

LEGISLATIVE SUMMARY SHEET

Tracking No. 0082-23

DATE: April 20, 2023

TITLE OF RESOLUTION: 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 CURTIS YANITO'S DELEGATE REGION (CHAPTERS: MEXICAN WATER, TO'LIKAN, TEES NOS POS, ANETH, RED MESA)

PURPOSE: This resolution, if approved, will enact Hon. Curtis Yanito's Fiscal Recovery Fund Delegate Region Projects Plan (Chapters: Mexican Water, To'likan, Tees Nos Pos, Aneth, Red Mesa)

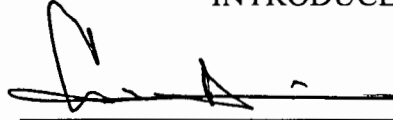
This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each Council Delegate to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: J. Johnson
Website Posting Time/Date: 9:53 PM; 04-20-23
Posting End Date: 04-25-23
Eligible for Action: 04-26-23

Naabik'íyáti' Committee
Thence
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 25th NAVAJO NATION COUNCIL — 1st Year, 2023

3
4 INTRODUCED BY

5 
6 _____

7 Primary Sponsor

8
9 TRACKING NO. 0082-23

10
11 AN ACTION
12 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO
13 NATION COUNCIL; APPROVING THE NAVAJO NATION FISCAL
14 RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR
15 HONORABLE CURTIS YANITO'S DELEGATE REGION (CHAPTERS:
16 MEXICAN WATER, TO'LIKAN, TEES NOS POS, ANETH, RED MESA)

17
18 **BE IT ENACTED:**

19
20 **SECTION ONE. AUTHORITY**

- 21 A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C.
22 §102(A).
- 23 B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council
24 with the delegated responsibility to hear proposed resolution(s) that require final
25 action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- 26 C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference,
27 mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region
28 Project Plans be approved by Navajo Nation Council resolution and signed into law
29 by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) and 2 N.N.C.
30 §§ 1005 (C) (10), (11), and (12).

1
2 **SECTION TWO. FINDINGS**

3 A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO
4 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
5 ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY
6 FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND
7 EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC
8 SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL
9 ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS;
10 HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS;
11 BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND
12 ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND
13 MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION
14 PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED
15 ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo
16 Nation on July 15, 2022.

17 B. CJN-29-22, Section Three, states, in part and among other things, that

- 18 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter
19 and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal
20 Recovery Fund in the total amount of two hundred eleven million two
21 hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148)
22 to be divided equally between the twenty-four (24) Delegate Regions in the
23 amount of eight million eight hundred two thousand three hundred forty
24 dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate
25 Region Project Plans approved by Navajo Nation Council resolution and
26 signed into law by the President of the Navajo Nation . . . See CJN-29-22,
27 Section Three (B).
- 28 2. The Delegate Region Project Plan funding will be allocated to the Navajo
29 Nation Central Government, specifically the Division of Community
30 Development or other appropriate Navajo Nation Division or Department,

1 to implement the projects rather than directly to the Chapters. *See* CJN-29-
2 22, Section Three (D).

3 3. The Navajo Nation Central Government, specifically the Division of
4 Community Development or other appropriate Navajo Nation Division or
5 Department, shall manage and administer funds and Delegate Region
6 Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation
7 Central Government may award funding to LGA-Certified Chapters through
8 sub-recipient agreements to implement and manage specific projects, but
9 shall maintain Administrative Oversight over such funding and Delegate
10 Region Project Plans. *See* CJN-29-22, Section Three (E).

11 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund
12 eligible projects within their Delegate Region to be funded by the NNFRF
13 Chapter and Regional Projects Expenditure Plan through a Delegate Region
14 Projects Plan. The total cost of projects selected by each Delegate shall not
15 exceed their Delegate Region distribution of eight million eight hundred two
16 thousand three hundred forty dollars (\$8,802,340). *See* CJN-29-22, Section
17 Three (F).

18 5. Each Delegate Region Project shall identify its Administrative Oversight
19 entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ
20 initial eligibility determination. *See* CJN-29-22, Section Three (L)(5) and
21 (L)(6).

22 D. All projects listed in the Hon. Curtis Yanito's Delegate Region Projects Plan, attached
23 as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In
24 addition, Hon. Curtis Yanito's Delegate Region Projects Plan does *not* exceed the
25 amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

26 E. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo
27 Nation and the Hon. Curtis Yanito's Delegate Region Chapters and communities to
28 approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project
29 Plan for Hon. Curtis Yanito's Delegate Region (Chapters: Mexican Water, To'likan,
30 Tees Nos Pos, Aneth, Red Mesa) as set forth in **Exhibit A**.

1
2 **SECTION FOUR. APPROVAL OF HON. CURTIS YANITO'S DELEGATE**
3 **REGION PROJECT PLAN**

- 4 A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project
5 Plan for Hon. Curtis Yanito's Delegate Region (Chapters: Mexican Water, To'likan,
6 Tees Nos Pos, Aneth, Red Mesa) set forth in **Exhibit A**.
- 7 B. The Delegate Region Project Plan approved herein shall comply with all applicable
8 provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- 9 C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the
10 individual project appendix, shall be resolved in favor of the project appendix reviewed
11 by Department of Justice during their eligibility determination(s).
- 12

13 **SECTION FIVE. AMENDMENTS**

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

18

19 **SECTION SIX. EFFECTIVE DATE**

20 This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C.
21 § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

22

23 **SECTION SEVEN. SAVING CLAUSE**

24 If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court,
25 or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court,
26 those provisions of this legislation not determined invalid shall remain the law of the Navajo
27 Nation.

28
29
30

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Delegate Curtis Yanito

CHAPTERS: Mexican Water, To'likan, Tees Nos Pos, Aneth, Red Mesa

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	*To'likan Chapter	To'likan Chapter Rural Addressing Project	Division of Community Development	1.14	HK0328	\$ 137,089.00
Division of Community Development	*Mexican Water Chapter	Mexican Water Chapter Purchase of Backhoe	Division of Community Development	6.1	HK0361	\$ 206,055.38
Division of Community Development	*Mexican Water Chapter	Mexican Water Chapter Mobile Home Housing for 2-Clients	Division of Community Development	2.16	HK0362	\$ 207,212.62
Division of Community Development	*Mexican Water Chapter	Mexican Water Chapter Storage Warehouse for Heavy Equipment and PPE Supply	Division of Community Development	6.1	HK0363	\$ 1,267,000.00
		UNALLOCATED AMOUNT				\$ 6,984,983.00
					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 #: HK0363

Date & Time Received: 12/20/2022 at 16:42

Date & Time of Response: 12/29/2022 at 17:00

Entity Requesting FRF: Mexican Water Chapter

Title of Project: Warehouse for Storage of Heavy Equipment and PPE Supplies

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,267,000

Eligibility Determination:

- FRF eligible
- FRF ineligible
- Additional information requested

FRF Eligibility Category:

- (1) Public Health and Economic Impact
- (3) Government Services/Lost Revenue
- (2) Premium Pay
- (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 expenditure category from 1.5 (Personal Protective Equipment) to 6.1 (Government Services). Given the intended uses of the warehouse and the amount of funding involved, the government services category is a better fit for the Project.

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: 

Disclaimers: This Initial Eligibility Determination is based on the documents provided which we have assumed are true, correct, and complete. Should the Project or Program change in any material way after this initial determination, the requestor must seek the advice of NNDOJ. This 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 GOVERNANCE-CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Mexican Water Chapter Date prepared: 11/23/2022

Chapter's mailing address: Red Mesa TP#1019, HC 61 Box 38 phone & email: 828-429-0943 mexicanwater@navajochapters.org
Teec Nos Pos, AZ 86514 website (if any): mexicanwater.navajochapters.org

This Form prepared by: Phoebe Begay, Sr. Accountant phone/email: 928-429-0943/0986/1054
pcbegay@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Warehouse for storage of heavy equipment and PPE supplies

Chapter President: Curtis Yanito phone & email: 928-429-0943 cyanito@naataanil.org

Chapter Vice-President: Cassandra Beletso phone & email: 928-429-0943 cbeletso@unhsinc.org

Chapter Secretary: Clifford L. Sagg phone & email: 928-429-0943 csagg@navajochapters.org

Chapter Treasurer: Clifford L. Sagg phone & email: 928-429-0943 csagg@navajochapters.org

Chapter Manager or CSC: Phoebe Begay, Acting CM phone & email: 928-429-0943 mexicanwater@navajochapters.org

DCD/Chapter ASO: Calvin Tsosle phone & email: 928-429-0096 cetsosie@nndcd.org

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

Amount of FRF requested: 1,267,200.00 ~~\$1,760,468.00~~ FRF funding period: 10/1/23 - 9/30/26 ~~FY2022 - December 2026~~ document attached
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

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

Funds will be used to purchase a warehouse which will be used to store PPE, food/water, other care packages for covid related patients. In addition to store the backhoe that the chapter will get to provide backhoe services for burial assistance for covid related deaths.

document attached

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

The benefits of a warehouse is the safekeeping of supplies and equipment from vandalism, weather damage and extend the life of heavy equipment. Having supplies and equipment readily available will help covid patients and families upon request for assistance.

document attached

(c) 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:

APPENDIX A

document attached

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

The Mexican Water Chapter and Administrative Service Center will be responsible for the implementation of the warehouse project.

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:

Once the project is completed, The Mexican Water Chapter will be responsible for the operations and maintenance costs using the chapter fundings.

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 Other Public Health Services. The Mexican Water Chapter at its current location does not have a warehouse. There is an old warehouse at a different location but it is in a poor condition. In addition the roads are at times not passable which is hard to get to. This warehouse will be onsite and will be available to store backhoe and other PPE supplies to mitigate covid-19.

document attached

Part 3. Additional documents.

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

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: *Shirley Beasly* signature of Preparer/CONTACT PERSON Approved by: *[Signature]* signature of Chapter President (or Vice-President)
Approved by: *Shirley Beasly* signature of Chapter Manager or CAC Approved by: *[Signature]* signature of DCD/Chapter ASO
Approved to submit for Review: *Joe Jaram, MFRTO* signature of DCD Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Mexican Water Chapter Warehouse</u>		Division/Branch: <u>Mexican Water Chapter</u>
Prepared By: <u>Phoebe Begay, Sr. Accountant</u>		Phone No.: <u>(928) 429-0943</u>		Email Address: <u>pcbegav@nncchapters.org</u>
PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total
<u>ARPA Funds</u>		<u>10/1/2023</u>	<u>1,267,200</u>	<u>100%</u>
		<u>9/30/2026</u>		
PART III. BUDGET SUMMARY				
	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
2001	Personnel Expenses			
3000	Travel Expenses			
3500	Meeting Expenses			
4000	Supplies	<u>223,500.00</u>	<u>223,500.00</u>	<u>223,500</u>
5000	Lease and Rental			
5500	Communications and Utilities	<u>255,000.00</u>	<u>255,000.00</u>	<u>255,000</u>
6000	Repairs and Maintenance			
6500	Contractual Services	<u>150,000.00</u>	<u>150,000.00</u>	<u>150,000</u>
7000	Special Transactions			
8000	Public Assistance			
9000	Capital Outlay	<u>427,500.00</u>	<u>427,500.00</u>	<u>427,500</u>
9500	Matching Funds	<u>211,200.00</u>	<u>211,200.00</u>	<u>211,200</u>
9500	Indirect Cost			
TOTAL		<u>1,267,200.00</u>	<u>1,267,200.00</u>	
PART IV. POSITIONS AND VEHICLES				
TOTAL # of Positions Budgeted:		(D) 0	(E) 0	
TOTAL # of Permanently Assigned Vehicles:		0	0	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.				
Sonlata Jim-Martin, ASC Department Manager				
SUBMITTED BY: <u>Sonlata Jim-Martin</u> Program Manager's Printed Name & Signature / Date <u>12/19/2022</u>				
APPROVED BY: <u>[Signature]</u> Division Director/Branch Chief's Printed Name				
APPROVED BY: <u>[Signature]</u> Division Director/Branch Chief's Signature and Date <u>12.16.22</u>				

**THE NAVAJO NATION
 PROGRAM PERFORMANCE CRITERIA**

FY 2023

PART I. PROGRAM INFORMATION:	Business Unit No.: <u>NEW</u>	Program Name/Title: <u>Warehouse</u>	Mesa/Navajo Chapter: <u>Warehouse</u>																																
PART II. PLAN OF OPERATION REFERENCED/LEGISLATED PROGRAM PURPOSE:																																			
CAP-94-69 To direct the Chapter Administration and Management control system, by promoting efficiency and accountability to the chapter membership, and to effectuate plans of action to improve the standard of living to the chapter membership.																																			
PART III. PROGRAM PERFORMANCE CRITERIA:																																			
<p>1. Program Performance Area: To purchase a new warehouse. Goal Statement:</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2">1st QTR</th> <th colspan="2">2nd QTR</th> <th colspan="2">3rd QTR</th> <th colspan="2">4th QTR</th> </tr> <tr> <td>Goal</td> <td>Actual</td> <td>Goal</td> <td>Actual</td> <td>Goal</td> <td>Actual</td> <td>Goal</td> <td>Actual</td> </tr> <tr> <td>0</td> <td></td> <td>0</td> <td></td> <td>0</td> <td></td> <td>1</td> <td></td> </tr> </table>	1st QTR		2nd QTR		3rd QTR		4th QTR		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	0		0		0		1		<p>2. Program Performance Area: To obtain 3 quotes using the Procurement Process to purchase warehouse Goal Statement:</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td> </tr> </table>								
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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Sonlatsa Jim-Martin, ASC Department Manager
 Program Manager's Printed Name

Sonlatsa Jim-Martin
 Program Manager's Signature and Date 12/19/2022

[Signature]
 Division Director/Branch Chief's Printed Name

[Signature]
 Division Director/Branch Chief's Signature and Date 12-16-22

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:		Business Unit No.:	
Program Name/Title: <u>Warehouse</u>		<u>NEW</u>	
Program Name/Title: <u>Mexican Water Chapter</u>			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
5500	Communications and Utilities		1,267,200.00
4000	Supplies: Foundation and concrete slab on grade	223,500.00	
5500	Communication and Utilities: Estimated cost and infrastructure	255,000.00	
6500	Contractual Services: Plan and Design	150,000.00	
9000	Capital Outlay: Estimated cost for the Pre-Engineered Building only	427,500.00	
9500	Matching Funds: Contingency Plans (inflation 20%)	211,200.00	
TOTAL		1,267,200.00	1,267,200.00



MEXICAN WATER CHAPTER



Red Mesa TP#1019, HC 61 Box 38 • Teec Nos Pos, AZ 86514 • (928) 429-0986

Mexican Water Chapter

MWCDEC06-016

RESOLUTION OF MEXICAN WATER CHAPTER

APPROVING THE APPENDIX A, THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST FORM AND EXPENDITURE PLAN FOR MEXICAN WATER CHAPTER'S CONSTRUCTION OF A NEW WAREHOUSE PROJECT FOR STORAGE OF PPE's, WATER, WOOD, COAL, FOOD AND HEAVY EQUIPMENT.

WHEREAS,

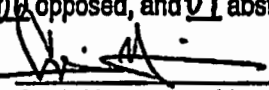
1. Pursuant to 26 N.N.C., Section 102 (B); which permits Mexican Water Chapter to exercise local governance authorities contained within 26 N.N.C. Section 103, with the exception of land administration authority pursuant to 26 N.N.C. Section (D) (1); and
2. Pursuant to 26 N.N.C., Section 3 (A) the Mexican Water Chapter is a recognized certified Chapter of the Navajo Nation government, as listed at 11 N.N.C. part 1, section 10; and
3. Pursuant to CAP-34-98, the Navajo Nation Council adopted the Navajo Nation Local Governance Act (LGA); and
4. The Mexican Water Chapter is requesting funding from the ARPA funding pool in the amount of \$1,267,200.00 for a 3 Bay 50' by 80', 4,000 square feet warehouse; the funds will be used for the construction of a new warehouse for the secure storage of PPEs, water wood, coal, food and other valuable asset; and to mitigate the COVID-19 Pandemic; and
5. The current Mexican Water Chapter warehouse is in dilapidated condition, the roof is leaking and is located at the old chapter property in Arizona; and
6. The Mexican Water Chapter is requesting the new warehouse to be built on Mexican Water Chapter property in Utah; and
7. The Mexican Water Chapter will advertise through the Navajo Times newspaper for an invitation for bid to potential vendors operating on and off the Navajo Nation, announcing a Competitive Sealed Bidding.

NOW THEREFORE BE IT RESOLVED THAT;

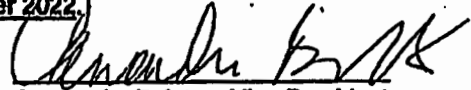
1. The Mexican Water Chapter hereby approves Appendix A, the Navajo Nation Fiscal Recovery Funds Request Form and Expenditure Plan for Mexican Water Chapter's construction of a new warehouse project for the requested funding amount of \$1,267,200 for a 3 Bay 50' by 80', 4,000 square feet warehouse; attached as Appendix "A".
2. The Mexican Water Chapter Administration will be responsible for the implementation of the warehouse project and to maintain the operation and its maintenance cost.
3. The Mexican Water Chapter Administration shall initiate the Construction of the New Warehouse Project in Fiscal Year 2023, and the estimated date of completion of the project will be before December 31, 2026.

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the Mexican Water Chapter membership, at a duly called Chapter Meeting at which a quorum was present and that the same was enacted by a vote of 25 in favor, 0 opposed, and 0 abstained, this 06th day of December 2022.



Curtis Yanito, President



Cassandra Beletso, Vice-President



Clifford L. Sagg, Secretary/Treasurer

**PRELIMINARY COST ESTIMATE FOR A PRE-ENGINEERED
WAREHOUSE FOR HEAVY EQUIPMENT STORAGE.**

3 Bay 50' X 80', 4,000 Square Feet

Preliminary Cost Per Square Footage.....\$ 264.00

Plans and Design.....\$150,000.00

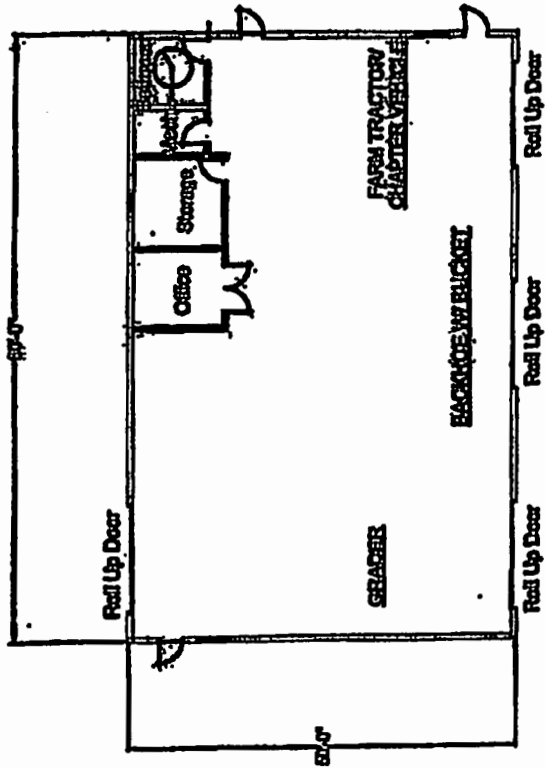
Estimated Cost for the Pre-Engineered Building only.....\$427,500.00

Estimated Cost for Utilities and Infrastructure\$255,000.00

Foundation and Concrete Slab on Grade.....\$223,500.00

TOTAL COST \$1,055,000.00

NOTE: COST MAY VARY ACCORDING TO SITE AND SOIL CONDICTIONS



2-BAYS METAL WAREHOUSE BUILDING FLOOR PLAN

STRUCTURE

- A. Size: 87' x 62' Width / 48' Height / 16' (6) Bays
- B. 48' x 8' Clear Endspan w/ Clear Aisle
- C. Heavy Duty Steel Frame - Windload 60 RPH
- D. Mounted Roll Up Bay Doors
- E. Ceiling Trusses and Pans
- F. Wind Mounted Exhaust Fans
- G. Insulated Mounted End Bay Lights
- H. Electric Distribution (Power line) - Maximum Amps allowed to Accommodate Equipment

- Mechanical LR
- Air Compressor
- Welding Machine
- Air Lines
- 10' x 10' Storage for pallets (400 lbs maximum weight)
- Heavy equipment maintenance Cranes, Engines w/ Bucket, Tractor, Chapter Vehicle, George truck and Utility Trailer

UTILITIES

WATER

There will be water or no water to the new Metal Warehouse. Safety, considering on the possibility of reference. Safety measures will have to be taken or also in the safety department will be provided according to the requirements and NEN (ENSA) Requirements. In addition, exhaust facilities will be located in the Chapter and near the Warehouse Facility.

OPERATIONS

There will be a clear that house of operations and heavy equipment will be limited to 8 am to 5 pm and only as required by community members and Chapter. It is also that heavy equipment is operation at the full function of 8 am to 5 pm, Monday thru Friday.

Mexican Water Chapter Construction of New Warehouse

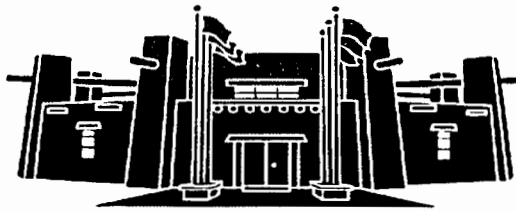
Table : Displays the Project Cost Estimate for a 3 Bay 50'x80', 4,000 square feet

Preliminary Cost Per Square Foot	\$	316.80
Plan and Design		150,000.00
Estimated Cost for the Pre-Engineered Building only		427,500.00
Estimated Cost for Utilities and Infrastructure		255,000.00
Foundation and Concrete Slab on Grade		223,500.00
Contingency (Inflation): 20%		211,200.00
Total Cost	\$	1,267,200.00

NOTE: Cost may vary according to site and soil condition

**Image : Displays the location of the Mexican Water Chapter Proposed New Warehouse Construction Site
In proximity of Mexican Water Chapter.**

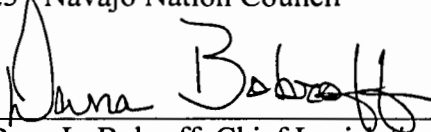
Office of Legislative Counsel
Telephone: (928) 871-7166
Fax No.: (928) 871-7576



Honorable Crystalyne Curley
Speaker
25th Navajo Nation Council

MEMORANDUM

TO: Hon. Curtis Yanito, Council Delegate
25th Navajo Nation Council

FROM: 
Dana L. Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: April 20, 2023

SUBJECT: **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 CURTIS YANITO'S DELEGATE REGION (CHAPTERS: MEXICAN WATER, TO'LIKAN, TEES NOS POS, ANETH, RED MESA)**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0082-23_

SPONSOR: Curtis Yanito

TITLE: 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 Curtis Yanito's Delegate Region (Chapters: Mexican Water, To'likan, Tee Nos Pos, Aneth, Red Mesa)

Date posted: April 20, 2023 9:53 PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0082-23

SPONSOR: Honorable Curtis Yanito

TITLE: An Action Relating to the Budget & Finance Committee, The Naabik'iyáti Committee, and the Navajo Nation Council; Approving a Moratorium on all Future Allocations from the Unreserved, Undesignated Fund Balance ("UUFb"), the Síhasin Fund, and Permanent Fund Income

Posted: April 20, 2023 at 9:53 PM

5 DAY Comment Period Ended: April 25, 2022

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Comments/Recommendations	<i>None</i>



**Policy Analyst
Office of Legislative Services**

April 26, 2023; 8:50 AM

Date/Time

**25th NAVAJO NATION COUNCIL
NAABIK'ÍYÁTI' COMMITTEE REPORT
First Year 2023**

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0082-23

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 Curtis Yanito's Delegate Region (Chapters: Mexican Water, To'likan, Tee Nos Pos, Aneth, Red Mesa)

Sponsored by: Honorable Curtis Yanito

Has had it under consideration and reports the same that the legislation **PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL.**

Respectfully Submitted,



*Honorable Crystalyne Curley, Chairperson
NAABIK'ÍYÁTI' COMMITTEE*

25 May 2023

MAIN MOTION

Motioned by: Honorable George H. Tolth

Seconded by: Honorable Casey Allen Johnson

Vote: 19 In Favor, 0 Opposed (Chairperson Crystalyne Curley Not Voting)

NAVAJO NATION

96

5/25/2023

Naa'bik'iyati' Committee Special Meeting

02:31:27 PM

Amd# to Amd#

New Business: Item A.

PASSED

MOT Tolth, G

(CONSENT AGENDA)

SEC Johnson, C

0082-23; 0103-23; 0110-23;

0111-23; 0112-23

Yeas : 19

Nays : 0

Excused : 2

Not Voting : 2

Yea : 19

Arviso, S

Claw, S

Nez, A

Tolth, G

Aseret, L

Damon, S

Nez, R

Tso, O

Begay, H

Daniels, H

Parrish, S

Yanito, C

Begay, N

Jesus, B

Simpson, D

Yazzie, C

Charles-Newton, E

Johnson, C

Slater, C

Nay : 0

Excused : 2

Crotty, A

Simonson, G

Not Voting : 2

James, V

Notah, N

Presiding Speaker: Curley, C