 9,600.00
5	Remove existing washer and dryer and install new washer and dryer. Install new hot and cold water supply lines.	2	EA	\$ 1,700.00	\$ 3,400.00	\$ 500.00	\$ 1,000.00	\$ 4,400.00
6	Remove and install new commercial motion security lights on the East entrance.	3	EA	150.00		\$ 250.00	\$ 750.00	\$ 750.00
7	Repair damaged/broken Stucco on exterior walls approximately 500 SF	500	SF	\$ 2.25	\$ 1,125.00	\$ 5.25	\$ 2,625.00	\$ 3,750.00
8	Replace any roof screws that have cracked deteriorated seals. Check all roof jacks and seal or replace.	1	1.00	\$ 1,000.00	\$ 1,000.00	\$ 2,700.00	\$ 2,700.00	\$ 3,700.00
9	Remove and replace damaged fascia (30 LF) with new 2x6 boards. Wrap Fascia with metal (240 LF).	1	1.00	\$ 800.00	\$ 800.00	\$ 1,700.00	\$ 1,700.00	\$ 2,500.00
10	Demo existing windows in living area, dining area, two offices.	8	EA			\$ 50.00	\$ 400.00	\$ 400.00
11	Install new new double pane sliding windows and repairs that come along with installation. 103 7/8 x 32 1/2 (5), 32 x 32 (1), 24 x 24 (2).	8	EA	\$ 800.00	\$ 6,400.00	\$ 350.00	\$ 2,800.00	\$ 9,200.00
12	Install new Red seamless gutters.	160	LF	\$ 12.00	\$ 1,920.00	\$ 4.50	\$ 720.00	\$ 2,640.00
13	Install down spouts .	6	EA	\$ 150.00	\$ 900.00	\$ 50.00	\$ 300.00	\$ 1,200.00
14	Prep all exterior walls for painting. Pressure wash walls. Mask all windows, door and trimming.	1	1.00	\$ 250.00	\$ 250.00	\$ 500.00	\$ 500.00	\$ 750.00
15	Install new 75 Gal commercial propane gas water Heater.	1	1.00	\$ 3,800.00	\$ 3,800.00	\$ 500.00	\$ 500.00	\$ 4,300.00
16	Remove and replace copper supply lines in attic and down to appliances with PEX (100 LF). Repair drywall as needed.	1	1.00	\$ 800.00	\$ 800.00	\$ 3,250.00	\$ 3,250.00	\$ 4,050.00
17	Check all vents in attic for proper ventilation and good connections.	1	1.00	\$ 250.00	\$ 250.00	\$ 750.00	\$ 750.00	\$ 1,000.00
18	New wood stove with fan and EPA approved.	1	1.00	\$ 3,800.00	\$ 3,800.00	\$ 500.00	\$ 500.00	\$ 4,300.00
19	Paint entire exterior of the building, trimmings and doors.	2800	SF	\$ 0.50	\$ 1,400.00	\$ 3.25	\$ 9,100.00	\$ 10,500.00
Sub Total				Material	\$ 21,400.00	Labor	\$ 37,700.00	\$ 58,900.00

Four Seasons Construction LLC.

P.O. Box 1016~Ganado, AZ 86505

Phone (928)-675-0566

General Requirements Sub Total Overhead 15% Profit 9% Sub Total Navajo Nation Tax 6% Grand Total	General Requirements	\$	12,000.00
	Sub Total	\$	12,000.00
	Overhead 15%	\$	1,800.00
	Profit 9%	\$	1,080.00
	Sub Total	\$	15,880.00
	Navajo Nation Tax 6%	\$	952.80
	Grand Total	\$	16,832.80

Albert Reid
President

Commencing at the Point of Beginning a found 1/2" Rebar a point which bears North 24°26'03" West, a distance of 1,479.16 feet from the South Quarter (1/4) Corner of said Section 29;

thence North 35°40'10" West, a distance of 365.28 feet to the east Right of Way line of the Old Route 13 to a Right of Way Brass cap;

thence along said R.O.W. line North 04°18'51" East, a distance of 973.38 feet to the beginning of a curve tangent to said line;

thence northerly and northwesterly a distance of 242.58 feet along the curve concave to the west, having a radius of 377.19 feet and a central angle of 36°50'58" with a chord which bears North 14°06'38" West a distance of 238.42;

thence North 32°27'59" West, a distance of 15.73 feet to the Southerly Right of Way line of Navajo Route 13 a point of cusp on a curve concave to the south having a radius of 2,812.23 feet and a central angle of 40°17'46" and being subtended by a chord which bears North 78°26'50" East 1,937.33 feet;

thence along said Right of Way line northeasterly and easterly along said curve, a distance of 1,977.84 feet to a Right of Way Monument;

thence South 81°25'03" East, a distance of 578.93 feet to a found 5/8" rebar;

thence South 08°37'40" West, a distance of 327.60 feet to a found 5/8" rebar

thence South 08°30'05" East, a distance of 469.98 feet to set 1/2" rebar with plastic cap;

thence South 84°24'55" West, a distance of 1,446.17 feet to a set 1/2" Rebar with plastic cap;

thence South 48°58'22" West, a distance of 86.38 feet to a set 1/2" rebar with plastic cap;

thence South 04°41'04" East, a distance of 554.11 feet to a set 1/2" rebar with plastic cap;

thence South 71°39'20" West, a distance of 878.03 feet to the Point of Beginning.

Containing 67.694 Acres, more or less.;

I, Henry Thomas an Arizona Professional Surveyor, do hereby certify that this plat was prepared from an actual ground survey performed by me or under my direct supervision, that I am responsible for this survey; that this survey is true and correct to the best of my knowledge and belief, that this Plat and the field survey upon which it is based meet the Minimum Standards for Surveying in Arizona and that this survey is a survey of an existing tract or tracts.

Henry Thomas
 Henry Thomas
 Az. P.L.S. No. 29894

9/30/22

DATE



Expires 3/30/23

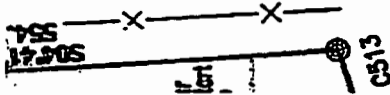
RED VALLEY SURVEY
 P.O. Box 2827, Shiprock, New Mexico 87420
 Ph. 505-320-0479

Ck'd By:
 HT
 Dwn By

**RESURVEY OF THE
 LUKACHUKAI CHAPTER
 HOUSE TRACT**
 located in the
 Section 29, T35N, R29E G&SRM
 Lukachukai, Apache County, Arizona

Scale:
 1"=200'
 DATE:
 9-26-22

RVS#22-99



LUKACHUKAI SENIOR CENTER

