



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

August 4, 2023

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

RE: CJY-52-23 *An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Seth Damon's Delegate Region (Chapters: Bááhááli, Chichiltah, Manuelito, Tsé Łichíí, Rock Springs, Tsayatoh)*

Dear Speaker Curley,

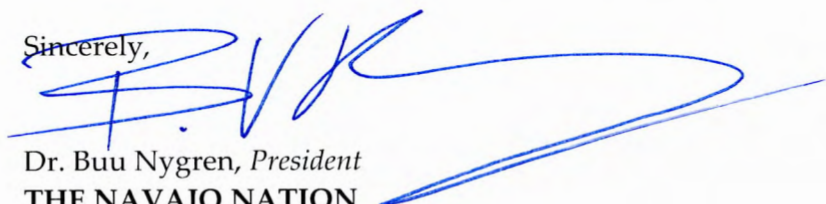
I am pleased to sign into law this resolution CJY-52-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Damon's Delegate Region in the amount of \$8,802,340.

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

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

Now let's get to work!

Sincerely,


Dr. Buu Nygren, *President*

THE NAVAJO NATION

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

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION
 PROJECT PLAN FOR HONORABLE SETH DAMON'S DELEGATE REGION (CHAPTERS:
 BÁÁHÁÁLÍ, CHICHILTAH, MANUELTITO, TSÉ ŁICHÍÍ, ROCK SPRINGS,
 TSAYATOH)

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. The Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.
- B. CJN-29-22, 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. Seth Damon's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal

Recovery Fund eligible by NNDOJ. In addition, Hon. Seth Damon'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. Seth Damon's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Seth Damon's Delegate Region (Chapters: Bááhááíí, Chichiltah, Manuelito, Tsé Łichíí, Rock Springs, Tsayatoh) as set forth in **Exhibit A**.

SECTION THREE. APPROVAL OF HON. SETH DAMON'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Seth Damon's Delegate Region (Chapters: Bááhááíí, Chichiltah, Manuelito, Tsé Łichíí, Rock Springs, Tsayatoh) set forth in **Exhibit A**.
- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

SECTION FOUR. AMENDMENTS

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

SECTION FIVE. EFFECTIVE DATE

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

SECTION SIX. SAVING CLAUSE

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

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

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 21 in Favor, and 00 Opposed, on this 18th day of July 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

7/27/23

DATE

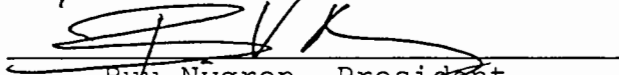
Motion: Honorable George H. Tolth

Second: Honorable Rickie Nez

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

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

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Seth Damon

CHAPTERS: Baahaali, Chichiltah, Manuelito, Red Rock, Rock Springs, Tsayatoh

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	Rock Springs Chapter E911 Rural Addressing Project	Division of Community Development	1.14	HK0423	\$ 200,000.00
Division of Community Development	None Identified	Rock Springs Chapter Housing Material Assistance Project	Division of Community Development	2.18	HK0421	\$ 600,000.00
Division of Community Development	None Identified	Rock Springs Chapter Warehouse Addition Project	Division of Community Development	1.14	HK0422	\$ 800,000.00
Division of Community Development	None Identified	Tsayatoh Chapter Rural Addressing Project	Division of Community Development	1.14	HK0415	\$ 200,000.00
Division of Community Development	None Identified	Tsayatoh Chapter New Warehouse Project	Division of Community Development	1.14	HK0412	\$ 800,000.00
Division of Community Development	None Identified	Tsayatoh Chapter Solid Waste Convenience Center Project	Division of Community Development	2.22	HK0411	\$ 400,000.00
Division of Community Development	None Identified	Manuelito Chapter Scattered Home Renovation Project	Division of Community Development	2.18	HK0372-2	\$ 200,000.00
Division of Community Development	None Identified	Manuelito Chapter Septic Tank Clean-Out Project	Division of Community Development	5.5	HK0331-2	\$ 100,000.00
Division of Community Development	None Identified	Manuelito Chapter Rural Addressing (for E911) Project	Division of Community Development	1.14	HK0375	\$ 284,840.00
Division of Community Development	None Identified	Manuelito Chapter Construction/Addition of New Warehouse Building Project	Division of Community Development	1.14	HK0480	\$ 900,000.00

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

TOTAL: \$ 4,484,840.00

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Seth Damon

CHAPTERS: Baahaali, Chichiltah, Manuelito, Red Rock, Rock Springs, Tsayatoh

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 4,484,840.00
Division of Community Development	None Identified	Manuelito Chapter Electrical Wiring for Homes Project	Division of Community Development	2.18	HK0371	\$ 207,500.00
Division of Community Development	None Identified	Chichiltah Chapter Powerline Extension Project	Division of Community Development	2.18	HK0313	\$ 100,000.00
Division of Community Development	None Identified	Chichiltah Chapter New Warehouse Project	Division of Community Development	1.12	HK0314	\$ 900,000.00
Division of Community Development	None Identified	Chichiltah Chapter New-House Wiring Project	Division of Community Development	2.18	HK0315	\$ 100,000.00
Division of Community Development	None Identified	Chichiltah Chapter Rural Addressing Project	Division of Community Development	2.22	HK0317	\$ 100,000.00
Division of Community Development	*Baahaali Chapter	Baahaali Chapter Water-Well Improvements Project	Division of Community Development	5.13	HK0402	\$ 250,000.00
Division of Community Development	*Baahaali Chapter	Baahaali Chapter New Warehouse Project	Division of Community Development	6.1	HK0394	\$ 800,000.00
Division of Community Development	*Baahaali Chapter	Baahaali Chapter Rural Addressing Project	Division of Community Development	1.14	HK0393	\$ 200,000.00
Division of Community Development	None Identified	Red Rock Chapter Warehouse Project	Division of Community Development	1.14	HK0511	\$ 800,000.00

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

TOTAL: \$ 7,942,340.00

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Seth Damon

CHAPTERS: Baahaali, Chichiltah, Manuelito, Red Rock, Rock Springs, Tsayatoh

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 02				\$ 7,942,340.00
Division of Community Development	None Identified	Red Rock Chapter Rural Addressing Project	Division of Community Development	1.14	HK0509	\$ 100,000.00
Division of Community Development	None Identified	Red Rock Chapter House-Wiring Project	Division of Community Development	2.18	HK0512	\$ 300,000.00
Division of Community Development	None Identified	Red Rock Chapter Water-Line Project	Division of Community Development	5.11	HK0513	\$ 460,000.00
		UN-ALLOCATED AMOUNT				\$ 0.00
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

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 #: HK0412

Date & Time Received: 3/24/23 at 11:36

Date & Time of Response: 30 March, 2023; 8:31 am

Entity Requesting FRF: Tsayatoh Chapter

Title of Project: New Warehouse

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$800,000

Eligibility Determination:

- FRF eligible
 FRF ineligible
 Additional information requested

FRF Eligibility Category:

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

U.S. Department of Treasury Reporting Expenditure Category: 1.14, Other Public Health Services

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

- Missing Form
- Supporting documentation missing
- Project will not be completed by 12/31/2026
- Ineligible purpose
- Submitter failed to timely submit CARES reports
- Additional information submitted is insufficient to make a proper determination

- Expenditure Plan incomplete
- Funds will not be obligated by 12/31/2024
- Incorrect Signatory
- Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: Adjua Adjei-Danso

Digitally signed by Adjua Adjei-Danso
Date: 2023.03.30 08:30:47 -06'00'

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

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

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

The project will be planned, designed and constructed before September 30, 2026.

document attached

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

Tsayatoh chapter administration and the chapter officials.

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:

The chapter administration and the chapter officials is be responsible for the operation and maintenance of the warehouse. There will be a custodian who will keep up with the maintenance and a heavy equipment operator who will oversee the storage capacity of the building to ensure that storage of items and the equipment is adequate.

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:

1.14 Dedicated Public Health storage Warehouse.
This project will construct a new warehouse to provide a storage facility for the chapter and head start center of any materials provided to combat the COVID-19 pandemic. It will also be used to store heavy equipment needed to provide services to the community.

document attached

Part 3. Additional documents.

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

Tsayatoh Chapter approved a chapter resolution for this project.

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: *Lucy Anderson* Approved by: *E. Thomas*
signature of Program CONTACT PERSON signature of Chapter President (or Vice-President)

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

Approved to submit for Review: _____
signature of DCD Director

Lisa Jynn, NTRCO



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

The Navajo Nation | Yideeskáądi Nitsáhákees

MEMORANDUM:

TO : Fiscal Recovery Fund Department of Justice Reviewer
Fiscal Recovery Fund Office

FROM : Lucy Antone, Chapter Secretary, Tsayatoh Chapter
Guarena Adeky, SPPS, Admin. Services Center – Gallup

DATE : March 22, 2023

SUBJECT : TSAYATOH CHAPTER WAREHOUSE UPDATED APPENDIX A

The additional information request for the Tsayatoh Chapter Warehouse packet is attached to this memorandum, along with the amended resolution.

The additional language added to the Warehouse Appendix A. part f states, "The project will construct a new warehouse to provide a storage facility for the chapter and head start center of any materials provided to combat the COVID-19 pandemic. It will also be used to store heavy equipment needed to provide services to the community."

If any additional information is needed for this packet, please do not hesitate to contact Guarena Adeky at gadeky@nndcd.org, who is assisting with the packet development. Thank you for your attention and look forward to a favorable response to this project.

**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: Tsayatoh Chapter Date prepared: 11/10/22

Chapter's mailing address: PO Box 86 Mentmore, NM 87319 phone/email: (505)905-2649
website (if any): tsayatoh.navajochapters.org

This Form prepared by: Lucy Antone phone/email: (928)309-8057
Secretary/Treasurer lantone@navajochapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: New Warehouse

Chapter President: Ellen Young Thomas phone & email: (505)906-7282

Chapter Vice-President: Ellen Young Thomas phone & email: eythomas@naataaanii.org

Chapter Secretary: Lucy Antone phone & email: (928)309-8057

Chapter Treasurer: Lucy Antone phone & email: lantone@navajochapters.org

Chapter Manager or CSC: No CSC phone & email: _____

DCD/Chapter ASO: Guarena Adeky phone & email: (505)488-8476 gadeky@nndcd.org

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

Amount of FRF requested: \$800,000 FRF funding period: 10/1/22 - 9/30/2026
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

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

Warehouse to store the Chapter's Heavy Equipments out of natural environment and inclement weather and from vandalism. The warehouse will also be used to store any items needed to be held for the community for COVID-19 related response. The warehouse will be constructed at 82A Mentmore, NM 87319.

document attached

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

The Heavy Equipment (Motor Grader and Back Hoe) will be used for grading roads and assisting the community members. The items to be stored for the population of the community will be gloves, masks, disinfectant wipes/sprays, water, food, ETC.

document attached

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

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

The project will be planned, designed and constructed before September 30, 2026.

document attached

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

Tsayatoh chapter administration and the chapter officials.

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:

The chapter administration and the chapter officials is be responsible for the operation and maintenance of the warehouse. There will be a custodian who will keep up with the maintenance and a heavy equipment operator who will oversee the storage capacity of the building to ensure that storage of items and the equipment is adequate.

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:

1.14 Dedicated Public Health storage Warehouse.

This project will construct a new warehouse to provide a storage facility for the chapter and head start center of any materials provided to combat the COVID-19 pandemic. It will also be used to store heavy equipment needed to provide services to the community.

document attached

Part 3. Additional documents.

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

Tsayatoh Chapter approved a chapter resolution for this project.

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: Lucy Anderson Approved by: E. Thomas
Signature of Preparer/CONTACT PERSON signature of Chapter President (or Vice-President)

Approved by: U. PLANT Approved by: [Signature]
signature of CSC signature of Chapter ASU

Approved to submit for Review: [Signature]
signature of DCO Director

Council Delegate, Seth Damon
President, VACANT
Vice President, Ellen Young Thomas
Secretary/Treasurer, Lucy Antone
Land Board, Vacant
Community Service Coordinator, VACANT
Accounts Maintenance Specialist, VACANT



THE NAVAJO NATION

TSAYATOH COMMUNITY GOVERNANCE

Post Office Box 86 · Mentmore, NM 87319
Phone: (505) 905-2649 · Fax: (505) 905-0537
email: tsayatoh@navajochapters.org

TSAYATOH GOVERNANCE

REQUESTING FUNDING FROM THE NAVAJO NATION ARPA/FRF AND NAVAJO NATION COUNCIL LEGISLATION CJN-29-22 IN THE AMOUNT OF \$800,000 FOR A SUSTAINABLE WAREHOUSE FOR THE TSAYATOH CHAPTER COMMUNITY.

Resolution No.TSA-2023-02-014

WHEREAS:

1. Pursuant to N.N.C. Title 26; Chapter 1 3 (A) under the Local Governance Act, Tsayatoh Chapter is a certified local governmental entity of the Navajo Nation and codified at 11 N.N.C. Part 1 section 10; and
2. Pursuant to Chapter 1, Section 1(B)(1) of the same "Act", Tsayatoh is vested with the governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition; and
3. Pursuant to Chapter 1, Section 1(8)(2) of the same " Act", Tsayatoh Chapter is vested with the authority to make decisions over local matters and to govern with responsibility; and
4. Tsayatoh community members are requesting for a suitable warehouse for the purposes of emergency materials and supplies storage, space for emergency providers to mitigate emergency measures in an secure area to protect community members, and space to provide storage of heavy equipment that will be utilized during emergency response; and
5. Tsayatoh community members request Honorable Delegate Seth Damon to move forward with legislation to secure funding for this important project for the community.

NOW, THEREFORE BE IT RESOLVED THAT:

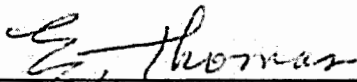
1. The Tsayatoh Chapter hereby requests funding from the Navajo Nation ARPA/FRF and Navajo Nation Council Legislation CJN-29-22, through the Delegate Regional Expenditure Plans for Honorable Seth Damon in the amount of \$800,000.00 for the new warehouse.
2. Tsayatoh Chapter affirms that the Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies.

CERTIFICATION

WE HEREBY CERTIFY that the foregoing Resolution was duly considered by Tsayatoh Chapter Governance at a duly called chapter meeting at Tsayatoh (Navajo Nation), at which an authorized quorum of Registered Community Members and two(2) Chapter Officials presided by teleconference methods and that same passed by a vote of legal quorum of chapter Vice-President, and Secretary/Treasurer, by a vote of 15 In Favor, 0 Opposed and 0 Abstain, this 22nd day of February 2023.

MOTION: Ernest John

SECOND: Robert Yazzie



Ellen Young Thomas, Vice-President

**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: Tsayatoh Chapter Date prepared: 11/10/22

Chapter's mailing address: PO Box 86 phone/email: (505)905-2649
Mentmore, NM 87319 website (if any): tsayatoh.navajochapters.org

This Form prepared by: Lucy Antone phone/email: (928)309-8057
Secretary/Treasurer lantone@navajochapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: New Warehouse

Chapter President: Ellen Young Thomas phone & email: (505)906-7282
 Chapter Vice-President: Ellen Young Thomas phone & email: eythomas@naataaanii.org
 Chapter Secretary: Lucy Antone phone & email: (928)309-8057
 Chapter Treasurer: Lucy Antone phone & email: lantone@navajochapters.org
 Chapter Manager or CSC: No CSC phone & email: _____
 DCD/Chapter ASO: Guarena Adeky phone & email: (505)488-8476 gadeky@nndcd.org

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

Amount of FRF requested: \$800,000 FRF funding period: 10/1/22 - 9/30/2026
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

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

Warehouse to store the Chapter's Heavy Equipments out of natural environment and inclement weather and from vandalism. The warehouse will also be used to store any items needed to be held for the community for COVID-19 related response. The warehouse will be constructed at 82A Mentmore, NM 87319.

document attached

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

The Heavy Equipment (Motor Grader and Back Hoe) will be used for grading roads and assisting the community members. The items to be stored for the population of the community will be gloves, masks, disinfectant wipes/sprays, water, food, ETC.

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 project will be planned, designed and constructed before September 30, 2026.
 document attached

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

Tsayatoh chapter administration and the chapter officials.
 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:

The chapter administration and the chapter officials is be responsible for the operation and maintenance of the warehouse. There will be a custodian who will keep up with the maintenance and a heavy equipment operator who will oversee the storage capacity of the building to ensure that storage of items and the equipment is adequate.
 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:

1.14 Dedicated Public Health storage Warehouse.
 document attached

Part 3. Additional documents.

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

Tsayatoh Chapter approved a chapter resolution for this project.
 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: Lucy Anderson signature of Preparer/CONTACT PERSON Approved by: E Thomas signature of Chapter President (or Vice-President)
Approved by: VIRANT signature of CSC Approved by: [Signature] signature of Chapter ASO
Approved to submit for Review: Siad Jym, UNFERO signature of DCD Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: K-[New] Program Title: Tsayatoh Chapter (Warehouse) Division/Branch: DCD/ASC/Tsayatoh
 Prepared By: Guema Adeky, SPPS Phone No.: 505-905-2649 Email Address: tsayatoh@navajochapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY				
				Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total	
NN Fiscal Recovery Funds	01/01/23 - 09/30/26 10/1/22	800,000.00	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	800,000		
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	800,000.00	800,000
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		6	6	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:		\$800,000.00	100%					

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

SUBMITTED BY: Sonlatsa Jim-Martin APPROVED BY: Pearl Yellowman
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name
Sonlatsa Jim Pearl Yellowman 12-2-22
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:

Business Unit No.: K- [New]

Program Name/Title: Tsayatoh Chapter (Warehouse)

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:

To plan, design, and construct a warehouse to store COVID-related items and Heavy Equipment

Program Performance Measure/Objective:

Plan, design, and construct a warehouse for the chapter

						1	
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2. Goal Statement:

Program Performance Measure/Objective:

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3. Goal Statement:

Program Performance Measure/Objective:

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4. Goal Statement:

Program Performance Measure/Objective:

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5. Goal Statement:

Program Performance Measure/Objective:

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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Sonlatsa Jim-Martin

Program Manager's Printed Name

Sonlatsa Jim

Program Manager's Signature and Date

Pearl Yellowman

Division Director/Branch Chief's Printed Name

Pearl Yellowman 12.2.22

Division Director/Branch Chief's Signature and Date

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title: _____		Tsayatoh Chapter <i>(Warehouse)</i>	Business Unit No.: _____
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)
9050	Buildings 9052 - Buildings To plan, design, and construct a warehouse to store COVID related items and heavy equipment	800,000	800,000
TOTAL		800,000	800,000

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>K - [New]</u> Project Title: <u>Tsayatoh Chapter Warehouse</u> Project Description: <u>Plan, design, construct a warehouse for the Tsayatoh Community</u>															PART II. Project Information Project Type: <u>Building</u> Planned Start Date: <u>1/1/2023 10/1/22</u> Planned End Date: <u>9/30/2026</u> Project Manager: <u>Tsayatoh Chapter/CPMD</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 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.					
	<u>FY 2023</u>												<u>FY 2024</u>												Date <u>2026</u>					
	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
Plan location of the site Design warehouse with consultant Hire construction crew to build Site				X									X	X	X	X	X	X	X	X	X									
	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL					
Expected Quarterly Expenditures	0.00			25,000.00			155,000.00			155,000.00			155,000.00			155,000.00			155,000.00			155,000.00			\$800,000.00					

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

Council Delegate, Seth Damon
President, VACANT
Vice President, Ellen Young Thomas
Secretary/Treasurer, Lucy Antone
Land Board, Ernest Reeder
Community Service Coordinator, VACANT
Accounts Maintenance Specialist, VACANT



THE NAVAJO NATION

TSAYATOH COMMUNITY GOVERNANCE

Post Office Box 86 • Mentmore, NM 87319
Phone: (505) 905-2649 • Fax: (505) 905-0537
email: tsayatoh@navajochapters.org

TSAYATOH GOVERNANCE

ACCEPTING AND APPROVING THE FISCAL YEAR '23, SETH DAMON DELEGATE REGIONAL EXPENDITURE PLANS IN THE AMOUNT OF \$800,000.00 FOR NEW WAREHOUSE.

Resolution No.TSA-2022-11-001

WHEREAS:

1. Pursuant to N.N.C. Title 26; Chapter 1 3 (A) under the Local Governance Act, Tsayatoh Chapter is a certified local governmental entity of the Navajo Nation and codified at 11 N.N.C. Part 1 section 10; and
2. Pursuant to Chapter 1, Section 1(B)(1) of the same "Act", Tsayatoh is vested with the governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition; and
3. Pursuant to Chapter 1, Section 1(B)(2) of the same "Act", Tsayatoh Chapter is vested with the authority to make decisions over local matters and to govern with responsibility and accountability the local citizen; and
4. Tsayatoh community members approves and accepts the resolution the fiscal year '23, Seth Damon Delegate Regional Expenditure Plans in the amount of \$800,000.00 for the new warehouse.

NOW, THEREFORE BE IT RESOLVED THAT:

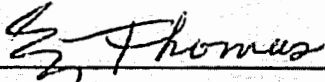
1. The Tsayatoh Chapter hereby approves and accepts the resolution the fiscal year '23, Seth Damon Delegate Regional Expenditure Plans in the amount of \$800,000.00 for the new warehouse.

CERTIFICATION

WE HEREBY CERTIFY that the foregoing Resolution was duly considered by Tsayatoh Chapter Governance at a duly called chapter meeting at Tsayatoh (Navajo Nation), at which an authorized quorum of 13 Registered Community Members and two (2) Chapter Officials presided by teleconference methods and that same passed by a vote of legal quorum of Chapter Vice-President, and Secretary/Treasurer; by a vote of 14 in Favor, 0 Opposed and 5 Abstain, this 15th day of November 2022.

MOTION: Pauline Lee

Second: Jayne Long


Ellen Young Thomas, Vice-President