



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

The Navajo Nation | Yideeskąądi Nitsáhákees

November 8, 2023

TRANSMITTAL

TO : Arbin Mitchell, Executive Director
 Division of Community Development (DCD)

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

SUBJECT : Tachee/Blue Gap Chapter, Many Farms Chapter, Nazlini Chapter, Tselani/Cottonwood Chapter, Low Mountain Chapter - ARPA Funds Allocated to Delegate Curley Region

I. Information on Contract (per Original Award):

Tachee/ Blue Gap Chapter, Many Farms Chapter, Nazlini Chapter, Tselani/ Cottonwood Chapter, and Low Mountain Chapter		U.S. Treasury American Recovery Plan Act (ARPA)		21.027
Title of Contract		Funding Agency		CFDA No. - Federal
CJY-63-23; CD-62-22	\$ 8,802,340.00	2022	03/11/2021 to 12/31/2026	
Grant No.	Amount	Fiscal Year	Term - Begin and End Date	

II. Data Entered in FMIS Regarding:

- New Contract or Grant Company No. 8059 Business Unit (K#) K2115281 to K2115289
- Contract Mod No. Internal Modification No. 2
- Amt of Award Increase \$2,853,598.00 \$5,948,733.00 to \$9,067,331.00
- 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 CJY-63-23

III. Comments by CGS:

This transmittal documents 3rd budget entered in FMIS on \$8.8 mil ARPA funds allocated to CD Crystalyne Curley Region. Y-T-D budget in FMIS for CD Crystalyne Curley totals \$9,067,331. This is due to two (2) Chapter Projects being removed in Resolution CJY-63-23 in the amount of \$265,000. Therefore, DCD and/or NN FRF Office will need to submit Summary of Change decreasing Business Units K2115111 and K2115112 in the amount of \$160,000 and \$105,000, respectively. Information on Section I. of Transmittal above reflects \$8,802,340 ARPA funding allocated for distribution to Chapters the respective Council Delegate service aka Region.

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



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

August 4, 2023

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

RE: *CJY-63-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CD-62-22 and the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Crystalyne Curley's Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain)*

Dear Speaker Curley,

I am pleased to sign into law this resolution CJY-63-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan in the amount of \$3,118,598.

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;
 AMENDING CD-62-22 AND THE NAVAJO NATION FISCAL RECOVERY FUND
 DELEGATE REGION PROJECT PLAN FOR HONORABLE CRYSTALYNE CURLEY'S
 DELEGATE REGION (CHAPTERS: TACHEE/BLEU GAP, MANY FARMS, NAZLINI,
 TSELANI/COTTONWOOD, LOW MOUNTAIN)

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).
- D. Navajo Nation Council Resolution No. CD-62-22, attached as **Exhibit 1** (without project exhibits), mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Crystalyne Curley's Delegate Region (Chapter: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain) 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).

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. The Navajo Nation Council Resolution No. CD-62-22, 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 KEE ALLEN BEGAY, JR.'S DELEGATE REGION (CHAPTERS: TACHEE/BLEUE GAP, MANY FARMS, NAZLINI, TSELANI/COTTONWOOD, LOW MOUNTAIN), was signed into law by the President of the Navajo Nation on January 9, 2023. **Exhibit 1.**
- D. CD-62-22, 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 Hon. Crystalyne Curley has requested to amend CD-62-22 to delete the *Nazlini Chapter Bathroom Additions* project (NNDOJ Review No. HK0232) and to delete the *Nazlini Chapter House Wiring* project (NNDOJ Review No. HK0233) from the Delegate Region Projects Plan covering the Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain Chapters. The removal of these projects will revert \$265,000.00 back to Hon. Crystalyne Curley's Delegate Region's Project Plan's Un-Allocated Amount.
- F. In addition to the removal of the *Nazlini Chapter Bathroom Additions* project and the removal of the *Nazlini Chapter House Wiring* project, Hon. Crystalyne Curley has requested that additional projects be added to the Delegate Region Projects Plan covering the Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain Chapters originally approved by CD-62-22. The additional projects, which have all been deemed Fiscal Recovery Fund eligible by NNDOJ, as well as the deleted projects, are set forth in **Exhibit 2**. After the deletion and addition of the project(s), the Hon. Crystalyne Curley's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- G. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Crystalyne Curley's

Delegate Region Chapters and communities to approve and adopt the removal of two-projects and add additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Crystalyne Curley's Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain) as set forth in Exhibit 2.

SECTION THREE. AMENDING CD-62-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CRYSTALYNE CURLEY'S DELEGATE REGION (CHAPTERS: TACHEE/BLUE GAP, MANY FARMS, NAZLINI, TSELANI/COTTONWOOD, LOW MOUNTAIN)

- A. The Navajo Nation hereby approves the removal of two projects (the *Nazlini Chapter Bathroom Additions* project under NNDOJ Review No. HK0232 and the *Nazlini Chapter House Wiring* project under NNDOJ Review No. HK0233) listed in CD-62-22 for Hon. Crystalyne Curley's Delegate Region Projects Plan as stricken in Exhibit 2. The removal of these projects from Hon. Crystalyne Curley's Delegate Projects Plan will revert \$265,000.00 back to her 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. Crystalyne Curley's Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain) 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 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 19 in Favor, and 00 Opposed, on this 19th day of July 2023.



Honorable Eugenia Charles-Newton, Speaker Pro Tem
25th Navajo Nation Council

7/27/23

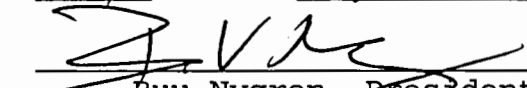
DATE

Motion: Honorable George H. Tolth
Second: Honorable Herman M. Daniels, Jr.

Speaker Pro Tem Eugenia Charles-Newton 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 April, 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

Exhibit 1

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



January 6, 2023



Hon. Otto Tso
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CD-62-22, *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 Kee Allen Begay, Jr.'s Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain)*

Dear Speaker Tso,

The Nez/Lizer Administration appreciates the Chapters' endeavors to work collaboratively with their respective Council Delegate in completing the process to access funding made available with the \$211,256,148 allocated for regional expenditure plans under CJN-29-22.

The process to secure funding also involves collaborative efforts between the Chapters, the Division of Community Development, Navajo Nation Fiscal Recovery Fund (NNFRF) Office and the Navajo Nation Department of Justice (NNDOJ). Per BFS-31-21, each proposed expenditure must obtain NNDOJ verification that each proposed project is an eligible expense within ARPA/NNFRF regulations. Each of the projects within CD-62-22 has met all the requirements.

The ARPA/NNFRF process is still evolving since the inception of this funding. Within the United States Treasury and the Navajo Nation, processes have been updated at various times. An example is the Treasury guidelines referenced within Navajo Nation Council resolutions CJY-41-21 and CJN-29-22; the Treasury guidelines exhibit was updated by the United States Treasury on September 20, 2022. Accordingly, the legal guidance provided by NNDOJ and Office of Legislative Counsel is modified to comply with the Treasury guidelines.

One such modification of legal guidance involved the processing of regional expenditure plans. Originally, the guidance was that all projects had to equal \$8,802,340 to be considered as completed and ready for legislative action. This guidance was modified in December 2022 to allow partial funding of the \$8,802,340 allocations so that proposed ARPA/NNFRF projects ready for legislative action could be processed by Office of Legislative Counsel. Because of the time constraints for the 24th Navajo Nation Council to act on proposed legislation, programs did not have sufficient time to provide written verification to Chapters regarding the change in legal guidance.


THE NAVAJO NATION

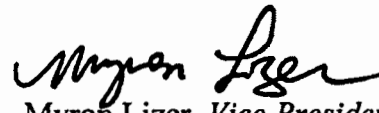


JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

Pursuant to the authority vested in the Navajo Nation President, I am signing Resolution CD-62-22 into law.

Sincerely,


Jonathan Nez, *President*
THE NAVAJO NATION


Myron Lizer, *Vice President*
THE NAVAJO NATION

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 24th NAVAJO NATION COUNCIL - FOURTH YEAR, 2022

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 KEE ALLEN BEGAY, JR.'S DELEGATE REGION
 (CHAPTERS: TACHEE/ BLUE GAP, MANY FARMS, NAZLINI, TSELANI/
 COTTONWOOD, LOW MOUNTAIN)

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. Kee Allen Begay, Jr.'s Delegate Region Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Kee Allen Begay, Jr.'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. Kee Allen Begay, Jr.'s Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Kee Allen Begay, Jr.'s Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain) as set forth in **Exhibit A**.

SECTION THREE. APPROVAL OF HON. KEE ALLEN BEGAY, JR.'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Kee Allen Begay, Jr.'s Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain) 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 FIVE. 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 24th 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 29th day of December 2022.



Honorable Otto Tso, Speaker
24th Navajo Nation Council

12/30/2022

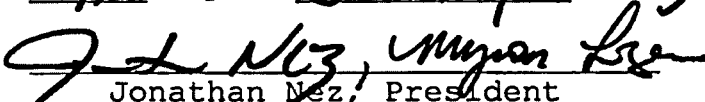
DATE

Motion: Honorable Vince James
Second: Honorable Daniel E. Tso

Speaker Otto Tso 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 9th day of January, 2023.


Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2022 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, 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 _____, 2022.

Jonathan Nez, President
Navajo Nation

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

EXHIBIT
A

COUNCIL DELEGATE: Delegate Kee Allen Begay, Jr.

CHAPTERS: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Leach Field Project	Division of Community Development	5.3	HK0226	\$ 120,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Bathroom Additions	Division of Community Development	1.14	HK0232	\$ 160,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Housing Wiring	Division of Community Development	2.18	HK0233	\$ 105,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Consulting Services	Division of Community Development	7.1	HK0234	\$ 150,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Warehouse Project	Division of Community Development	6.1	HK0235	\$ 400,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Administration Bldg	Division of Community Development	6.1	HK0237	\$ 350,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Cemetery Project	Division of Community Development	6.1	HK0238	\$ 150,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Water Conservation Project	Division of Community Development	2.22	HK0239	\$ 590,468.00
Division of Community Development	NONE IDENTIFIED	Many Farms Chapter Housing Support: Bathroom Additions	Division of Community Development	1.14	HK0305	\$ 400,000.00
Division of Community Development	NONE IDENTIFIED	Many Farms Chapter Local Rural Addressing - E911	Katherine O. Arthur, Chapter President	2.22	HK0307	\$ 100,000.00
TOTAL:						\$ 2,525,468.00

*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."

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN



COUNCIL DELEGATE: Delegate Kee Allen Begay, Jr.

CHAPTERS: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 2,525,468.00
Division of Community Development	NONE IDENTIFIED	Many Farms Chapter HVAC Systems	Division of Community Development	1.4	HK0308	\$ 150,000.00
Division of Community Development	NONE IDENTIFIED	Many Farms Chapter Broadband/Cellular Tower	Division of Community Development	1.14	HK0309	\$ 750,000.00
Division of Community Development	NONE IDENTIFIED	Blue Gap/Tachee Chapter Celluar Service Tower	Division of Community Development	1.14	HK0332	\$ 750,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter Elderly Bathroom Makeover/Modification Project	Division of Community Development	1.14	HK0333	\$ 81,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter Cellular Tower Project	Division of Community Development	1.14	HK0334	\$ 700,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter New Homes Waterline Extension Project	Division of Community Development	5.13	HK0336	\$ 48,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter Drainage/Septic System Project	Division of Community Development	5.5	HK0312	\$ 140,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter New Homes Electric and Powerline Extension	Division of Community Development	2.18	HK0335	\$ 60,000.00
Division of Community Development	NONE IDENTIFIED	Blue Gap/Tachee Chapter Warehouse Building	Division of Community Development	6.1	HK0341	\$ 450,000.00
					TOTAL:	\$ 5,654,468.00

*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."

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN



COUNCIL DELEGATE: Delegate Kee Allen Begay, Jr.

CHAPTERS: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 02				\$ 5,654,468.00
Division of Community Development	NONE IDENTIFIED	Blue Gap/Tachee Chapter Eight (8) Bathroom Additions	Division of Community Development	1.14	HK0346	\$ 294,265.00
		UNALLOCATED AMOUNT				\$ 2,853,607.00
TOTAL:						\$ 8,802,340.00

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

Exhibit 2

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit 2

COUNCIL DELEGATE: Hon. Crystalyne Curley

CHAPTERS: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CD-62-22 on January 9, 2023				\$ 5,948,733.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Bathroom Additions	Division of Community Development	4.14	HK0232	-\$ 160,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter House Wiring	Division of Community Development	2.18	HK0233	-\$ 105,000.00
Division of Community Development	None Identified	Low Mountain Chapter Hire of Personnel for Home Renovations Project	Division of Community Development	2.18	HK0310-2	\$ 122,191.30
Division of Community Development	None Identified	Low Mountain Chapter New Home Construction Project	Division of Community Development	2.15	HK0311-2	\$ 420,000.00
Division of Community Development	None Identified	Blue Gap/Tachee Chapter Administration Building Renovation Project	Division of Community Development	2.22	HK0339	\$ 266,203.00
Division of Community Development	None Identified	Low Mountain Chapter Home Renovations Construction Project	Division of Community Development	2.18	HK0432	\$ 92,067.70
Division of Community Development	None Identified	Low Mountain Chapter Septic Services Project	Division of Community Development	5.5	HK0433	\$ 67,200.00
Division of Community Development	None Identified	Low Mountain Chapter Heating/Cooling System Project	Division of Community Development	1.4	HK0441	\$ 30,000.00
Division of Community Development	None Identified	Many Farms Chapter Housing Assistance - Rehabilitation & Demolition Project	Division of Community Development	2.18	HK0304-2	\$ 360,468.00
					TOTAL:	\$ 7,041,863.00

*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

COUNCIL DELEGATE: Hon. Crystalyne Curley

Exhibit 2

CHAPTERS: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01.....				\$ 7,041,863.00
Division of Community Development	None Identified	Tselani (Cottonwood) Chapter Cell-Tower Project	Division of Community Development	1.14	HK0302	\$ 1,125,000.00
Division of Community Development	None Identified	Tselani (Cottonwood) Chapter Warehouse	Division of Community Development	1.14	HK0550	\$ 635,468.00
		UN-ALLOCATED AMOUNT				\$ 9.00
					TOTAL:	\$ 8,802,340.00

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



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

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 #: HK0302

Date & Time Received: 12/13/22 15:45

Date & Time of Response: 12/19/22 17:00

Entity Requesting FRF: Tselani-Cottonwood Chapter

Title of Project: Cell Tower Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,858,666

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: 1.14 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: Tselani-Cottonwood Chapter Date prepared: 10/18/2022
 Chapter's PO BOX 1139 phone/email: (928)725-3765
 mailing address: Chinle, Arizona 86503 website (if any): tselani@navajochapters.org
 This Form prepared by: Charlene Wallace phone/email: (928) 725-3763
Charlene Wallace, Coordinator cwallace@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Cell Tower Project

Chapter President: Thomas Gorman phone & email: (928) 675-5881
 Chapter Vice-President: Nelson Charley, Sr. phone & email: (928) 349-0064
 Chapter Secretary: Elliot Bryant phone & email: (928) 383-1103
 Chapter Treasurer: _____ phone & email: _____
 Chapter Manager or CSC: Charlene Wallace phone & email: (928) 725-3763
 DCD/Chapter ASO: Robert Jumbo phone & email: (928) 674-2320

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): 2 towers for Tselani-Cottonwood towers.

document attached

Amount of FRF requested: 1,858,666 FRF funding period: 7/3/23 - 7/30/26
indicate Project starting and ending/leadline 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 proposed project of Tselani-Cottonwood Chapter has identified 2 locations: Salina South and Fish Point area that is in dire need of cell services. This project will assist many people and commuters traveling through the community. Petitions from both area attached. The unpredictable virus Covid 19 has affected so many families: Students home schooling, elderlies home bound, and unable to connect during emergency cases.

document attached

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

The primary intent is to provide broad band services to the areas within the chapter boundaries. Cell phone services is a necessity to ensure the quality of life to our community. The concerns about not able to use their cell phones in times of emergencies or to contact the local elderlies.

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:

The funding not being incumbered or release for construction to proceed.

document attached

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

Smith Bagley dba CellularOne of NE Arizona

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 dba CellularOne of NE Arizona

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:

5.19 & 5.21 Broadband

document attached

Part 3. Additional documents.

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

Updated Chapter Proposal and Chapter Resolution.

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: *C Wallace*
signature of Preparer/CONTACT PERSON

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

Approved by: *C Wallace*
signature of CSC

Approved by: *[Signature]*
signature of Chapter ASO

Approved to submit for Review: *Sion Jynn, NLRFO*
signature of DCD Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Regulation to the Code of Regulations

PART I. Business Unit No. NEW Program Title Self-Taxer Project Division Branch Community Development
 Prepared By Charlene Wallace Phone No. 929-725-3753 Email Address _____

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY				
ARPA FUNDS	01/12 - 03/24	1,850,666	100%	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)	
				2001 Personnel Expenses				
				3000 Travel Expenses				
				3530 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and JMiles				
				6000 Repairs and Maintenance				
				6500 Contractual Services				
				7000 Special Transactions				
				8000 Public Assistance				
				8000 Public Assistance				
				9000 Capital Outlay	6	0	1,850,666	1,850,666
				9500 Matching Funds				
				9500 Indirect Cost				
TOTAL:					1,850,666	1,850,666	1,850,666	

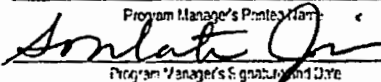
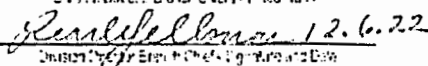
PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:			
Total # of Formally Assigned Vehicles:			

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

Submitted By: Charlene Wallace Department Manager
 Program Manager's Print Name: _____
 Date: 12/06/2022
 Submitted By: Program Manager's Signature and Date: _____

Approved By: Charlene Wallace Division Director
 Date: 12.6.22
 Approved By: Division Director's Signature and Date: _____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:									
Business Unit No. <u>NEW</u>				Program Name/Desc. <u>Cell Tower Project</u>					
PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:									
OAP 34-93 To direct the Chapter A Installation and Management control system by providing efficiency and accountability to the chapter membership and to effectively provide and to improve the standard of living for the chapter membership									
PART III. PROGRAM PERFORMANCE CRITERIA:									
		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Program Performance Area									
ARPA Fund for Capital Outlay									
Goal Statement									
Install 10 Cell Towers within the community									
2. Program Performance Area									
Goal Statement									
3. Program Performance Area									
Goal Statement									
4. Program Performance Area									
Goal Statement									
5. Program Performance Area									
Goal Statement									
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.									
Director of Main Department Manager's  Program Manager's Signature and Date 12/06/2022				Deputy Chapter Executive Director District Director Branch Chief's Printed Name  District Director Branch Chief's Signature and Date 12.6.22					

FY 2023

THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION

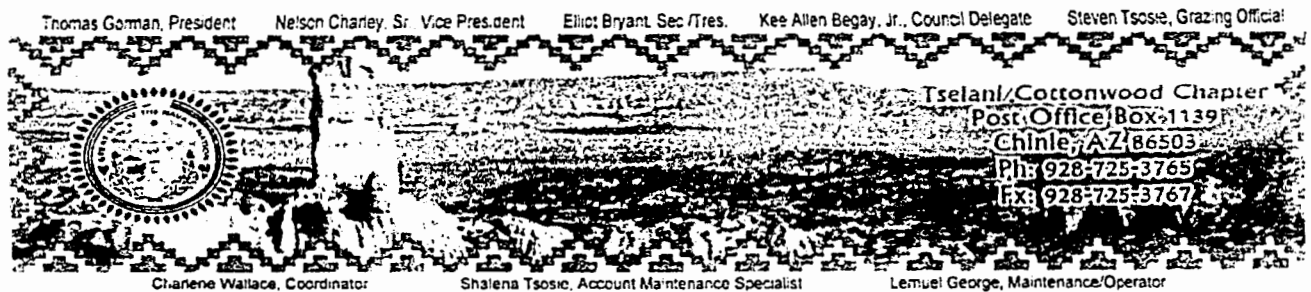
Page 3 of 3
 BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Cell Tower Project</u>		Business Unit No.: <u>NEW</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOO 8)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
7	9000 Capital Outlay 9038 communication Install two Cell Towers: Identified Salina South and Fish Point Area (1929,333.00 X 2)	1,058,666	1,058,666
TOTAL		1,058,666	1,058,666

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>6.19 & 6.1 Broadband and Chapter and Regional Projects</u> Project Description: <u>Install Two Cell Towers in the remote area of the Community area.</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										PART II. Project Information Project Type: <u>Broadband/Chapter & Reg Proj</u> Planned Start Date: <u>4/3/2023</u> Planned End Date: <u>8/30/2026</u> Project Manager: _____																							
PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.														Expected Completion Date if project exceeds 6 FY Qtrs.																		
	FY 2023							FY 2024							Date																		
	1st Qtr.		2nd Qtr.			3rd Qtr.		4th Qtr.			1st Qtr.		2nd Qtr.			3rd Qtr.		4th Qtr.															
	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			
01/01/2023 - 06/01/2023 Cell One land survey & clearances				x	x	x	x	x	x																								
06/01/2023 - 09/01/2023 Pre Construction Site Work										x	x	x																					
06/01/2023-12/31/2026 Construction of projects													x	x	x	x	x	x	x	x	x	x	x	x	x	x	x						
PART V. Expected Quarterly Expenditures	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	PROJECT TOTAL											
																															1,858,666		

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



RESOLUTION OF THE TSELANI-COTTONWOOD CHAPTER

TSEL-22-728

REQUESTING THE SUPPORT AND APPROVAL OF THE NAVAJO NATION FOR THE CONSTRUCTION OF A TELECOMMUNICATIONS TOWER IN THE COMMUNITY OF TSELANI-COTTONWOOD FISH POINT(LOHALI) AREA, RECOMMENDING AND APPROVING THE WITHDRAWAL OF A 50' x 50' ACRES TRACT OF LAND AND A UTILITY CORRIDOR FOR SAME.

WHEREAS:

1. Tselani-Cottonwood is governed by the Navajo Nation established and recognized by the Navajo Nation Council as a foundation of the Navajo Nation government vested with the authority to plan and implement projects in the best interest of the community. See generally 2 N.N.C. §4021 et seq. And 26 N.N.C. §103: AND
2. Pursuant to 2 N.N.C. §102 (A), the Navajo Nation Council is governing body of the Navajo Nation and by the Navajo Nation Code Title 26 Local Governance Act as a unit of government with delegated authority to make decision over local matters that are consistent with the existing with the Navajo Nation: AND
3. By resolution CAP-34-98, the Navajo Nation Council approved the "Local Governance Act" wherein the Navajo Nation Council delegated governmental authority to the Chapters of the Navajo Nation to address matters of local concern with Navajo law, custom and tradition: AND
4. By the community of Tselani-Cottonwood Chapter is seeking expanded telecommunications services for the improvement of education, health, social services and other local community needs of Cottonwood Chapter: AND
5. Smith Bagley, Inc. dba CellularOne of NE Arizona is licensed franchise providing wireless services on the Navajo Nation and has successfully expanded its services to include low-cost subsidized services to the Navajo Nation tribal members. Smith Bagley, Inc. dba CellularOne of NE Arizona so desire to continue its commitment to development a state-of-the-art wireless infrastructure on the Navajo Nation and to support the adoption of technologies applicable in business, governmental, healthcare, and education: AND
6. The need for more internet requirements on virtual learning and work from home, due to the Covid pandemic has been a high priority for the communities of Tselani-Cottonwood Chapter.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Tselani-Cottonwood Chapter supports and approves of the installation of wireless telecommunications equipment by Smith Bagley, Inc., dba CellularOne of NE Arizona.

CERTIFICATION

I, hereby, certify that the foregoing resolution was considered by Tselani-Cottonwood Chapter at a duly called meeting at Cottonwood, Navajo Nation (Apache, County, Arizona) at which a quorum was present and that same was passed by a vote of 12 in favor, 0 opposed and 1 abstained on this 14th day of September, 2022.

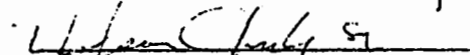
Motioned by Steven Tsasie



Thomas Gorman, Chapter President

Elliot K. Bryant
Elliot Bryant, Secretary/Treasurer

Seconded by Anderson Harvey


Nelson Charley, Sr., Vice-President

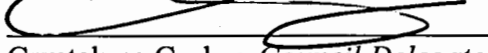
Kee Allen Begay, Jr.
Kee Allen Begay, Jr., Council Delegate



OFFICE OF THE SPEAKER
25TH NAVAJO NATION COUNCIL

MEMORANDUM

TO: Dana Bobroff, *Legal Counsel*
Office of Legal Counsel

FROM: 
Crystalyne Curley, *Council Delegate*
25th Navajo Nation Council

DATE: July 12, 2023

SUBJECT: ARPA REGIONAL PROJECT COST ADJUSTMENT

This memorandum serves as a formal request for the Office of Legal Counsel to acknowledge the project cost adjustment for Tselani/Cottonwood Chapter Project Cell Tower Project (HK0302) from \$1,858,666.00 to \$1,125,000.00.

My intent is for equal distribution among the five regional Chapters. The scope of work and timelines will remain the same for the project.

Your consideration is appreciated. If you have any questions, please contact me at (505) 422-9419.

Cc: Tselani/Cottonwood Chapter
Navajo Nation Fiscal Recovery Office


FY 2023

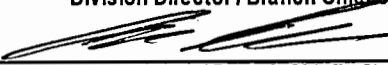
**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

PART I. Business Unit No.: NEW Program Title: TSELANI-COTTONWOOD CHAPTER Cell Tower Project Division/Branch: COMMUNITY DEVELOPMENT
 Prepared By: Charlene Wallace Phone No.: 928-725-3763 Email Address: cwallace@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		
ARPA FUNDS	10/1/22-9/30/26	1,125,000.00	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				
				9000	Capital Outlay	6	1,125,000	1,125,000	
				9500	Matching Funds				
				9500	Indirect Cost				
				TOTAL			\$0.00	1,125,000.00	1,125,000
TOTAL:				\$1,125,000.00	100%				
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: James Adakai, Program Manager
 Program Manager's Printed Name
 7-13-23
 Program Manager's Signature and Date

APPROVED BY: Calvin Castillo, DCD Division Director
 Division Director / Branch Chief's Printed Name
 7/13/2023
 Division Director / Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title:

TSELANI-COTTONWOOD CHAPTER Cell Tower Project

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

PART III. PROGRAM PERFORMANCE CRITERIA:

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

1. Goal Statement:

ARPA Fund for Capital Outlay

Program Performance Measure/Objective:

Install 2 Cell Towers within the Community

--	--	--	--	--	--	--	--

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.

James Adakai, Program Manager

Program Manager's Printed Name

James Adakai
Program Manager's Signature and Date

Calvin Castillo, DCD Division Director

Division Director/Branch Chief's Printed Name

Calvin Castillo
Division Director/Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>TSELANI-COTTONWOOD CHAPTER Cell Tower Project</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)
7	9000 Capital Outlay 9038 communication Instal 2 Cell Towers: Identified Salina South and Fish Point Area (750,000.00 - Fishpoint Tower & 375,000.00- Salina South)	1,125,000	1,125,000
TOTAL		1,125,000	1,125,000

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>5.19 & 6.1 Broadband and Chapter and Regional Projects</u> Project Description: <u>Install Two Cell Towers in the Remote area of the Tselani-Cottonwood Community.</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	PART II. Project Information Project Type: <u>Broadband/Chapter & Reg. Proj.</u> Planned Start Date: <u>4/3/23</u> Planned End Date: <u>9/30/26</u> Project Manager: _____
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PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																								Expected Completion Date if project exceeds 8 FY Qtrs.									
	FY 2023												FY 2024													Date: _____								
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.												
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					
01/01/2023 - 06/01/2023 Cellone land survey & clearances				x	x	x	x	x	x																									
06/01/2023 - 09/01/2023 Pre Construction Site work													x	x	x																			
06/01/2023 - 12/31/2026 Construction of Projects																x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
PART V.	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL									
Expected Quarterly Expenditures																																		\$1,125,000.00

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