



**DR. BUU NYGREN** *PRESIDENT*  
**RICHELLE MONTOYA** *VICE PRESIDENT*

**The Navajo Nation | Yideeskąądi Nitsáhákees**

March 22, 2023

**TRANSMITTAL**

TO : Calvin Castillo, Executive Director  
 Division of Community Development (DCD)

FROM : *CMS*  
 Cordell Shortey, Contracting Officer  
 Contracts & Grants Section (CGS) / OMB

SUBJECT : Many Farms Chapter House & Low Mountain Chapter House - ARPA Funds Allocated to Delegate Curley Region

**I. Information on Contract (per Original Award):**

Many Farms Chapter House & Low Mountain Chapter House	U.S. Treasury American Recovery Plan Act (ARPA)	21.027
Title of Contract	Funding Agency	CFDA No. - Federal
CD-62-22	2022	03/11/2021 to 12/31/2026
Grant No.	Amount	Term - Begin and End Date
	\$ 2,429,000.00	

**II. Data Entered in FMIS Regarding:**

- New Contract or Grant Company No. 8059 Business Unit (K#) K211567 - K211575
- Contract Mod No. \_\_\_\_\_
- Amt of Award \_\_\_\_\_ to \_\_\_\_\_  
 AMOUNT FROM TO
- Budget Period - Extend End Date: From \_\_\_\_\_ To \_\_\_\_\_
- Other, specify: \_\_\_\_\_

**Authorizing Document - Attached:**

- Contract / Agreement - Date executed \_\_\_\_\_
- NNC / Committee Resolution - No. & Date \_\_\_\_\_
- Other, specify: NN Council Resolution CD-62-22

**III. Comments by CGS:**

Budget received on March 13, 2023 is authorized for implementation pursuant to FY 2023 NN BIM Appendix L Section II. B. and concurred by Navajo Nation Fiscal Recovery Fund (NN FRF) Office by memorandum of February 27, 2023. CGS received complete packet until 3/13/23 to set up budget and issue this Transmittal. To not delay execution of allocation, CGS entered budget in FMIS although budget was submitted at Level of Detail (LOD) 7 and not 6. Also, budget submitted for Low Mountain Chapter New Homes Waterline Extension Project was missing NNBF (1). DCD will need to provide NNBF (1) immediately.

*Attachment*  
 Copy: Contract files  
 Contract Accounting / OOC / DPM  
 Tom Platero, Executive Director - NN FRF Office

Revised February 2023




**DR. BUU NYGREN** *PRESIDENT*  
**RICHELLE MONTOYA** *VICE PRESIDENT*

The Navajo Nation | Yideeskáądi Nitsáhákees

**MEMORANDUM**

**TO :** Dominic Beyal, Director to Navajo Nation Office of Management & Budget  
 Cordell Shortey, Contracting Officer  
 Navajo Nation Office of Management & Budget

**FROM :**   
 Lisa Jymm, Deputy Executive Director  
 Navajo Nation Fiscal Recovery Fund Office

**DATE :** February 27, 2023

**SUBJECT :** CD-62-22 – Allocation of \$5,948,733 in Navajo Nation Fiscal Recovery Funds per Delegate Crystalayne Curley’s Delegate Region. Requesting new business units in the amount of \$2,429,000.00.



The Navajo Nation Fiscal Recovery Fund Office (NNFRFO) is requesting business units equaling \$2,429,000 per CD-62-22, Exhibit A. The \$3,519,733 was previously requested by NNFRFO in a prior memo. NNFRFO request is listed in the table below:

No.	Description	Category	\$
1	Many Farms Chp House Support: Bathroom Additions	1.14	\$400,000.00
2	Many Farms Chp Local Rural Addressing - E911	2.22	\$100,000.00
3	Many Farms Chp HVAC Systems	1.4	\$150,000.00
4	Many Farms Chp Broadband/Cellular Tower	1.14	\$750,000.00
5	Low Mountain Chp Elderly Bathroom Makeover/Modification Project	1.14	\$81,000.00
6	Low Mountain Chp Cellular Tower Project	1.14	\$700,000.00
7	Low Mountain Chp New Homes Waterline Extension Project	5.13	\$48,000.00
8	Low Mountain Chp Drainage/Septic System Project	5.5	\$140,00.00
9	Low Mountain Chp New Homes Electric and Powerline Ext.	2.18	\$60,000.00
		<b>TOTAL:</b>	<b>\$2,429,000.00</b>

K211567  
 K211568  
 K211569  
 K211570  
 K211571  
 K211572  
 K211573  
 K211574  
 K211575

Due to the change in administration, FRFO is in the process of providing these project documents contained in this resolution to the newly appointed DCD Division Director for his review, acknowledge and signature. Attached are copies of the resolution with updated signatures and documents.

FRFO will be forwarding these documents to OMB, upon obtaining the signature of the current DCD Director Calvin Castillo, to set-up the new business units in FMIS/JDE.

If you have any questions, please feel free to contact me by phone at (928) 309-5535 or by email at [lijymm@navajo-nsn.gov](mailto:lijymm@navajo-nsn.gov). Thank you.

CC: Germaine Jones, Deputy Contracting Officer, OMB  
 Christine Chavez, Director, Contract Acctg/OOC






**DR. BUU NYGREN** *PRESIDENT*  
**RICHELLE MONTOYA** *VICE PRESIDENT*

The Navajo Nation | Yideeskáądi Nitsáhákees

**MEMORANDUM**

**TO :** Dominic Beyal, Director to Navajo Nation Office of Management & Budget  
 Cordell Shortey, Contracting Officer  
 Navajo Nation Office of Management & Budget

**FROM :**   
 Lisa Jymm, Deputy Executive Director  
 Navajo Nation Fiscal Recovery Fund Office

**DATE :** February 27, 2023

**SUBJECT :** CD-62-22 – Allocation of \$5,948,733 in Navajo Nation Fiscal Recovery Funds per Delegate Crystalyne Curley’s Delegate Region. Requesting new business units in the amount of \$2,429,000.00.



The Navajo Nation Fiscal Recovery Fund Office (NNFRFO) is requesting business units equaling \$2,429,000 per CD-62-22, Exhibit A. The \$3,519,733 was previously requested by NNFRFO in a prior memo. NNFRFO request is listed in the table below:

No.	Description	Category	\$
1	Many Farms Chp House Support: Bathroom Additions	1.14	\$400,000.00
2	Many Farms Chp Local Rural Addressing - E911	2.22	\$100,000.00
3	Many Farms Chp HVAC Systems	1.4	\$150,000.00
4	Many Farms Chp Broadband/Cellular Tower	1.14	\$750,000.00
5	Low Mountain Chp Elderly Bathroom Makeover/Modification Project	1.14	\$81,000.00
6	Low Mountain Chp Cellular Tower Project	1.14	\$700,000.00
7	Low Mountain Chp New Homes Waterline Extension Project	5.13	\$48,000.00
8	Low Mountain Chp Drainage/Septic System Project	5.5	\$140,00.00
9	Low Mountain Chp New Homes Electric and Powerline Ext.	2.18	\$60,000.00
		<b>TOTAL:</b>	<b>\$2,429,000.00</b>

Due to the change in administration, FRFO is in the process of providing these project documents contained in this resolution to the newly appointed DCD Division Director for his review, acknowledge and signature. Attached are copies of the resolution with updated signatures and documents.

FRFO will be forwarding these documents to OMB, upon obtaining the signature of the current DCD Director Calvin Castillo, to set-up the new business units in FMIS/JDE.

If you have any questions, please feel free to contact me by phone at (928) 309-5535 or by email at [ljymm@navajo-nsn.gov](mailto:ljymm@navajo-nsn.gov). Thank you.

CC: Germaine Jones, Deputy Contracting Officer, OMB  
 Christine Chavez, Director, Contract Acctg/OOC

# Low Mtn Chp Cellular Tower Project



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

DOREEN N. MCPAUL  
Attorney General

KIMBERLY A. DUTCHER  
Deputy Attorney General

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

**RFS/HK Review #:** HK0334

**Date & Time Received:** 12/16/22 14:07

**Date & Time of Response:** 12/22/22 17:00

**Entity Requesting FRF:** Low Mountain Chapter

**Title of Project:** Cell Tower Project w/CellularOne - Tower Construction Plans

**Administrative Oversight:** \_\_\_\_\_

**Amount of Funding Requested:** \$700,000.00

**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: L14 Other Public Health Services

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: MacArthur Stant

Signature of DOJ Reviewer: 

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

**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: Low Mountain Chapter Date prepared: 10/26/2022

Chapter's mailing address: PO Box 4416 phone/email: (928) 725 - 3700 / lowmountain@navajochapters.org  
Blue Gap, AZ. 86520 website (if any): http://lowmountain.nndes.org

This Form prepared by: Mareita Denny, Project Manager. phone/email: (505) 878 - 3001 / mareitadenny@ryshoe.com  
Roger George, Chapter Vice President. (928) 401 - 1935 / rgeorge@naataani.org  
*CONTACT PERSON'S name and title* *CONTACT PERSON'S info*

Title and type of Project: Cell Tower Project w/CellularOne - Tower Construction Plans

Chapter President: Ben L. Gonnie phone & email: (928) 313 - 8726 / m63583963@gmail.com

Chapter Vice-President: Roger B. George phone & email: (928) 401 - 1935 / rgeorge@naataani.org

Chapter Secretary: Rose A. Charley phone & email: (928) 386 - 3511 / girlyazzie1947@hotmail.com

Chapter Treasurer: Rose A. Charley phone & email: (928) 386 - 3511 / girlyazzie1947@hotmail.com

Chapter Manager or CSC: Ella Nelson, AMS / Acting CSC phone & email: (928) 814 - 7122 / enelson@navajochapters.org

DCD/Chapter ASO: Robert Jumbo, ASO - ASC / DCD phone & email: rjumbo@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Smith Bagley, Inc. DBA Cellular One of Northeast Arizona  
 document attached

Amount of FRF requested: \$700,000.00 FRF funding period: NOVEMBER 14, 2022-December 31, 2024  
*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:

**Cell Tower Project w/ CellularOne: Basically, ARPA Funds to be used for Cellular Tower Construction Cost. Covid-19 high priority for expanded telecommunication services for health standards, social services, well being, and Covid-19 mitigation for the LMC (4) community areas.**  
 document attached

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

**The broadband buildout plans for the Navajo Nation is vital in that unserved and underserved Navajo people can be adequately served. Important for the Navajo people to become connected and stay connected. Communication for schools, public safety, hospitals, and government are necessary for bridging the gap between rural chapters and the Navajo Nation.**  
 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:

Planning/Design & Construction June 30th, 2023, lack of collaboration or spending plan problems. Not meeting local goals and objectives. e.g., Navajo Nation government reneged on cell tower construction project previously was under the Defunded Cares Act and held up again when funds were reactivated. NTUA used untrue statement lease problem with NLD and land use fee NLD waived the issue.

document attached

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

Low mountain chapter officials, administration, Smith Bagley, Inc. DBA CellularOne, project manager.

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:

Smith Bagley, Inc. CellularOne. Navajo Nation budget, Low mountain chapter?

document attached

(f) State which of the 68 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:

5.17 Broadband: Other Projects

This Project falls under these categories because building a cell tower impacts some part of each category listed, making it very beneficial.

Prior Cares Act NTUA unspent funds reverted to Navajo Nation Hardship Funds to cause the project with no practical significance.

document attached

**Part 3. Additional documents.**

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

- 1. CellularOne Documents
- 2. Resolutions
- 3. Support Letters
- 4. Other Information
- 5. Emails
- 6. Memorandums

Chapter Resolution attached

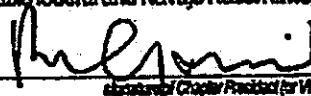
**Part 4. Affirmation by Funding Recipient.**

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:

  
signature of Chapter Preparer

Approved by:

  
signature of Chapter President (or Vice-President)

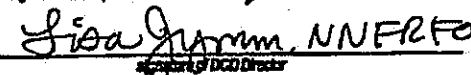
Approved by:

  
signature of CSC

Approved by:

 12/12/2022  
signature of Chapter ASO

Approved to submit for Review:

 NNFRFO  
signature of DCO Director



THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

FY 2023

PART I. Business Unit No.: New Program Title: LOW BOUNTAIN CHAPTER Coal Tower DCO/Executive: \_\_\_\_\_  
Prepared By: MARGITA DENNY, Chapter Manager Phone No.: 520-726-3709 Email Address: kdenny@navajonations.org

PART II. FUNDING SOURCES	Fiscal Year Item	Amount	% of Total	PART II. BUDGET SUMMARY			Difference or Total
				Fund Type Code	NSIC Original Budget	Proposed Budget	
	1/14/20 - 12/31/24	700,000.00	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			
				7000 Special Transactions			
				8000 Public Assistance			0
				8000 Capital Outlay	6	0	700,000.00
				9500 Matching Funds			
				9500 Indirect Cost			
				TOTAL		700,000.00	700,000.00
PART IV. POSITIONS AND VEHICLES				TOTAL			
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: Sarahita Jim-Martin Date: 12/12/2022  
Program Manager's Printed Name: \_\_\_\_\_  
Program Manager's Signature and Date: Sarahita Jim-Martin 12.13.22  
Division Director / Branch Chief's Printed Name: \_\_\_\_\_  
Division Director / Branch Chief's Signature and Date: \_\_\_\_\_

APPROVED BY: Dr. Pearl Yellowman  
Division Director / Branch Chief's Printed Name: \_\_\_\_\_  
Division Director / Branch Chief's Signature and Date: 2/10/2023

James Adakai, Deputy Director

Calvin Castillo, Deputy Director

*for file*

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

FY 2023

PART I. PROGRAM INFORMATION:		LOW MOUNTAIN CHAPTER Cell Tower					
Business Unit No: <u>New</u>		Program Name/Title:					
PART II. PLAN OF OPERATION RESOLUTION NUMBER/PURPOSE OF PROGRAM:							
PART III. PROGRAM PERFORMANCE CRITERIA:		1st QTR	2nd QTR	3rd QTR	4th QTR	Actual	Goal
1. Goal Statement:		Goal	Actual	Goal	Actual	Goal	Actual
Establish a Community Cellular Tower.							
Program Performance Measure/Objective:							
Establish 1-Cellular Tower to the community for emergency purposes.							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 Signature and Date: <u>Arlette J. [Signature]</u> 12/12/2022		Dr. Paul Yawwunen Division Director/Assistant Chief's Printed Name <u>[Signature]</u> 12.12.22 Division Director/Assistant Chief's Signature and Date					
James Aakai, Deputy Director 2-10-23		Calvin Castillo, executive Director 2/10/2023					

*Handwritten initials/signature*

FY 2023

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title:

LOW ROLINTIAN CHAPTER *Cell Tower*

Business Unit No.: *News*

PART II. DETAILED BUDGET:

(A)	(B)	Objate Description and Justification (LOD 7)	(C)	(D)
			Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
9020	Infrastructure	9036 - Communication: Construct 180 Cellular Tower Education and Emergency (E911) use for the community membership @ \$750,000.00 = \$750,000.00.	750,000.00	750,000.00
TOTAL			750,000.00	750,000.00

*1-17-21/16/23*



RESOLUTION OF THE (LMC)  
LOW MOUNTAIN CHAPTER  
NAVAJO NATION GOVERNMENT

RELATED TO THE NAVAJO NATION CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS PROGRAM,  
HEREBY RECOMMENDING AND APPROVING FUNDING LOW MOUNTAIN CHAPTER IN THE AMOUNT OF \$  
700,000.00 FROM THE NAVAJO NATION FISCAL RECOVERY FUNDS (NNFR) AS AUTHORIZED BY THE AMERICAN  
RESCUE PLAN ACT TOWARD THE LOW MOUNTAIN CHAPTER CELL TOWER CONSTRUCTION PLANS WITH  
CELLULARONE.

WHEREAS:

1. Pursuant to Title 26 N.M.C., § 3 (A) and as listed pursuant to Title 11 N.M.C., Part 1 § 10 the LMC is a duly  
recognized certified chapter of the Navajo Nation government and as such may preserve or promote  
community interests; AND,

2. Pursuant to Title 26 N.M.C., § 1 (B) the LMC is a duly certified Chapter of the Navajo Nation Government  
and recognized as a local tribal entity vested with the authority to review all matters affecting the  
community and to make appropriate recommendations to the Navajo Nation concerning matters that are  
in the best interest of the community; AND,

3. The Low Mountain Chapter finds that using the NNFR for the LMC Cell Tower Project with CellularOne is  
in the best interest of the LMC community and the local Navajo Chapter membership and COVID-19  
mitigation high priority for expanded telecommunication services for health standards, social services, well-  
being as the state of being happy, healthy, or prosperous; AND,

4. The Navajo Nation Broadband buildout plans is vital in that unserved and underserved local Navajo people  
can be adequately served to become connected and stay connected, communication for schools, public  
safety, hospital, and government, etc. are necessary for bridging the gap between our rural Chapter  
community and the Navajo Nation.

NOW, THEREFORE BE IT RESOLVED THAT:

1. Related to The Navajo Nation Coronavirus State And Local Fiscal Recovery Funds Program, Hereby  
Recommending And Approving Funding Low Mountain Chapter In The Amount Of \$ 700,000.00 From The  
Navajo Nation Fiscal Recovery Funds (NNFR) As Authorized By The American Rescue Plan Act Toward The  
Low Mountain Chapter Cell Tower Construction Plans With CellularOne.

Motion By: John Bekin  
Second By: Sullivan John

C-E-R-T-I-F-I-C-A-T-I-O-N

We hereby certify that the foregoing Chapter resolution was duly considered by the Low Mountain Chapter at a  
duly-called Chapter meeting at Low Mountain Chapter, Low Mountain (Navajo Nation), Arizona, at which a  
quorum was present and that the same was passed by a vote of 11 in favor, 0 opposed,  
2 abstained on this 10 day of November, 2022.

Ben L. Gonnit, Chapter President  
Roger B. George, Chapter Vice President

Rose Ann Charley, Chapter Secretary