

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

AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIJA-04-24 AND NABIAP-33-24; THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE OTTO TSO'S DELEGATE REGION (CHAPTER: TO' NANEES DIZI)

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. 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.
- D. Naabik'íyáti' Committee Resolution No. NABIJA-04-24, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Otto Tso's Delegate Region (Chapter: To' Nanees Dizi) 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.
- E. Naabik'íyáti' Committee Resolution No. NABIAP-33-24, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Otto Tso's Delegate Region (Chapter: To' Nanees Dizi) 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. 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.
- D. 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).
- E. The Naabik'íyáti' Committee Resolution No. NABIJA-04-24, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE OTTO TSO'S DELEGATE REGION (CHAPTER: TO' NANEES DIZI) was signed into law by the Chairperson of the Naabik'íyáti' Committee on January 22, 2024.
- F. NABIJA-04-24, 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.
- G. The Naabik'íyáti' Committee Resolution No. NABIAP-33-24, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIJA-04-24; THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE OTTO TSO'S DELEGATE REGION (CHAPTER: TO' NANEES DIZI) was signed into law by the Chairperson of the Naabik'íyáti' Committee on April 30, 2024.
- H. NABIAP-33-24, 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. All projects listed in the Hon. Otto Tso's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Otto Tso's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- J. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Otto Tso's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Otto Tso's Delegate Region (Chapter: To' Nanees Dizi) as set forth in Exhibit A.

SECTION THREE. AMENDING NABIJA-04-24 AND NABIAP-33-24, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE OTTO TSO'S DELEGATE REGION (CHAPTER: TO' NANEES DIZI)

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Otto Tso's Delegate Region (Chapter: To' Nanees Dizi) 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 and approved by resolution of the Naabik'iyáti' Committee.

SECTION FIVE. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to two-thirds (2/3) vote of the Naabik'iyáti' 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'iyáti' Committee of 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 16 in Favor, and 00 Opposed, on this 22nd day of May 2024.



Honorable Rickie Nez, Chairman Pro Tem
Naabik'iyáti' Committee

5-28-24

Date

Motion: Honorable Steven R. Arviso

Second: Honorable George H. Tolth

Chairman Pro Tem Rickie Nez not voting



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 #: HK811

Date & Time Received: 04/12/24 at 13:17

Date & Time of Response: 4/26/24 at 17:00

Entity Requesting FRF: Legislative Branch - Office of Legislative Services

Title of Project: Two (2) Legislative District Assistant Positions

Administrative Oversight: Office of the Speaker

Amount of Funding Requested: \$611,845.00

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:
3.5, Public Sector Capacity: Administrative Expenses

THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN
FOR NAVAJO NATION GOVERNMENT UNITS

Part 1. Identification of parties.

NN Government Unit requesting FRF: Legislative Branch - Office of Legislative Services Date prepared: 03/14/24
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: Julissa M. Johnson, Interim Exective Director phone/email: 928/871-7160
P.O. Box 3390 Window Rock, Arizona 86515 website (if any): www.navajonationcouncil.org

Form prepared by: Otto Tso phone/email: 928/871-7160
Council Delegate, 25th Navajo Nation Council otso@navajo-nsn.gov
CONTACT PERSON'S name, title and Department, Program, Office, etc. CONTACT PERSON'S info

Title & type of Project: Two (2) Legislative District Assistants Positions

NN Government Unit's Director or Manager: Julissa M. Johnson phone & email: (928)871-7160/jjohnson@navajo-nsn.gov

Division Director (if any): Julissa M. Johnson phone & email: (928)871-7160/jjohnson@navajo-nsn.gov

Branch Chief: Honorable Crystalyne Curley, Speaker/NNC phone & email: (928)871-7160 / crystalyne.curley@navajo-nsn.gov

Funding Recipient will be working with: Julissa M. Johnson on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

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

Amount of FRF requested: 611,845.00 FRF funding period: March 11, 2024 - December 31, 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

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

Funds requested for 2 Legislative District Assistants to assist the Navajo Nation Council Delegate Otto Tso with COVID related projects within To'Nanees'Dizi (Tuba City) communities; the 2 Legislative District Assistants will also assist the To'Nanees'Dizi Chapter with all COVID funded projects, from the start to the end of each project. The Legislative District Assistants shall report directly to Honorable Tso, Council Delegate to keep him informed of the status of each project on a daily basis.
 document attached

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

The 2 staff hired will be a benefit to the Council Delegate Otto Tso and Delegate Region as they will report and provide updates directly to the delegate and To'Nanees'Dizi Chapter community.
 document attached

APPENDIX A

(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:

Timelines for projects: March 11, 2024 to December 31, 2026.

document attached

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

Honorable Otto Tso, Council Delegate

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:

Honorable Otto Tso, Council Delegate

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:

7.1 Administration Expenses
Funds requested for two (2) Legislative District Assistants to assist and work with Navajo Nation Council Delegate Otto Tso with CVID related projects within the To'Nanees'Dizi Chapter and the community. Other items to be funded are for travel, office supplies, computers, printers and for wireless cellular phones, so the employees can carry out their job responsibilities efficiently.

document attached

Part 3. Additional documents.

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

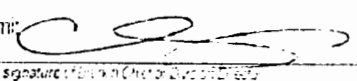
Navajo Nation Program Budget Summary

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.

NN Government Unit Preparer 
signature of NN Government Unit Preparer

Approved by 
signature of Navajo Nation Department of Economic Development

Approved to submit for Review: 
signature of Branch Chief or Director

Print Name, Title, Branch or Division **Honorable Crystalayne Curley, Speaker/NNC**
print name and title of signator
Legislative Branch
print Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I Business Unit No.: <u>NEW</u>		Legislative District Assistants		Division/Branch: _____		Legislative Branch		
Prepared By: <u>Julissa M. Johnson</u>		Phone No.: _____		Email Address: <u>johnson@navajo-nsn.gov</u>				
Program Title: _____		928-871-7254						
PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY			
Navajo Tribal Recovery Funds		6/30/24-12/31/24	\$11,845.00	100%	Fund Type Code	NMC Approved Original Budget	Proposed Budget	Difference or Total
					2001 Personnel Expenses	5	478,303	478,303.00
					3000 Travel Expenses	6	81,600	81,600.00
					3500 Meeting Expenses			0.00
					4000 Supplies	5	40,200	40,200.00
					5000 Lease and Rental			0.00
					5500 Communications and Utilities	6	8,500	8,500.00
					6000 Repairs and Maintenance			0.00
					6500 Contractual Services			0.00
					7000 Special Transactions	6	3,162	3,162.00
					8000 Public Assistance			0.00
					9000 Capital Outlay			0.00
					9500 Matching Funds			0.00
					9500 Indirect Cost			0.00
					TOTAL		50.00	511,845.00
					PART IV. POSITIONS AND VEHICLES			(E)
					Total # of Positions Budgeted:			2
					Total # of Vehicles Budgeted:			
		TOTAL:	\$611,845.00	100%				

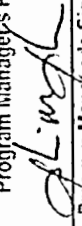

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Julissa M. Johnson, Interim Executive Director APPROVED BY: Crystalayne Curley, Speaker, 25th Navajo Nation Council

Program Manager's Printed Name: Julissa M. Johnson Division Director / Branch Chief's Printed Name: Crystalayne Curley

Program Manager's Signature and Date: *Julissa M. Johnson* 4/1/2024

Division Director / Branch Chief's Signature and Date: *Crystalayne Curley*

PART I. PROGRAM INFORMATION:	Legislative District Assistants										
Business Unit No.: <u>NEW</u>	Program Name/Title:							1st QTR	2nd QTR	3rd QTR	4th QTR
								Goal	Goal	Goal	Goal
PART II. PROGRAM PERFORMANCE CRITERIA:											
1. Program Performance Measure: Assist Council Delegate organize, plan, and execute ARPA projects while working within budgets and schedules											
Monitor project progress and deadlines											
2. Program Performance Measure:											
3. Program Performance Measure:											
4. Program Performance Measure:											
5. Program Performance Measure:											
PART III. CONCURRENCE/APPROVAL:											
Julissa H. Johnson, Interim Executive Director							Crystalayne Curley, Speaker, 25th Navajo Nation Council				
Program Manager's Printed Name							Division Director/Branch Chief's Printed Name				
											
Program Manager's Signature and Date							Division Director/Branch Chief's Signature and Date				
							4/1/2024				

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:		Legislative District Assistants		Business Unit No.: NEW	
Program Name/Title:					
PART II. DETAILED BUDGET:		(B)		(C)	(U)
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)		
2001	PERSONNEL EXPENSES		478,393		
	Personnel Expenses of Political Appointee Legislative District Assistants to assist the Navajo Nation Council Delegate for Tuba City with COVID related chapter projects				
2110	Regular			302,878	
	2120 - Legislative District Assistant \$25.79 x 2 x 5,872 hours = \$302,877.76	\$ 302,878.00			
2200	Salary Adjustment			12,096	
	2220 Salary Adjustment \$1.03 x 2 x 5,872 Hours = \$12,096.32	\$ 12,096.00			
2500	Fringe Benefits @ 51.88%			163,409	
	\$314,974.09 x 51.88% = \$163,409.55	\$ 163,409.00			
	3000 TRAVEL EXPENSES				81,600
	Funds to cover meals, lodging, and personal vehicle related to program business and other travel expenses incurred.				
3230	Personal Travel			81,600	
	3250 POV Mileage				
	2 Staff x 1,000/mo x 34 mos = \$68,000.00	\$ 68,000.00			
	3290 Other Travel Expense				
	2 Staff x 200/mo x 34 mos = \$13,600.00	\$ 13,600.00			
TOTAL				559,983	559,983

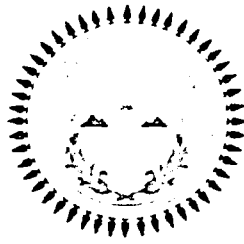
PART I. PROGRAM INFORMATION:

Program Name/Title: Legislative District Assistants Business Unit No.: NEW

PART II. DETAILED BUDGET:

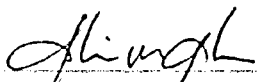
(A)	(B)	(C)	(U)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
4000 SUPPLIES	Office supplies, operational supplies, equipment, and upgrade current software for teleconferencing purposes, the supplies are for 2 LDA employees.		40,200
4120	Office Supplies 4130 General Office Supplies 2 Staff x \$300/mo x 34 mos. = \$21,600.00 \$ 10,200.00	10,200	
4200	Non Capital Assets 4230 Non Cap Computer Equipment \$10,000 x 3 years	30,000	
	TOTAL	40,200	40,200

PART I. PROGRAM INFORMATION:		Business Unit No.:	
Program Name/Title: _____		NEW	
PART II. DETAILED BUDGET:		(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)
5610	5500 COMMUNICATIONS & UTILITIES Cellular Services for LDA's to conduct business Wireless 5620 Cellular 2 staff x \$125/mo x 34 mos = \$8,500.00	8,500	8,500
7710	7000 SPECIAL TRANSACTIONS Insurance Premiums Insurance Premiums 7720 Property Contents \$30,000/\$1,000 x \$0.60 = \$18.00 7765 Policy Payments \$478,383/\$100 x \$0.17 = \$813.25 Worker's Comp Premium \$314,974/\$100 x \$0.74 = \$2,330.81	2,331	3,162
TOTAL		11,662	11,662



MEMORANDUM

To: Lisa Jymm, Executive Director
Navajo Nation Fiscal Recovery Fund Office

From: 
Julissa M. Johnson, Interim Executive Director
Office of Legislative Services


Date: March 14, 2024

Subject: Expenditure Plan – Delegate Region Project Plan

Please let this memorandum serves as justification for the expenditure of Delegate Region project plans for Council Delegate Otto Tso. Office of Legislative Service will provide administrative oversight for check and balance proper financial allocation of these funds. The Delegate will be responsible for necessary accountability and authorized use of these funds in accordance with all regulations and laws.

Should you have any questions, please let me know. Ahehee'

CONCURRENCE:


Manuel Rico, Chief of Staff
Office of the Speaker

NAVAJO NATION

375

5/22/2024

Naa'bik'iyati' Committee Special Meeting

03:58:41 PM

Amd# to Amd#

New Business: Item A.

PASSED

MOT Arviso, S

Consent Agenda

SEC Tolth, G

0110-24, 0092-24, 0105-24

Yeas : 16

Nays : 0

Excused : 3

Not Voting : 4

Yea : 16

Arviso, S

Crotty, A

Notah, N

Tolth, G

Begay, H

Curley, C

Parrish, S

Tso, O

Begay, N

James, V

Simonson, G

Yanito, C

Claw, S

Nez, A

Slater, C

Yazzie, L

Nay : 0

Excused : 3

Charles-Newton, E

Daniels, H

Yazzie, C

Not Voting : 4

Jesus, B

Johnson, C

Simpson, D

Aseret, L

Presiding Speaker: Nez, R