



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

November 3, 2023

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

RE: CO-80-23 *An Action relating to Naabik'iyáti' Committee and Navajo Nation Council: Amending CAP-15-23, the Navajo Nation Fiscal Recovery Fund Delegate Region Project for Honorable Germaine Simonson's Delegate Region (Chapters: Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill), to Include Additional Projects for this Delegate Region*

Dear Honorable Members of the 25th Navajo Nation Council,

I am pleased to sign into law Resolution CO-80-23 approving the amendments to the Fiscal Recovery Funds Delegate Regional Plan for Honorable Germaine Simonson's Delegate Region to include additional projects for a total of \$4,200,047.47 out of a potential allocated amount of \$8,802,340.00.

My Administration supports the plans of these Chapters who have worked very hard to put together their Regional Plans and are working 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 we will work together to overcome it. As you know, my Administration has been working to put in place quicker and more flexible Navajo Nation systems. I look forward to continuing to work with you to improve Navajo Nation systems so that we are supporting our communities and taking advantage of this historic funding.

I do want us to be cognizant that the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This date 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 a proposed timeline.

Now let's get to work!

Sincerely,



Dr. Buu Nygren, *President*
THE NAVAJO NATION

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

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
 AMENDING CAP-15-23, THE NAVAJO NATION FISCAL RECOVERY FUND
 DELEGATE REGION PROJECT PLAN FOR HONORABLE GERMAINE SIMONSON'S
 DELEGATE REGION (CHAPTERS: HARD ROCK, FOREST LAKE, PINON, BLACK
 MESA, WHIPPOORWILL), 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. CAP-15-23, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Germaine Simonson's Delegate Region (Chapters: Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill) 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. CAP-15-23, 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 GERMAINE SIMONSON'S DELEGATE REGION (CHAPTERS: HARD ROCK, FOREST LAKE, PINON, BLACK MESA, WHIPPOORWILL), was signed into law by the President of the Navajo Nation on May 4, 2023.
- D. CAP-15-23, 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. All additional projects listed in the Hon. Germaine Simonson's Delegate Region Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Germaine Simonson's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- F. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Germaine Simonson'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. Germaine Simonson's Delegate Region (Chapters: Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill) as set forth in **Exhibit A**.

SECTION THREE. AMENDING CAP-15-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE GERMAINE SIMONSON'S DELEGATE REGION (CHAPTERS: HARD ROCK, FOREST LAKE, PINON, BLACK MESA, WHIPPOORWILL), 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. Germaine Simonson's Delegate Region

(Chapters: Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill) set forth in Exhibit A.

- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

SECTION FOUR. AMENDMENTS

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

SECTION FIVE. EFFECTIVE DATE

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

SECTION FIVE. SAVING CLAUSE

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

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 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 17 in Favor, and 00 Opposed, on this 16th day of October 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

10/24/2023

DATE

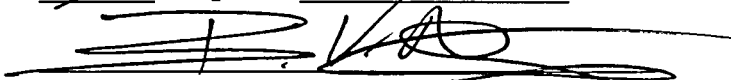
Motion: Honorable Seth Damon

Second: Honorable Andy 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 3 day of NOVEMBER, 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 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 0428

Date & Time Received: 3/30/23 at 14:41

Date & Time of Response: 4/10/23 at 1026 am

Entity Requesting FRF: Whippoorwill Chapter

Title of Project: New House Electric and Powerline Extension Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$60,000

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

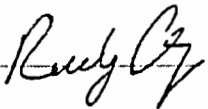
U.S. Department of Treasury Reporting Expenditure Category: _____
2.15, Long-term Housing Security: Affordable Housing

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

- | | |
|--|--|
| <input type="checkbox"/> Missing Form | <input type="checkbox"/> Expenditure Plan incomplete |
| <input type="checkbox"/> Supporting documentation missing | <input type="checkbox"/> Funds will not be obligated by 12/31/2024 |
| <input type="checkbox"/> Project will not be completed by 12/31/2026 | <input type="checkbox"/> Incorrect Signatory |
| <input type="checkbox"/> Ineligible purpose | <input type="checkbox"/> Inconsistent with applicable NN or federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports | |
| <input type="checkbox"/> Additional information submitted is insufficient to make a proper determination | |

Other Comments: _____

Name of DOJ Reviewer: Rudy Anaya, Tax and Finance Unit

Signature of DOJ Reviewer: _____ 

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 GOVERNANCE-CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Whippoorwill Chapter Date prepared: Nov 28, 2022

Chapter's mailing address: P.O. Box 279
Pinon, Az 86510 phone & email: (928) 725-3728
website (if any): whippoorwill@navajochapters.org

This Form prepared by: Mareita Denny phone/email: (928) 725-3728
Chapter Manager whippoorwill@navajochapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: New Homes Electric and Powerline Extension Project

Chapter President: Aaron Yazzie phone & email: (928) 383-2751

Chapter Vice-President: Gerald Ahasteen phone & email: (928) 781-7251

Chapter Secretary: Phillip Tom Jr. phone & email: (928) 675-7343

Chapter Treasurer: Phillip Tom Jr. phone & email: (928) 675-7343

Chapter Manager or CSC: Mareita Denny phone & email: (928) 725-3756

DCD/Chapter ASO: Ella Kay phone & email: (928) 725-3728

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Chapter intends to contract this project to local businesses using DED Source List or Sole Source and coordinate with NTUA or OEH document attached

Amount of FRF requested: -\$60,000.00 FRF funding period: May 01, 2023 to December 31, 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:

This Electric and Powerline Project is critical and connection must be planned before completion of New House Construction. And application for utility connection must be submitted earlier due to NTUA work schedule. This portion of Electric and Powerline Extension will occur in conjunction with new house construction. New houses are provided to families whom are susceptible to virus particularly COVID and to control the spread of virus.

document attached

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

New houses construction benefits the elderlies, handicapped, disabled Veterans, and any families who have lived in dilapidated shelters. Any Right of Ways for utilities to new house will first be studied if Right of Way can be waived. Discussion on Right of Way issue will be cleared by NTUA and BIA before completion.

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:

Electric and Powerline Extension application will be submitted for process on January 2024 for all new houses constructed by December 2025. NTUA will have schedule for this project and chapter should anticipate a holdup on project because other projects similiar to our will be ongoing. If so, chapter should make alternative plan to avoid any delays.

document attached

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

Whippoorwill Chapter will implement this project and coordinate plans with NTUA.

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:

Homeowners will be responsible for maintenance as required by NTUA from meter loop to the house. NTUA will be responsible from main powerline to meterbox. This is a standard respective cost operation duties between homeowners and NTUA.

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:

Fiscal Recovery Fund expenditure categories- Housing Support: Other Housing Assistance 2.18

To complete New House Construction, basic utility connection budget is necessary.

document attached

Part 3. Additional documents.

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

Chapter Electric and Powerline Extension Resolution is attached.

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. C.Y-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: _____

[Signature]
signature of Preparer/CONTACT PERSON

Approved by: _____

[Signature]
signature of Chapter President (or Vice-President)

Approved by: _____

[Signature]
signature of Chapter Manager or CSC

Approved by: _____

[Signature]
signature of DCD/Chapter ASO

Approved to submit for Review: _____

[Signature]
signature of DCD Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: NEW **Program Title:** WHIPPOORWILL CHAPTER - Electric and Powerline Ext. **Division/Branch:** DCD/Executive
Prepared By: Mareita Denny **Phone No.:** 928-725-3727 **Email Address:** whippoorwill@navajochapters.org

PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total
NN ARPA FUNDS		5-01-2023 12-31-2026	60,000.00	100%
PART III. BUDGET SUMMARY				
	Fund Type Code	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			
7000	Special Transactions			
8000	Public Assistance	6	60,000.00	60,000.00
9000	Capital Outlay			
9500	Matching Funds			
9500	Indirect Cost			
TOTAL		\$0.00	60,000.00	60,000.00
PART IV. POSITIONS AND VEHICLES				
TOTAL:		(D)	(E)	
Total # of Positions Budgeted:		0	0	
Total # of Vehicles Budgeted:		0	0	

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

SUBMITTED BY: James Adakie, Deputy Director **APPROVED BY:** Calvin Castillo
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name
3-30-23 3/28/2023
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:													
Business Unit No.:	NEW	Program Name/Title: WHIPPOORWILL CHAPTER - ELECTRIC AND POWERLINE EXTENSION PROJECT											
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:													
PART III. PROGRAM PERFORMANCE CRITERIA:													
		1st QTR		2nd QTR		3rd QTR		4th QTR					
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:													
To assist community members with Powerline Extension Infrastructure.													
Program Performance Measure/Objective:													
Assist 3-Clients with Powerline Extension Infrastructure.												3	
2. Goal Statement:													
Program Performance Measure/Objective:													
3. Goal Statement:													
Program Performance Measure/Objective:													
4. Goal Statement:													
Program Performance Measure/Objective:													
5. Goal Statement:													
Program Performance Measure/Objective:													
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.													
										Calvin Castillo			
										Division Director/Branch Chief's Printed Name			
James Ada Lee, Deputy Director										3/28/2023			
Program Manager's Printed Name										Division Director/Branch Chief's Signature and Date			

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>WHIPPOORWILL CHAPTER - Electric and Powerline Extension Project</u>		Business Unit No.: <u>NEW</u>	
PART II. DETAILED BUDGET:			
(B)			
Object Code Description and Justification (LOD 7)			
(A)	(C)	(D)	
Object Code (LOD 6)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)	
8500	60,000.00	60,000.00	
Infrastructure - (non-cap) 8540 - Powerline Extension: Assist 3-Community Members with Powerline Extension @ \$60,000.00			
TOTAL			60,000.00

THE NAVAJO NATION
PROJECT BUDGET SCHEDULE

PART I. Business Unit No.: NEW
 Project Title: Whippoorwill Chapter Powerline Extension Project
 Project Description: Powerline Extension for new unit houses.

Check one box: Original Budget Budget Revision Budget Reallocation Budget Modification

PART II. Project Information
 Project Type: Powerline Extension Project
 Planned Start Date: May 01, 2023
 Planned End Date: December 31, 2026
 Project Manager: Maretha Denny

PART III. List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.

	FY 2023												FY 2024					Expected Completion Date if project exceeds 8 FY Qtrs. <u>Dec. 31, 2026</u>		
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	5th Qtr.	6th Qtr.	7th Qtr.	8th Qtr.				
General Requirements																				
Design/Engineer																				
Sole Source Contract Award																				
Construction																				
Completion/Close Out																				
PART V. Expected Quarterly Expenditures	\$ 0.00	\$	\$ 0.00	\$ 8,571.43	\$	\$	\$ 8,571.43	\$	\$	\$ 8,571.43	\$	\$	\$ 8,571.43	\$	\$	\$ 8,571.43	\$	\$ 8,571.43	\$ 8,571.43	
PROJECT TOTAL																				\$60,000.00



Whippoorwill Chapter



P.O. Box 279

Pinon, AZ 86510

Phone #: (928)725-3727/3728

Fax #: (928)725-3745

Marcita Denny, Chapter Manager

Ella M. Kay, Administrative Assistant

Germaine Simonson, Council Delegate Aaron Yazzic, President Gerald Ahasteen, Vice-President Phillip Tom Jr., Secretary/Treasurer

RESOLUTION OF WHIPPOORWILL CHAPTER

Resolution No. WC-23-29

REQUESTING THE DEPARTMENT OF JUSTICE AND DIVISION OF COMMUNITY DEVELOPMENT TO ACCEPT OUR COMPLETED FISCAL RECOVERY FUND REQUEST FORM AND EXPENDITURE PLAN FOR OUR CHAPTER'S NEW ELECTRIC AND POWERLINE EXTENSION PROJECT SUBJECT TO BE FUND IN THE AMOUNT OF \$60,000.00 BY AMERICAN RESCUE PLAN ACT

WHEREAS:

1. The Resources and Development Committee, pursuant to Legislation RDCD-83-14 certified Whippoorwill Chapter's Five Management System Policies and Procedures and pursuant to 2 N.N.C., §501 (B) (2) (d), 26 N.N.C. §102 and CO-45-12 Section 5(B), upon recommendation by Auditor General's office, further supported the certification, AND
2. Pursuant to Local Governance Act, 26, N.N.C. §101, et seq. to properly administer, to provide accountability in the five personnel and property management, and consistent with Auditor General's Memorandum dated September 9, 2014, AUDIT REPORT No. 14-24, AND
3. The Navajo Nation received American Rescue Plan Act fund to combat and mitigate COVID-19, thereby; this project meets the criteria and eligible under Treasury Expenditure Categories final rule, Drinking Water: Other water infrastructure, AND
4. Whippoorwill Chapter has prepared project under American Rescue Plan Act to construct New Homes within the chapter service area with plan to connect electric or extend powerlines to complement the newly constructed house, AND
5. Most selected families house will be built near existing powerline and waterline to qualify for a waiver of Right of Way by NTUA that will avoid a lengthy process, these type of cooperation between the agencies have always been in the best interest of the people.

NOW THEREFORE IT BE RESOLVE THAT:

1. The Whippoorwill Chapter hereby requests the Department of Justice and Division of Community Development to accept our completed Fiscal Recovery Fund Form and Expenditure Plan for chapter's New Electric and Powerline Extension Project subject to be funded in amount of \$60,000.00 from American Rescue Plan Act.
2. Whippoorwill Chapter hereby 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

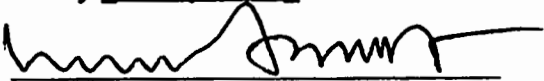
We, the undersigned hereby certify that the foregoing resolution was considered by the Whippoorwill Chapter at a duly called meeting at Whippoorwill, Arizona, Navajo Nation, at which a quorum was present and the same was passed by a Vote 04 in FAVOR, 0 OPPOSED, and 02 ABSTAINED on the November 4th, 2022.

Motioned by Raymond Joe

Second by Johnny Naize



Aaron Yazzie, Chapter President



Gerald Ahasteen, Chapter Vice President



Phillip Tom Jr., Chapter Secretary/Treasurer

Jimmy Yellowhair, NN Council Delegate

Albert Wartz, Grazing Official

NAVAJO NATION

251

Navajo Nation Council Fall Session

10/16/2023
01:39:20 PM

<p>Amd# to Amd#</p> <p>MOT Damon, S</p> <p>SEC Nez, A</p>	<p>Consent Agenda: Legislations</p> <p>0231-23, 0158-23, 0203-23,</p> <p>0232-23, and 0230-23</p>
--	--

PASSED

Yeas : 17

Nays : 0

Excused : 4

Not Voting : 2

Yea : 17

Arviso, S	Damon, S	Nez, A	Slater, C
Aseret, L	Daniels, H	Nez, R	Tolth, G
Begay, H	Jesus, B	Simonson, G	Yanito, C
Charles-Newton, E	Johnson, C	Simpson, D	Yazzie, C
Claw, S			

Nay : 0

Excused : 4

James, V	Crotty, A	Tso, O	Notah, N
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Not Voting : 2

Parrish, S	Begay, N
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Presiding Speaker: Curley, C