



The Navajo Nation **DR. BUU NYGREN** **PRESIDENT**
Yideeskáadi 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-55-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CAP-19-23 and CD-68-22, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill), to Include Additional Projects for this Delegate Region*

Dear Speaker Curley,

I am pleased to sign into law this resolution CJY-55-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Yazzie's Delegate Region in the amount of \$3,453,000.

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,

A handwritten signature in blue ink, appearing to read "B. Nygren", with a long horizontal flourish extending to the right.

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 CAP-19-23 and CD-68-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

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-68-22, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapter: Crystal, Fort Defiance, Red Lake, Sawmill) 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).
- E. Navajo Nation Council Resolution No. CAP-19-23, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapter: Crystal, Fort Defiance, Red Lake, Sawmill) 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. 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. The Navajo Nation Council Resolution No. CD-68-22, 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 WILSON C. STEWART, JR.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), was signed into law by the President of the Navajo Nation on January 6, 2023.
- D. CD-68-22, 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 Navajo Nation Council Resolution No. CAP-19-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CD-68-22 AND THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), was signed into law by the President of the Navajo Nation on May 5, 2023.
- F. CAP-19-23, Section Four, states that:
2. 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).
- G. All additional projects listed in the Hon. Andy Nez, Ph.D.'s Delegate Region Projects Plan, attached as **Exhibit A**, have been

deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Andy Nez, Ph.D.'s Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

- H. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Andy Nez, Ph.D.'s Delegate Region Chapters and communities to approve and adopt the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) as set forth in Exhibit A.

SECTION THREE. AMENDING CAP-19-23 AND CD-68-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

- A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) 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. Andy Nez, Ph.D.

CHAPTERS: Crystal, Fort Defiance, Red Lake, Sawmill

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CD-68-22 on January 6, 2023				\$ 2,280,047.00
		TOTAL AMOUNT REVERTED in CAP-19-23 on May 5, 2023				-\$ 500,000.00
		TOTAL AMOUNT APPROPRIATED in CAP-19-23 on May 5, 2023				\$ 1,033,662.00
Division of Community Development	None Identified	Crystal Chapter Purchase of 20' Goose-neck Trailer	Division of Community Development	6.1	HK0524	\$ 23,000.00
Division of Community Development	*Fort Defiance Chapter	Fort Defiance Chapter Warehouse Project	Division of Community Development	6.1	HK0525	\$ 1,070,301.00
Division of Community Development	*Fort Defiance Chapter	Fort Defiance Chapter (Scattered) Waterline Extension Project	Department of Water Resources	5.11	HK0526	\$ 200,000.00
Division of Community Development	None Identified	Red Lake Chapter House Complex Project	Division of Community Development	6.1	HK0527	\$ 1,187,699.00
Division of Community Development	None Identified	Red Lake Chapter (Rural) Residential Septic Tank & Waterline Extension Project	NN Environmental Protection Agency	5.5	HK0528	\$ 617,000.00
Division of Community Development	None Identified	Sawmill Chapter Purchase of Motor Grader	Division of Community Development	6.1	HK0600	\$ 200,000.00
Division of Community Development	None Identified	Crystal Chapter Rural Addressing Project	Division of Community Development	1.14	HK0405	\$ 155,000.00
					TOTAL:	\$ 6,266,709.00

*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. Andy Nez, Ph.D.

Exhibit A

CHAPTERS: Crystal, Fort Defiance, Red Lake, Sawmill

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 6,266,709.00
		UN-ALLOCATED AMOUNT				\$ 2,535,631.00
					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 #: HK 527

Date & Time Received: 6/4/23 at 13:53

Date & Time of Response: 6/9/23 at 17:00

Entity Requesting FRF: Red Lake Chapter

Title of Project: Navajo Chapter House Complex

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,187,699

Eligibility Determination:

- FRF eligible (checked)
FRF ineligible
Additional information requested

FRF Eligibility Category:

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

U.S. Department of Treasury Reporting Expenditure Category:
6.1, Provision of Government 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: Please note that we have modified the category from 1.7 (capital investments to public facilities) to 6.1 (provision of government services) to make the reporting consistent with other similar projects.

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: MacArthur Stant

Digitally signed by MacArthur Stant
Date: 2023.06.09 13:24:05 -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.

**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: Red Lake #18 Chapter Date prepared: 10/18/2021

Chapter's mailing address: PO Box 130 Navajo, NM 87328 phone/email: (505)777-2810
website (if any): redlake18@navajochapters.org

This Form prepared by: Kathleen Shurley phone/email: kshurley@nnchapters.org
Community Services Coordinator (505) 777-2814
CONTACT PERSON'S name and title CONTACT PERSON'S hb

Title and type of Project: Navajo Chapter House Complex

Chapter President: Arval T. McCabe phone & email: (505)930-0911/arvaltmccabe@yahoo.com

Chapter Vice-President: Roger L. James phone & email: (928)255-9124/rjames@naataani.org

Chapter Secretary: Loberta Redhouse phone & email: (505)567-1117/redhouse@navajochapters.org

Chapter Treasurer: Loberta Redhouse phone & email: (505)567-1117/redhouse@navajochapter.org

Chapter Manager or CSC: Kathleen Shurley phone & email: (928)206-0685/kshurley@nnchapters.org

DCD/Chapter ASO: Derek Echohawk phone & email: (928) 871-7515 ddechohawk@nndcd.org

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

Amount of FRF requested: 1,187,699.00 FRF funding period: Oct 1, 2022 - September 30, 2025
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

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

The Red Lake #18 Chapter is currently housed in a used and aged modular building that has many safety issues including an inadequate meeting room space, non-ADA compliant doors and restrooms, no commercial kitchen facilities, roof leaks, poor ADA ramps and poor outdoor security lighting. The Chapter has inadequate space to serve 700 registered community members in a safe environment in response to the COVID-19 pandemic. The Chapter has struggled in providing safe and efficient services and good to the community with bulk food supplies, PPE, information and applications, and other needs that must be distributed to the community as well as providing an adequate space to store food, emergency equipment, and such. document attached

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

A new public facility will ensure the community members will have safe access to an adequate meeting space including a commercial kitchen, ADA compliant facility, good lighting, etc., and will have a means to store goods and facilities that are ready to serve in future public health emergencies. 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:

Phase I Legal survey, chapter resolution, land designation, clearances including environmental assessments, arch/biological clearances. Completion 12/31/2023 Phase II Design & Engineering including master plan, utility plan, etc. 12/31/2024 Phase III Construction of new chapter house by 12/31/2025

document attached

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

Chapter Officials, administrative staff, Council Delegate, and Navajo Nation Division of Community Development - CPMD.

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 Red Lake Chapter will be responsible for operation and maintenance of the facility.

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:

1.7 Capital Investments to Public Facilities that respond to the COVID -1 public health emergency.

The new chapter complex will ensure issues with inadequate meeting rooms are addressed. Allow ADA compliance at all levels with plumbing, kitchen facilities and restrooms. A new facility will ensure a stable roof, access ramps, and better security within the chapter compound to respond to public health emergencies.

document attached

Part 3. Additional documents.

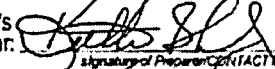
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Infrastructure Capital Improvement Plan Supporting Resolution (Red Lake #18 Chapter)
Resolution # RLC-12-18-43
Resolution # RLC-06-18-22

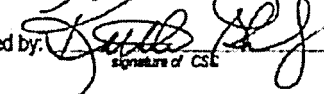
Chapter Resolution attached

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:  10/20/21
signature of Preparer (CONTACT PERSON)

Approved by: 
signature of Chapter President (or Vice-President)

Approved by:  10/20/21
signature of CSE

Approved by: 
signature of Chapter ASO


Approved to submit for Review:  6.2.23
signature of DCD Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Red Lake - Navajo Chapter House Complex</u>		Division/Branch: <u>Div. of Comm. Dev./Executive</u>	
Prepared By: <u>Kathleen Shurley</u>		Phone No.: <u>505-777-2810</u>		Email Address: <u>kshurley@nncchapters.org</u>	
PART II. FUNDING SOURCE(S)		Fiscal Year /Item	Amount	% of Total	
NW ARPA FUNDS		10/1722-93025	1,187,699.00	100%	
PART III. BUDGET SUMMARY					
		Fund Type Code	NMC Original Budget	Proposed Budget	Difference or Total
2001	Personnel Expenses				
3000	Travel Expenses				
3500	Meeting Expenses				
4000	Supplies				
5000	Lease and Rental				
5500	Communications and Utilities				
6000	Repairs and Maintenance				
6500	Contractual Services	6	0	1,187,699.00	1,187,699.00
7000	Special Transactions				
8000	Public Assistance				
9000	Capital Outlay				
9500	Matching Funds				
9500	Indirect Cost				
TOTAL			\$0.00	1,187,699.00	1,187,699.00
PART IV. POSITIONS AND VEHICLES					
			(D)	(E)	
TOTAL: \$1,187,699.00			0	0	
TOTAL: 100%			0	0	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.					
SUBMITTED BY: <u>James Ahtakai, Deputy Director</u>		APPROVED BY: <u>Carvin Castillo, Executive Director</u>		Division Director / Branch Chief's Printed Name	
Program Manager's Printed Name		06/02/2023		Division Director / Branch Chief's Signature and Date	
<u>[Signature]</u>		<u>[Signature]</u>		<u>[Signature]</u>	

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2023

PART I. PROGRAM INFORMATION:		Business Unit No. <u>NEW</u>		Program Name/Title: <u>Red Lake - Navajo Chapter House Complex</u>					
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:		RESOLUTION NO. <u>RLC-02-23-04</u>							
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 ensure a safe and adequate new chapter house to provide efficient service to the community									
Program Performance Measure/Objective:									
2. Goal Statement:									
Hire a contractor for the planning, design and construction phase of the project.									3
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 Adcock, Deputy Director		Carvin Castillo, Executive Director					
		Program Manager's Printed Name		Division Director/Branch Chief's Printed Name					
		06/02/2023							
		Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date					

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:		Business Unit No.:	
Program Name/Title: <u>Red Lake - Navajo Chapter House Complex</u>		NEW	
PART II. DETAILED BUDGET:		(B)	(D)
(A)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
6500	Contractual Service		1,187,699.00
6510	Contractual planning, design and construction on the new chapter complex for Red Lake Chapter.	1,187,699.00	
TOTAL		1,187,699.00	1,187,699.00

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PART I. Business Unit No.: <u>NEW</u>		PART II. Project Information	
Project Title: <u>Navajo Chapter House Complex - Red Lake Chapter</u>		Project Type: <u>Chapter House Complex</u>	
Project Description: <u>A new public chapter facility will ensure a safe and efficient services to the community in future public health emergencies</u>		Planned Start Date: <u>10/01/22</u>	
Check one box:		Planned End Date: <u>09/30/25</u>	
<input checked="" type="checkbox"/> Original Budget		Project Manager: <u>Kathleen Shurley</u>	
<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.	FY 2024								FY 2025								Expected Completion Date if project exceeds 8 FY Qtrs. Date: 09/30/25								
	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	A	S	O	N	D	J	F									
Contracting:																									
Bidding																									
Award																									
Actual Work:																									
Clearances																									
Schematic Design																									
Utility Plan Geotechnical Analysis																									
Site Preparation																									
Construction Phase																									
Post Construction																									
Close out																									
PART V. Expected Quarterly Expenditures	\$																								
PROJECT TOTAL																									

Arval T. McCabe
PRESIDENT
Roger L James
VICE-PRESIDENT
Loberta Redhouse
SECRETARY/TREASURER
Dr. Andy Nez
COUNCIL DELEGATE

Kathleen Shurley
CHAPTER COORDINATOR

Florina Howard
GRAZING COMMITTEE
MEMBER



RED LAKE CHAPTER

RESOLUTION OF RED LAKE CHAPTER

Res. No. RLC-05-23-20

AMENDING THE FUNDING REQUEST FROM THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR CHAPTER PROJECTS IN THE NEW REVISED AMOUNT OF \$ 1,954,699.00.

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A), the Red Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11 N.N.C. part 1, section 10; and
2. Pursuant to 26 N.N.C., Section 1 (B), Red Lake Chapter is vested with the authority to review all matters affecting the community and to make appropriate corrections when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and
3. The Red Lake Chapter affirms that the Chapter "will only use the 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".
4. The Navajo Nation Fiscal Recovery Funding Office, Navajo Division of Community Development and the Navajo Department of Justice are jointly responsible for reviewing and determining the eligibility for chapter projects for ARPA funding; and
5. The initial amount approved for ARPA funding in the amount of \$4,271,000.00 was revised to reflect the new amount of \$1,954,699.00 due to updated ARPA chapter projects; and
6. The Red Lake Chapter has identified three (3) projects for the American Rescue Plan Act fund in the amount of \$ 1,954,699.00, as follows:
 - a. Rural Residential Septic Tanks Install, Replacement & Waterline Extension - \$ 617,000.00
 - b. New Chapter House Complex - \$1,187,699.00
 - c. Utility Infrastructure Upgrade Preliminary Engineering Study - \$ 150,000.00
7. The Red Lake Chapter requests the Navajo Nation Fiscal Recovery Funds Office, Navajo Division of Community Development and the Navajo Department of Justice to consider the three (3) projects for the Red Lake Chapter Community.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Red Lake Chapter hereby approves and request funding from the American Rescue Plan Act (ARPA) funding for chapter projects in the new revised amount of \$ 1,954,699.00.
2. The Red Lake Chapter has determined that the three (3) chapter projects are construction ready and meet the requirements pursuant to BFS-31-21.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by Red Lake Chapter at a duly called meeting at Red Lake, Navajo Nation, New Mexico, at which a quorum was present and that the same was passed by a Vote of 27 in Favor, ~~00~~ Opposed, and 01 Abstained on this 17th day of May 2023.

MOTIONED: *Kaden Begaye*

SECONDED: *Dondi Begay*

Arval T. McCabe
Arval T. McCabe, Chapter President



Red Lake Chapter

Arval T. McCabe
PRESIDENT

Pauline J. Garnenez
VICE PRESIDENT

Loberta Redhouse
SECRETARY/TREASURER

Florina Howard
GRAZING OFFICIAL

RESOLUTION OF RED LAKE CHAPTER

RLC-09-20-20

APPROVING THE RED LAKE CHAPTER INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP) FOR FISCAL YEAR 2022-2026.

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Red Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11 N.N.C. part 1, section 10; and
2. Pursuant to 26 N.N.C., Section 1 (B) Red Lake Chapter is vested with the authority to review all matters affecting the community and to make appropriations when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and
3. The Red Lake Chapter provides multiple public services to the community of Red Lake Chapter and the town of Navajo, New Mexico; and
4. The funding resources are no longer readily available to fund projects throughout the chapter communities; and
5. The Red Lake Chapter recognizes that the funding of public capital projects has become a major concern for the Navajo Nation and New Mexico; and
6. Systemic capital improvement planning is an effective tool for communities to define their development needs, establish priorities, concrete actions and strategies to achieve necessary project developments; and
7. This process contributes to local and regional efforts in project identification and selection in short and long-range capital planning effort; and
8. The Red Lake Chapter has identified the Top Five (5) Priority Projects:
 1. New Chapter Office Complex Building
 2. Navajo Community Street Improvement
 3. Upgrade Utilities
 4. Navajo Community Recreational Center & Park
 5. Purchase Road Motor Grader

NOW THEREFORE, BE IT RESOLVED THAT:

The Red Lake Chapter hereby approves the Fiscal Year 2022-2026 Infrastructure Capital Improvement Plan (ICIP) and that the plan be the first of many steps toward improving the rational, long-range capital planning and budgeting for Red Lake's Infrastructure.

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

I hereby certify that the foregoing resolution was duly considered by Red Lake Chapter at a duly called meeting at Red Lake, Navajo Nation, New Mexico, at which a quorum was present and the same was passed by a Vote of 5 in Favor, 0 Opposed, and 2 Abstained on this 16th day of September, 2020.

MOTIONED: Wilson Stewart, Jr.
SECONDED: Florina Howard



Arval T. McCabe, Chapter President



Red Lake Chapter

Arval T. McCabe
PRESIDENT

Pauline J. Garnenez
VICE PRESIDENT

Loberta Redhouse
SECRETARY/TREASURER

Florina Howard
GRAZING OFFICIAL

RESOLUTION OF RED LAKE CHAPTER

Res. No. RLC-12-18-43

REQUESTING THE RESOURCE & DEVELOPMENT COMMITTEE OF THE NAVAJO NATION COUNCIL TO MOVE THE PROJECT FUNDING IN THE AMOUNT OF \$1,041,666.67 FROM THE SIHASIN FUNDS FOR NEW CHAPTER COMPLEX PROJECT TO YEAR THREE FUNDING.

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Red Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11 N.N.C. part 1, section 10, and
2. Pursuant to 26 N.N.C., Section 1 (B) Red Lake Chapter is vested with the authority to review all matters affecting the community and to make appropriate corrections when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions, and
3. The Honorable Council Delegate, Mr. Benjamin Bennett, for Red Lake Chapter has advocated and lobby to receive funds from the Sihasin Fund for the listed ICIP projects for Red Lake Chapter; and
4. The Red Lake Chapter desires to construct a New Chapter Complex to carry out the governmental service functions to meet the growing needs of our community for the youth, adults and elderly ; and
5. The funding will be used to plan, design and construct a New Chapter Complex within the former NFP1 withdrawn land on a vacant lot, located in the northeast corner of Mill Road and Shepherd Springs Boulevard in Navajo, New Mexico,


NOW, THEREFORE, BE IT RESOLVED THAT:

The Red Lake Chapter hereby requests the Resource & Development Committee of the Navajo Nation Council to move the project funding in the amount of \$1,041,666.67 from the Sihasin funds for the New Chapter Complex to Year Three Funding.

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

I hereby certify that the foregoing resolution was duly considered by Red Lake Chapter at a duly called meeting at Red Lake, Navajo Nation, New Mexico, at which a quorum was present and that the same was passed by a Vote of 25 in Favor, 0 Opposed, and 4 Abstained on this 19th day of December, 2018..

MOTIONED: *Jonas Mastach*
SECONDED: *Florina Howard*


Arval T. McCabe, Chapter President



Red Lake Chapter

Arval T. McCabe
PRESIDENT

Pauline J. Garnenez
VICE PRESIDENT

Loberta Redhouse
SECRETARY/TREASURER

Paul Milford
GRAZING OFFICIAL

RESOLUTION OF THE RED LAKE CHAPTER #18 RLC-06-18-22

SUPPORTING AND APPROVING A REQUEST FOR APPROXIMATELY 4-5 ACRES OF LAND WITHIN THE COMMUNITY OF NAVAJO FOR NEW RED LAKE #18 CHAPTER COMPLEX

WHEREAS:

- 1 Pursuant to 26 N.N.C., section 3 (a) the Red Lake #18 Chapter is a certified chapter of the Navajo Nation as listed under 11 N.N.C., Part 1, Section 10; and
- 2 Pursuant to 26 N.N.C. Section 1 (b) the Red Lake #18 Chapter is delegated the governmental authority to make decisions over local matters consistent with the Navajo laws, customs, and tradition; and
- 3 The Red Lake #18 Chapter provides multiple public services to the community of Red Lake #18 Chapter community and the town of Navajo, NM; and
- 4 The Red Lake #18 Chapter currently provides services out of two aging modular facilities with numerous maintenance issues (leaking roof, inadequate restroom facilities, inadequate handicap accessibility, lack of a commercial kitchen, inadequate meeting room space, inadequate offices, lack of conference rooms, inadequate outdoor lighting, etc.); and
- 5 The Red Lake #18 Chapter currently has \$200,000.00 in funds to address the planning, design and engineering of a new Chapter Complex; and
- 6 In March 2016, the Red Lake #18 Chapter gathered input from community members for a new chapter building which is reflected in a document titled, "Red Lake Chapter House Design Guidelines" created by University of New Mexico's Indigenous Design + Planning Institute; and
- 7 The Red Lake #18 Chapter wishes to identify and utilize lands within the community of Navajo (within 960+ withdrawn acreage) for a new chapter complex; and
- 8 The Red Lake #18 Chapter wishes to consider the following site:
 - a. Site (see map): vacant lands east of Mill Road and north of Shepard Springs Boulevard which is approximately 4.8 acres +/-0.5 acres.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Red Lake #18 Chapter hereby supports and approves the request for approximately 4-5 acres of land within the community of Navajo (within 960+ acres withdrawn area) for a new Red Lake #18 Chapter Complex that will provide safe and adequate services to members of the Red Lake #18 Chapter and Navajo, NM.

CERTIFICATION

We hereby certify that the forgoing resolution was considered at a duly called meeting of the Red Lake #18 Chapter, Navajo Nation at which a quorum was present and the same was passed by a vote of 27 Passed, 0 Opposed, 4 Abstained on this day of June 27, 2018.

Motion: Regina Bitley

Second: Olivera Begay

Arval T. McCabe
Arval T. McCabe, President

Arval T. McCabe
PRESIDENT
Roger L James
VICE-PRESIDENT
Loberta Redhouse
SECRETARY/TREASURER
Wilson Stewart, Jr.
COUNCIL DELEGATE



Kathleen Shurley
CHAPTER COORDINATOR
Florina Howard
GRAZING COMMITTEE
MEMBER

RED LAKE CHAPTER

RLC-10-21-44

APPROVING AND ADOPTING THE FISCAL YEAR 2021 TO FISCAL YEAR 2022 CARRY-OVER IN GENERAL FUNDS, LAND CLAIMS, SCHOLARSHIP AND NAVAJO SALES TAX FUNDS BUDGET IN THE AMOUNT OF 1,087,178.95 WITH A PROJECTED AMOUNT OF \$4,000.00 IN THE GENERAL ACTIVITY FUNDS.

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Red Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11 N.N.C. part 1, section10; and
2. Pursuant to 26 N.N.C., Section 1 (B) Red Lake Chapter is vested with the authority to review all matters affecting the community and to make appropriations when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and
3. The Fiscal Year 2021 to Fiscal Year 2022 Carry-Over in General Funds, Land Claims, Scholarship and Navajo Sales Tax Funds Budget will be used for chapter operation and activities to benefit the community membership; and
4. The Red Lake Chapter approves the Fiscal Year 2021 to Fiscal Year 2022 Carry-Over Budget (General Funds, Land Claims Funds, Scholarship and Navajo Sales Tax Funds) in the best interest of the community. Listed below:

1	General Activity Fund	\$ 7,374.20
2	Land Claims Trust Fund	\$ 3,578.15
3	Farm Board Fund	\$ 1,274.04
4	Grazing Official Fund	\$ 1,289.41
5	Youth Employment Fund	\$ 44,018.12
6	Housing Discretionary	\$ 42,305.74
7	Local Governance Fund	\$ 73,494.20
8	Chapter Stipend Fund	\$ 13,191.68
9	Scholarship (General Fund)	\$ 11,880.41
10	Scholarship (Land Claims)	\$ 2,170.35
11	Public Employment Project Fund	\$ 23,264.93
12	Emergency Fund	\$ 18,282.60
13	NN Sales Tax Fund	\$ 311,383.43
14	NN \$100,000 Supplemental Fund	\$ 306.27
15	NN \$180,000 CIP Fund	\$ 41,036.08
16	NN \$200,000 CIP Fund	\$ 389,163.08
17	Chapter Project	\$ 43,619.00
18	Unhealthy Food Tax	\$ 59,547.26
	Grand Total	\$ 1,087,178.95

NOW THEREFORE, BE IT RESOLVED THAT:

The Red Lake Chapter hereby approves and adopts the Fiscal Year 2021 to Fiscal Year 2022 Carry-Over Budget in General Funds, Land Claims Trust Funds, Scholarship and Navajo Sales Tax Funds Budget in the amount of \$1,087,178.95 with a Projected Amount of \$4,000.00 in the General Activity Funds. Reference Exhibit "A" – Resolution Number RLC-10-21-44 and Exhibit "B" – Navajo Nation Budget Forms 1 through 4 as attachments.

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

I hereby certify that the foregoing resolution was duly considered by Red Lake Chapter at a duly called meeting at Red Lake, Navajo Nation, New Mexico, at which a quorum was present and the same was passed by a Vote of 25 in Favor, 0 Opposed, and 03 Abstained on this 10th day of October, 2021.

MOTIONED: Jonas Mastach
SECONDED: Bruce Zah


Arval T. McCabe, Chapter President

Red Lake Chapter

Posted Budget Transactions - Posted Budget Report
BD 140 - FY 2021 to 2022 Carryover Budget

Document Number	Transaction Description	Effective Date	Fund Title	Fund Code	Categ... Code	Progr... Code	GL Title	GL Code	Increase	Decrease
Fund 27	Chapter Office Complex/Survey	10/1/2021	NN 200,000 CIP	27	99	99	Buildings	6806	200,000.00	
Fund 27	Infrastructure - Powerline	10/1/2021	NN 200,000 CIP	27	99	99	Infrastructure - Powerline	6809	11,000.00	
Fund 27	Infrastructure - Waterline	10/1/2021	NN 200,000 CIP	27	99	99	Infrastructure - Waterline	6811	11,000.00	
Fund 27	Infrastructure - H & R Studies/ROW Shepherd Spgs	10/1/2021	NN 200,000 CIP	27	99	99	Infrastructure - Land Improvements	6813	65,000.00	
Fund 27	Match Funds State (Utilities/Street Improvement)	10/1/2021	NN 200,000 CIP	27	99	99	Infrastructure - Land Improvements	6813	37,040.00	
Total Fund 27									389,163.08	0.00
Fund 28	Road Improvement (Gravel, Grading, Culverts) N112/9452	10/1/2021	Chapter Projects	28	99	99	Infrastructure - Land Improvements	6813	43,619.00	
Total Fund 28									43,619.00	0.00
Fund 40	Presenter Fee for Healthy Food Preparation/Class	10/1/2021	Unhealthy Food Tax	40	99	99	Other Professional Fees	6603	4,000.00	
Fund 40	Trainer Instruction Fee for Fitness Classes	10/1/2021	Unhealthy Food Tax	40	99	99	Other Professional Fees	6603	4,000.00	
Fund 40	Supplies/Equipment for Farming/Vegetable Gardening	10/1/2021	Unhealthy Food Tax	40	99	99	Equipment	6802	4,000.00	
Fund 40	Training for First Aide/CPR for Staff/Officials/CERT, etc)	10/1/2021	Unhealthy Food Tax	40	99	99	Other Professional Fees	6603	4,000.00	
Fund 40	Food for Healthy Food Preparation/Comm. Clean-Ups/Fun Run Wa	10/1/2021	Unhealthy Food Tax	40	99	99	Purchases - Food (Chapter)	6352	4,000.00	
Fund 40	Supplies/Equipment for Fitness Center	10/1/2021	Unhealthy Food Tax	40	99	99	Equipment	6802	20,000.00	
Fund 40	Walk/Run Trail/Recreational Park Project	10/1/2021	Unhealthy Food Tax	40	99	99	Infrastructure - Land Improvements	6813	19,547.26	
Total Fund 40									59,547.26	0.00
Total BD 140 - FY 2021 to 2022 Carryover Budget									1,087,178.95	0.00